

**STUDENT HANDBOOK**

**THE SCHOOL OF LAW**

**INCLUDING THE HUMAN**

**RIGHTS CENTRE**

**Undergraduate Options for Law**

**2021-22**

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## Teaching in Academic Year 2021-2022

### ***Has COVID-19 changed the way that my optional modules be taught and assessed?***

The School of Law has always used technology to offer our students a more flexible and dynamic learning experience. COVID-19 has accelerated our search for innovative new approaches to support your learning and development. Teaching in the coming academic year will be delivered through a mixture of face-to-face and online learning activities. We have put together a tailored plan to provide this combination while maintaining our high standards of teaching and learning. We are excited to share our new teaching and learning plan with you.

Our new teaching and learning models will replace the traditional lecture through a combination of online webinars and a range of digital materials prepared by the teaching team for each module. Face-to-face teaching will be complemented by various digital tools designed for online teaching and learning, hosted through our online learning environment (Moodle), which will be adapted to our new teaching delivery models. Modules that you study will be accompanied by structured material and guidance to clarify expectations, guide you through your independent studying and help you manage your time.

We have also revised our assessment strategy to provide you with more flexibility. To give you more opportunities to demonstrate your skills, knowledge and understanding, all your modules will have at least two types of assessment. Your modules will now include an element of continuous assessment in various formats, such as short multiple choice quizzes, which will enable you to keep track of your progress, understand where you are doing well, and give you clear feedback to help you manage your studies. You will still have coursework assignments and exams (either take home or on campus) in a format with which you are familiar.

### **Choosing optional modules**

Enrolment for optional modules is via the online system eNROL. This will be available on-line from 9am, Wednesday 2 June 2021, at [www.essex.ac.uk/enrol/](http://www.essex.ac.uk/enrol/)

When you log-in at this web address you will see listed the options personally available to you for your course and year of study.

### **Making your choices**

When making your option choices you should consider:

- What areas of law you most enjoy studying
- What options are available to you in your current year of study and what will be available to you in future years (if applicable)
- How a module is assessed (i.e. exam or coursework)
- When the assessment takes place (e.g. you may not wish to pick four modules with coursework due at the same time!)

### **Please note that we cannot guarantee that every combination of options is possible**

Due to the number of options we offer, and the inherent restrictions of the weekly timetable, it is impossible for us to ensure that no two options clash with each other. It is unfortunately possible, therefore, that you will need to amend your initial preferences once the timetable for the coming year has been confirmed. For this reason, please elect your choices on eNROL as early as possible. If you can complete your first choice **by 20 July 2021**, this will help the Central Timetabling Office avoid clashes between popular modules, if possible. You will still be able to change your mind later.

**Please note that you cannot take the same module option twice.**

### How many options to choose

In any academic year you should be taking modules totalling 120 credits for the year. Please make sure when choosing your options that you have made sufficient choices to achieve this total. Generally, 30 Credit modules run for a full year and 15 Credit modules run for one term.

### Balancing your workload

It is important to ensure that you select your options so as to give you an even workload throughout the academic year. You should be taking four modules in each term. Do not select more modules in one term than another. Doing so will leave you with a heavy workload in one term which may impact detrimentally on your academic performance.

### Deadline for changing modules

Should you change your mind, allowing for module availability, it is possible to change your options until the start of the Autumn Term. You will also have an opportunity to change your Spring Term choices at the start of Spring Term. The exact dates will be published on the Enrol website.

The School makes every effort to ensure that optional modules are available in as many combinations as possible, but sometimes timetabling constraints mean that certain options will clash with other options. If this is the case, you will have to select options that do not clash. The timetables are usually released by mid-September, at which time you can still select different options.

While the information contained in this booklet is believed to be correct at the time it was compiled (June 2020), and is believed to contain an accurate description of the modules planned for the academic year 2020-21, the School of Law reserves the right to update, modify or even withdraw specific modules or change staffing arrangements or methods of assessments where academic developments or unexpected contingencies render such action necessary.

### Options with limited places

A small number of modules have a limited number of places available. These modules are:

- LW250-5-FY – Legal Advice Case Work
- LW352-6-FY – Advanced Legal Advice Case Work

LW250 and LW352 are only available to students who are members of the University of Essex Law Clinic. In the case of LW250-5-FY – Legal Advice Case Work, students who are not currently members may apply to join the Law Clinic, but places on LW352-6-FY – Legal Ethics and Justice are limited to students who are already members of the Law Clinic.

- LW237-5-SP & LW237-6-SP – Clinical Legal Education (Law Placement) also offers limited places. Students are asked to contact the module leader Dr Penny Brearey-Horne ([pbrear@essex.ac.uk](mailto:pbrear@essex.ac.uk)) before their registration is confirmed.

### Options available to SECOND year students

Module Code	Module Title	Credits	Term
LW209-5-SP*	Current Issues in Public Law	15	Spring
LW218-5-AU*	Public International Law	15	Autumn
LW219-5-SP*	Selected Issues in Public International Law	15	Spring
LW225-5-FY*	Company Law	30	Autumn and Spring
LW237-5-SP	Clinical Legal Education (Law Placement)	15	Spring
LW250-5-FY	Legal Advice Case Work	30	Autumn and Spring
LW349-5-SP*	Contemporary Issues in Criminal Justice: Law, Policy and Practice	15	Spring
LW354-5-AU*	Criminology	15	Autumn

All modules marked with \* are also available in Third Year.

**Options available to Third and Final Year students**

<b>Module Code</b>	<b>Module Title</b>	<b>Credits</b>	<b>Term</b>
LW209-6-SP	Current Issues in Public Law	15	Spring
LW214-6-FY	Family Law	30	Autumn and Spring
LW218-6-AU	Introduction to Public International Law	15	Autumn
LW219-6-SP	Selected Issues in Public International Law	15	Spring
LW224-6-SP	Banking Law	15	Spring
LW225-6-FY	Company Law	30	Autumn and Spring
LW237-6-SP	Clinical Legal Education (Law Placement)	15	Spring
LW241-6-AU	Consumer Contract Law	15	Autumn
LW242-6-SP	Commercial Contract Law	15	Spring
LW244-6-AU	The Protection of Human Rights in the UK	15	Autumn
LW251-6-SP	Employment Law and Practice	15	Spring
LW316-6-FY	Law of Evidence	30	Autumn and Spring
LW327-6-FY	International Trade Law	30	Autumn and Spring
LW343-6-AU	Competition Law	15	Autumn
LW349-6-SP	Contemporary Issues in Criminal Justice: Law, Policy and Practice	15	Spring
LW352-6-FY	Legal Ethics and Justice	30	Autumn and Spring
LW354-6-AU	Criminology	15	Autumn
LW356-6-SP	International Environmental Law	15	Spring
LW363-6-SP	Copyright and Trade Mark Law	15	Spring

## LW304 Final Year Research Project (Capstone)

### Final Year Only

This compulsory module provides you the opportunity to undertake a substantial piece of legal research on a topic of their choice, with the guidance of a supervisor. You will be able to choose which version of the Capstone project you will take in your final year: either the 15-credit Spring Term version (LW304-6-SP) or the 30-credit Full Year version (LW304-6-FY).

Both versions of the module (15-credits and 30-credits) are assessed on the basis of written work (i.e. (1) a project, and (2) a reflective statement) and (3) an oral presentation, with the following weighting:

### 15-CREDIT, SPRING TERM PROJECT: ASSESSMENT

Weighting	Component
15%	Individual presentation (10 mins).
70%	Written Project (4,000 words).
15%	Reflective statement (1,000 words).

### 30-CREDIT, FULL-YEAR PROJECT: ASSESSMENT

Weighting	Component
15%	Individual presentation (10 mins).
70%	Written Project (8,000 words).
15%	Reflective statement (2,000 words).

You will be given a supervisor who will be in touch to ask for your proposal in advance of the module (either in the Autumn Term or Spring Term, depending on which version of the module you have chosen). You have already completed a proposal for the module LW254 Legal Research Skills. You can either use this research proposal or come up with a new proposal. However, **please note** that if you do decide to design a new proposal, you will not receive any feedback on this in advance of the module. We therefore encourage you to use your LW254 proposal and build on the feedback that you have received from your marker to improve the proposal as the starting point for your Capstone project.

There are two taught elements in this module: the group tutorials in a group of approximately 9 classmates, which will take the format of an online seminar, and the individual meetings with your supervisor which will take place either online or on campus upon agreement between you.

You will be able to make your choice between the Spring Term and the Full Year version in Enrol.

## Module selection

Year 3 (2020/21)	Year 2 (2019/20)	Year 1 (2018/19)
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	Component Title	Component Type	Module Code	Module Title	Module Status	Min Credit Value	Max Credit Value	Credits	
01	LW301-6-AU	Compulsory	LW301-6-AU	Jurisprudence	Confirmed	15	15	15	-
02	Law option(s) from list	Optional	-	-	-	30	30	0	Select
03	Law option(s) from list	Optional	-	-	-	30	30	0	Select
04	Law option(s) from list	Optional	-	-	-	15	30	0	Select
05	LW304-6-SP or LW304-6-FY	Compulsory With Options	-	-	-	15	30	0	Select

Total credits selected: 15

**Submit choices**

*This is an example of what the Enrol screen will look like when you choose your options if you are entering the third year of the LLB Law. The compulsory modules and option groups may look differently if you are studying one of the other Law courses. The LW304 component will be the same for everyone.*

Once you click **select**, you will be able to choose whether you take the Spring Term version or the Full Year version.

It is entirely up to you, which variant of the module you choose, but you should make this decision carefully. It may be possible, in exceptional circumstances, to move from the Full Year to the Spring Term module if you are unhappy with your choice, but the reverse will not be possible. If choosing the Full Year module, you should consider whether you have a research question or idea that is appropriate for a year-long project. You should also consider whether you are able to work independently over a sustained period. If you prefer more directed learning, then you may wish to choose the Spring Term variant as this will allow you to complete another taught 15-credit module.

### Choose a module

Select module(s) totalling **between 15 and 30 credits** for component 05: LW304-6-SP or LW304-6-FY.

Compare modules

**Select module(s)**

[<< Back](#)

	Module Code	Module Title	Credits	Module Short Description
<input type="checkbox"/>	LW304-6-SP <a href="#">View in Module Directory →</a>	Final Year Research Project	15	This compulsory module provides an opportunity to final year students to undertake a substantial piece of legal research on a topic of their choice, with the guidance of a supervisor. There are two taught elements in this module: the individual meetings with the supervisor, and the group tutorials in a group of approximately 9 classmates. Students are asked to submit a proposal before the beginning of the module, and are allocated an individual supervisor who will be guiding them with regard to the research process for the completion of their project.
<input type="checkbox"/>	LW304-6-FY <a href="#">View in Module Directory →</a>	Final Year Research Project	30	This compulsory module provides an opportunity to final year students to undertake a substantial piece of legal research on a topic of their choice, with the guidance of a supervisor. There are two taught elements in this module: the individual meetings with the supervisor, and the group tutorials in a group of approximately 9 classmates. Students are asked to submit a proposal before the beginning of the module, and are allocated an individual supervisor who will be guiding them with regard to the research process for the completion of their project.

Select module(s) totalling **between 15 and 30 credits** for component 05: LW304-6-SP or LW304-6-FY.



As mentioned above, the Full Year module is 30 credits and the Spring Term version is 15 credits. Depending on which of these you choose, you will have to choose another 15 to 30 credits of options in the option group with variable options:

## Module selection

Year 3 (2020/21)		Year 2 (2019/20)			Year 1 (2018/19)		
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	Component Title	Component Type	Module Code	Module Title	Module Status	Min Credit Value	Max Credit Value	Credits	
01	LW301-6-AU	Compulsory	LW301-6-AU	Jurisprudence	Confirmed	15	15	15	-
02	Law option(s) from list	Optional	-	-	-	30	30	0	Select
03	Law option(s) from list	Optional	-	-	-	30	30	0	Select
04	Law option(s) from list	Optional	-	-	-	15	30	0	Select
05	LW304-6-SP or LW304-6-FY	Compulsory With Options	-	-	-	15	30	0	Select

Total credits selected: 15

**Submit choices**

*How to decide how many credits to choose in the highlighted Optional Module component.*

If you choose LW304-6-FY, please choose only 15 credits in this component.

**If you choose too many credits, you will be asked to remove 15 credits of options. You will NOT be allowed to study more than 120 credits.**

If you choose LW304-6-SP, please choose 30 credits in this component.

**If you do not choose enough credits, you may not be able to graduate.**

It is YOUR responsibility to ensure you have the correct number of credits to be able to graduate.

Most option choices will be approved automatically, but the School has decided that the LW304 module will be subject to manual approval. This means that someone in the School will check that you have selected the appropriate amount of credits depending on your choice of Spring Term or Full Year Research Project. This is to help highlight any potential issues early. For this module, it does not mean that you would be asked to change your choice or that there is a limit to how many students can take each option. It may, however, take some time before the module is approved in Enrol.

## **LW209 – Current Issues in Public Law**

### *Second and Third Year Option*

This module builds on Foundations of Public Law, and will appeal to any student with an interest in constitutional law, human rights, history, and politics. The research-led teaching for this module provides insights into several areas of public law that are not always available in standard texts and are designed to enable detailed consideration of issues that are of current importance and the subject of research within the School of Law. For the 2021-22 academic year, some of the current issues we will be examining in depth are the workings of devolution in the United Kingdom; the question of whether the UK constitution ought to be codified; and the question of whether the UK can itself survive in its current form. The teaching team consists of Dr Tom Flynn (the module leader) and Dr Tom Cornford.

#### *Learning Outcomes (level 5)*

Upon successful completion of the module, students will be able to demonstrate:

- in-depth understanding of several areas of public law;
- an understanding of the past, present, and future of the UK constitution;
- ability to identify and use a variety of primary and secondary source materials;
- ability to carry out a small-scale research project with guidance.

#### *Learning Outcomes (level 6)*

Upon successful completion of the module, students will be able to demonstrate:

- in-depth understanding and critical appreciation of several areas of public law;
- understanding of how principles of public law function in different contexts;
- a critical understanding of the past, present, and future of the UK constitution;
- appreciation of socio-legal and comparative methods;
- ability to identify and use a variety of primary and secondary source materials;
- ability to carry out a small-scale research project with guidance.

#### *Learning and Teaching Methods*

This module is taught through a mixture of pre-recorded videos; weekly live lectures; and fortnightly tutorials. In line with the University's dual delivery approach, this module will blend in person learning with online learning.

Each week the module teaching team will make available on Moodle two 25-minute pre-recorded video lectures. The team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-watch them as part of your independent study. Alongside this, there will be five fortnightly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

#### *Assessment*

80% Summative Essay

20% Multiple-Choice Quizzes

## LW214 – Family Law

*Final Year Option ONLY*

What are the legal implications of family breakdown when the parties are married? Or when they are civil partners? How does this change if they have children?

This module examines key features of family law, including the protective function of law (for example relating to domestic violence and to child protection), the adjusted function of law (for example, in relation to the adjustment of property rights), and the rights and responsibilities of family members.

### *Module Aims*

- to introduce students to the main features of Family Law in England and Wales;
- to introduce students to a range of status relationships exist within the ‘family’, and the rights and responsibilities of family members;
- to foster an understanding of the protective function of law, particularly in relation to domestic abuse and child protection;
- to foster an understanding of the adjustive function of law, particularly in relation to property rights on relationship breakdown;
- to foster an understanding of the social and policy issues that underpin the law.

### *Learning Outcomes*

Students will demonstrate:

- an understanding of the main features of Family Law in England and Wales;
- an ability to analyse and evaluate the law in light of legal, social, and political considerations;
- skills in critical analysis and synthesis;
- an ability to structure a reasoned argument, supported by reference to appropriate primary and secondary sources.

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

80% Take-home exam

20% Multiple-Choice Quizzes

## **LW218 – Introduction to Public International Law**

### *Second and Third Year Option*

International law and international organisations seem to be under attack as never before –whether it is the US withdrawing funds from the World Health Organization or Russia annexing Crimea from Ukraine or Brazil burning the Amazonian rainforest or Myanmar committing acts of genocide against the Rohingya Muslim minority.

This module provides an introduction to public international law and its institutions (like the United Nations and International Court of Justice) in these challenging times. The first part of the module examines the theories and sources of international law while the second half looks at key aspects of international law, including: statehood and self-determination, state responsibility for wrongful acts, and immunities of state officials and diplomatic staff. Throughout the module, we will consider examples of how international law plays out in the real world.

### *Module Aims*

The aims of the module are:

- To understand the sources of public international law; customary international law, treaty law, general principles and judicial decisions;
- To analyse the principles, institutions, and processes of public international law, as well as recent developments;
- To develop the critical reasoning, analytical writing and oral argumentation skills appropriate to this specific branch of law.

### *Module Outcomes*

By the end of the module students will be able to:

- Critically analyse the sources and system of public international law, including multilateralism;
- Evaluate the rules governing state responsibility, acquisition of statehood, jurisdiction and immunities;
- Apply the relevant principles and rules of public international law to specific cases.

### *Indicative Syllabus*

1. Introduction to the UN and international law system
2. Sources of international law
3. Sources of international law
4. Sources of international law
5. Subjects of international law
6. Statehood & State Recognition
7. State Responsibility
8. State Responsibility
9. Jurisdiction
10. Sovereign and diplomatic immunity

### *Learning and Teaching Methods*

This module is taught through a mixture of pre-recorded video lectures and 10 weekly 50-minute small group tutorials. Each week before your tutorials, the module teaching team will make available on Moodle two or more pre-recorded video lectures that they have prepared and produced. In total, the duration of each week's video lectures will be approximately 50 minutes. In most teaching weeks, you will be expected to have watched these lectures before the tutorials, although some of these lectures may be designed to be watched after the tutorials to recap on material discussed there.

The module teaching team will also produce and make available on Moodle short guidance notes for each weekly tutorial. These notes will introduce the readings that must be completed in advance of each tutorial and will contain tips to help you understand and analyse those texts. You will be expected to have completed the readings in advance of your tutorials. Your tutorials will enable you to discuss the readings in the context of specific tutorial questions, to obtain feedback on your pre-class preparation and to deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the

quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help.

***Assessment***

80% Take-home exam

20% Multiple-Choice Quizzes

## LW219 – Selected Issues in Public International Law

### *Second and Third Year Option*

This module follows on from LW218 Introduction to Public International Law and builds upon students' knowledge and understanding of general international law. Students will apply their acquired knowledge to selected specialist areas of international law:

- i) the law of the sea;
- ii) the law on the use of force; and
- iii) international human rights/international criminal law.

#### *The Law of the Sea*

Part I of the module introduces the law of the sea. The seas are very important for life on earth as they are home to the world's marine biodiversity and fish provide 90% of the world's protein. With the threats to the ecosystem and climate change, there has not been a more important time to seriously consider the importance of conservation and sustainable use of fisheries and marine biodiversity in the oceans. States are currently negotiating a multilateral treaty at the UN for the conservation and sustainable use of marine biodiversity beyond their national jurisdiction. This very significant milestone in international law where the interests of States shift beyond their national jurisdiction will be discussed in light of the tensions and delicate balances of sovereign rights of States and the rights of States to use the high seas freely.

#### *The Law on the Use of Force*

Part II of the module will deal with the law on resort to armed force between States. Sadly, war has long been a constant of international relations and still features frequently in worldwide news. However, international law has gradually outlawed it in the 20th century, with a general prohibition on resort to international armed force being prominently enshrined in the United Nations Charter. This part of the module will explore the limits of such prohibition, its most well-known exceptions —i.e. self-defence and authorizations to use force as part of the United Nations collective security system —and the challenges posed to it by modern warfare and mass atrocities.

#### *International Human Rights Law and International Criminal Law*

Part III of this module explores how international human rights law and international criminal law address gross human rights abuses (such as killing, torture, and rape) and international crimes (such as genocide and crimes against humanity). Since the 1990s, there has been something of a shift in emphasis from state responsibility to individual criminal responsibility and international responsibility. This part of the module analyses how the UN Charter System, the UN Treaty System, the International Court of Justice, and the International Criminal Court are all being concurrently used in an effort to prevent and punish the ongoing gross human rights abuses and international crimes against the Rohingya Muslim minority in Myanmar.

#### *Module Aims*

The aims of the module are:

- to encourage students to be able to further apply their understanding of general public international law to selected special areas of international law;
- to understand the international institutional framework in the topic areas listed;
- to further develop the legal reasoning and analytical skills necessary for public international law;
- to encourage students to develop their own interests in the further study and research of these special areas of international law.

### *Module Outcomes*

By the end of the module, students would be able to apply the relevant rules and principles of public international law to the special areas covered during the course.

This would include the ability to:

- Discuss and critically analyse the general aspects of public international law to specialist areas of international law;
- Explain, apply and evaluate the rules of public international law governing key issues within these specialist areas
- Apply, analyse and evaluate the sources of public international law that are relevant to these areas of law

### *Learning and Teaching Methods*

This module is taught through a mixture of pre-recorded video lectures and 10 weekly 50-minute small group tutorials. Each week before your tutorials, the module teaching team will make available on Moodle two or more pre-recorded video lectures that they have prepared and produced. In total, the duration of each week's video lectures will be approximately 50 minutes. In most teaching weeks, you will be expected to have watched these lectures before the tutorials, although some of these lectures may be designed to be watched after the tutorials to recap on material discussed there.

The module teaching team will also produce and make available on Moodle short guidance notes for each weekly tutorial. These notes will introduce the readings that must be completed in advance of each tutorial and will contain tips to help you understand and analyse those texts. You will be expected to have completed the readings in advance of your tutorials. Your tutorials will enable you to discuss the readings in the context of specific tutorial questions, to obtain feedback on your pre-class preparation and to deepen your understanding of key concepts.

In each one of the three parts of the module -law of the sea, use of force in international law, and international human rights law & international criminal law- you will be asked to either initiate a thread or respond to it in the module's discussion forum on Moodle. These discussions would allow you to apply relevant principles of international law to current events, critically analyse them, form your own opinions, and prepare for further debate at the tutorial.

### *Assessment*

80% Take-home exam

20% Participation in the discussion forum

## LW224 – Banking Law

*Final Year Option ONLY*

The module deals with the bank – customer relationship and banking regulation and supervision. The first part introduces banks as important economic and social institutions and their regulation in a domestic, EU, and global context and focuses on some key services commonly provided by banks in the course of the bank – customer relationship. Students will analyse relevant legal issues such as contractual fairness, the bank's duty of care, and the potential for transactional and advisory liability. The second part looks at the need for regulation and supervision of banks in light of the challenges that arise from the global cross-border nature of banking. Students will look into the institutions that regulate and supervise the banks, and the key changes that resulted from the 2008 financial crisis. This second part will also delve into anti-money laundering legislation and how this has affected the banks' duty of confidentiality. The module adopts a dynamic approach that balances theoretical perspectives, legal policy and the principles contained in statutes, cases and commercial custom. It does not assume any prior knowledge of banking practice, but it does expect that students will quickly develop a keen interest in financial institutions and markets. This module is co-taught with LW224-7-SP Banking Law, which is offered to LLM students.

### *Module Aims*

The module seeks to:

- introduce banks, banking law and the business of banking;
- give students detailed knowledge about the institutions involved in banking regulation and supervision in the United Kingdom and the European Union;
- introduce the key banking transactions and their legal implications;
- enable students to appreciate the political, social and economic forces underlying the dynamism and evolution of the financial industry and attempts to regulate the resulting processes and supervise the relevant institutions; and
- equip students with the analytical tools for analysing domestic banking transactions and applying the relevant law to scenarios drawn from real-life situations.

### *Module Outcomes*

By the end of the module students will be able to:

- apply the knowledge and techniques that they have learned to review, consolidate and extend their understanding of the legal regulation and supervision of the UK and EU banking industry and the bank-customer relationship in the UK;
- critically evaluate arguments, legal issues and practical situations, and frame appropriate questions to achieve a solution to the main issues arising in the banking services sector;
- critically assess and evaluate the success of banking reforms that have taken place both at the UK and the EU level;
- communicate information, ideas, problems and solutions concerning banking regulation and the banker-customer relationship to both specialist and non-specialist audiences; and
- appreciate the uncertainty and ambiguity about the boundaries of banking services vis-a-vis the wider financial industry.

### *Indicative Syllabus*

1. Introduction to banks and banking services
2. Discovering the 'business of banking'
3. The development of the multi-functional and international bank
4. Bank's duty of care and bank's transactional liability
5. Customers' obligations when dealing with a bank
6. Legal regulation of banks and banking supervision
7. Banks and Money Laundering



### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week, the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

80% Take-home exam

20% Multiple-Choice Quizzes

## LW225 – Company Law

### *Second and Third Year Option*

Companies are by far the most used vehicle for doing business and an understanding of the rules that govern them is essential for anyone aiming at a career in commerce and industry. The module will examine the nature of a company, its constitution and institutional setting, corporate management issues, its incorporation and share capital, the concept of separate legal personality, the roles of the stakeholders in a company as well as the duties of directors and the protection of shareholders.

A sound understanding will help students to fully understand the relevant principles and doctrines. The analysis of corporate governance issues will enable students to understand the significance of the relevant debates while the analysis of the relevant legislative framework on insolvency and takeovers along with the relevant case studies on lifting the corporate veil and corporate scandals will provide a thorough examination of the field in question.

#### *Module Aims*

The objectives of the module are:

- To provide students with the necessary foundations of knowledge so that the Learning Outcomes listed below are achieved
- To provide students with the necessary foundations to comprehend the wide range of issues covered in the course of this module as well as the range of other modules in the relevant field.
- To encourage the development of students skills in legal reasoning and analysis through study of statutes, case law and regulatory practice relating to Company Law
- To encourage students to engage with Company Law beyond the confines of the module, both academically and in its broader social, political and economic context.

#### *Module Outcomes*

1. Understand the economic function of the company as a legal structure for business
2. Explain the legal nature and significance of limited liability and separate corporate personality
3. Demonstrate knowledge and appreciation of the major core topics in Company Law including the validity of contracts made with companies, the role of the board of directors and their legal duties as directors as well as the protection of minority shareholders
4. Show appreciation of the legal nature of the relationships between a company and its management on the one hand and the various groups with an interest in the affairs of the company (or stakeholders) on the other including creditors and employees
5. Show awareness of current policy trends and developments in Company Law
6. Understand the essence of corporate governance issues and debates in a comparative manner and within the broader societal, historical, political and economic context
7. Demonstrate awareness of the legal framework that regulates insolvency and takeovers again on the basis of English Company Law while drawing comparisons with the respective EU legislation.
8. Show understanding of wider issues of corporate liability and the notion of lifting the corporate veil.

#### *Indicative Syllabus*

##### Term I

- Corporate Governance
- Comparative Analysis of Corporate Governance Systems
- Starting a Company: Memorandum of Association and Ultra Vires Doctrine
- Articles of Association
- Representing the Company: Are the third parties protected?
- Corporate Management
- Directors Duties
- Minority Shareholder Protection

##### Term II

- Groups of Companies
- Transnational Corporations and Lifting of the Corporate Veils

- Insolvency
- Takeovers
- Capital Maintenance
- Case Studies on Major Contemporary Issues in Company Law: Lifting the Veil, Corporate Scandals.

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

60% Take-home exam

20% Summative Essay

20% Multiple-Choice Quizzes

## **LW237 – Clinical Legal Education (Law Placement)**

*Second and Third Year Option*

### *Module Information*

The module will provide you with an opportunity to experience a practice-based role in a legal environment approved by the School of Law. The module supports the development of practical, intellectual, and inter-personal skills, facilitates understanding of the cultural, ethical and employment context of law, and integrates learning from work and academic study.

Clinical Legal Education (Law Placement) offers limited places. Students are asked to contact the module leader Dr Penny Brearey-Horne ([pbrear@essex.ac.uk](mailto:pbrear@essex.ac.uk)) before their registration is confirmed. It is really important that students understand the module and portfolio requirements and have secured a placement before the module starts (placement providers will have a selection process and the School cannot guarantee a placement – which is a module requirement).

### *Module Aims*

- To teach law through its application and practice and through critical reflection on those processes;
- To increase the employability of students by developing and enhancing their transferrable and subject-specific knowledge and skills;
- To increase the employability of students by developing and enhancing skills of oral and written communication for specific audiences (including an oral presentation), professionalism, confidentiality, and problem solving in a day-to-day working environment;
- To develop in students a critical understanding of ethical issues involved in legal work;
- To encourage better understanding of personal and professional development planning, professional ethics and reflective learning;
- To afford students the opportunity to gain credit for their work placement and to enrich their legal understanding from undertaking work based learning.

### *Learning Outcomes:*

You will acquire, develop and apply knowledge and skills relating to:

- The practical application of the law
- Professional communication
- Professional conduct
- Personal professional development
- Business/commercial awareness
- Planning and managing workload
- Organisational skills
- Working with others

### *Learning and Teaching:*

This is a 15-credit module. This module will be delivered fully online. There are ten hours of online lectures, taking place fortnightly; attendance at lectures is compulsory. The lectures are designed to support and optimise the learning process and to discuss the challenges and opportunities arising in a work based learning environment. The students will be offered weekly drop-in sessions in alternate weeks to catch up, raise any concerns, and ask questions about/get feedback on their portfolios

### *Assessment:*

80% Portfolio

20% Oral presentation

## **LW241 – Consumer Contract Law**

*Final Year Option ONLY*

### *Module Description*

This module will build on the general contract law principles taught in Contract Law introducing students to some key legal and policy issues surrounding the regulation of contracts between parties acting in the course of a business and private consumers.

The module begins with discussion of applicability of the general rules of contract law to contracts between such parties; the bifurcation in regulation between such 'business to consumer' (B2C) contracts and 'business to business' (B2B) contracts in recent times; debates as to appropriate underpinning values and principles; and the Europeanisation of B2C contracts.

It then considers: the implied terms and remedies applicable to supply of defective goods, digital content and services (including issues of damages, rejection, repair, replacement, repeat performance, price reduction); and the questions raised by the current reforms to these and other rules (e.g. on information and cancellation rights and unfair commercial practices) by the new Consumer Rights Act and the Consumer Protection (Amendment) Regulations.

The second part of the module examines the substantive rights and remedies for consumers against unfair commercial practices under the Consumer Protection (Amendment) Regulations 2014/870. The existing common law rules against unfair commercial practices are first considered before the legislative interventions focusing on administrative enforcement are highlighted. The provisions of Reg.3 of the Consumer Protection (Amendment) Regulations 2014/870 are examined.

Finally, consumer private law rights are compared with administrative enforcement against unfair commercial practices to demonstrate their complementary co-existence.

### *Module Aims*

The aims of the module are two-fold. The first part aims at explaining key terms on quality, fitness and description in supply of goods and digital contents contracts, remedies (in particular repair, replacement, price reduction and refund) for breach of these terms, terms on service quality and repeat performance and price reduction remedies for breach of these terms. It seeks to help students articulate these concepts, critically appraise them and consider their application to fact situations.

The second part of the module aims at demonstrating the role, potential and limitations of the consumer substantive rights and remedies in Reg.3 of the Consumer Protection (Amendment) Regulations 2014/870. It also aims at highlighting the limitations of the pre-existing contract law rules of misrepresentation, duress and undue influence and the role of administrative enforcement in tackling unfair commercial practices against consumers.

### *Module Outcomes*

Upon successful completion of the module, students will be able to demonstrate:

1. An understanding of the 'place' of B2C (Business to Consumer) contracts in relation to general contract law, unfair commercial practices, consumer private law rights, commercial law, domestic law, supranational law and debates as to values and policy aims
2. An understanding of the key sources of the relevant rules
3. An understanding of the nature/meaning of the relevant rules
4. An ability to apply the relevant rules to hypothetical problem situations
5. An ability to provide clear, well-structured and critical evaluation of the relevant rules

### *Indicative Syllabus*

1. Introduction: general contract law, bifurcation; values; Europeanisation and globalisation
2. Implied terms as to description, quality and fitness in goods and digital contents contracts
3. Remedies: damages, rejection, termination, repair, replacement, price reduction
4. Implied terms as to time, price and quality in services contracts
5. Remedies for defective services and incorrect information about services

6. Policy questions raised by the current reforms to these and other rules (e.g. on information and cancellation rights and unfair commercial practices) by the new Consumer Rights Act and the Consumer Protection (Amendment) Regulations
7. Introduction to consumer private law rights against unfair commercial practices
8. Pre-existing contract law rules against unfair commercial practices prior to the Consumer Protection (Amendment) Regulations 2014/870
9. Substantive Rights and Remedies in the Consumer Protection (Amendment) Regulations 2014/870
10. Limitations of the private law rights provisions in the Consumer Protection (Amendment) Regulations 2014/870

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

80% Summative Essay  
20% Multiple-Choice Quizzes

## LW242 – Commercial Contract Law

### *Final Year Option ONLY*

This 15 credit module, taught over one term, will build on the general contract law principles taught in Contract Law introducing students to some key legal and policy issues surrounding the regulation of contracts between parties acting in the course of a business. The module begins with discussion of applicability of the general rules of contract law to contracts between parties acting in the course of a business; and the bifurcation in regulation between such 'business to business' (B2B) contracts and business to consumer (B2C) contracts in recent times.

It then considers: the implied terms and remedies applicable to supply of defective, mis-described and unfit for particular purpose goods (including issues of rejection/ termination, and restrictions on these remedies based on slight breach, seller rights to cure and 'acceptance').

Next it considers the importance of corporate social responsibility for commercial contractual parties. It examines the meaning and implications of corporate social responsibility and highlights the contractual methods of promoting it. It finally compares the contractual methods with administrative enforcement.

### *Module Aims*

The module aims to enable students to understand, apply to problems and critically appraise (doctrine and policy issues related to) conformity standards and remedies in sales contracts and the promotion of corporate social responsibility in commercial contracts.

### *Module Outcomes*

Upon successful completion of the module the students will be able to demonstrate the following:

1. An understanding of the 'place' of B2B (Business to Business) contracts in relation to general contract law, consumer law, domestic law, supranational law and debates as to values and policy aims
2. An understanding of the key sources of the relevant rules
3. An understanding of the nature/meaning of the relevant rules
4. An ability to apply the relevant rules to hypothetical problem situations
5. An ability to provide clear, well-structured and critical evaluation of the relevant rules

### *Indicative Syllabus*

1. Introduction: general contract law, distinctions from consumer contract law; values; Europeanisation and globalisation
2. Implied terms as to description,
3. Implied term as to quality
4. Implied term as to fitness for particular purpose
5. Remedies: -damages, -termination (including restrictions based on slight breach, rights to cure and 'acceptance')
6. Rules controlling standard terms that exclude/restrict liability
7. Proposals (e.g. by Law Commissions, EU) to regulate other standard terms (e.g. price variation, full payment in advance etc)
8. Meaning, importance and implications of corporate social responsibility
9. Contractual methods of promoting corporate social responsibility
10. Administrative enforcement of corporate social responsibility via unfair commercial practices
11. Comparison of contractual methods and administrative enforcement

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week, the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-watch them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

#### *Assessment*

80% Summative Essay

20% Multiple-Choice Quizzes



## **LW244 – The Protection of Human Rights in the UK**

*Final Year Option ONLY*

This 15 credit module, taught in the autumn term, aims to build upon the foundations of human rights law which are introduced in LW103 Foundations of Public Law and give students a deeper understanding of the framework within which human rights are protected in the United Kingdom.

The module starts with a detailed examination of the European Convention on Human Rights, which is the foundation for human rights protection in the UK. Key principles of the Convention will be examined, along with a detailed examination of two Convention rights. The second half of the module shifts our focus to protection of rights within the UK, with a close focus on the Human Rights Act 1998 and how it protects Convention rights.

### *Module Aims*

The objectives of the module are:

- To provide students with the necessary knowledge so that the Learning Outcomes listed below are achieved
- To provide students with a knowledge of the framework for the protection of human rights in the UK that they can apply to substantive legal problems.
- To encourage students to engage with the framework for protection of human rights in the UK within its political and international context.

### *Module Outcomes*

Upon successful completion of the module students will be able to:

- Show understanding of and critically evaluate the framework for protection of human rights in the United Kingdom.
- Identify the distribution of powers and functions between the three branches of government in the protection of human rights and critically evaluate that distribution.
- Identify the distribution of powers and functions between the United Kingdom and the Council of Europe in the protection of human rights and critically evaluate that distribution.
- Consider the need for structural reform to human rights protection.

### *Learning and Teaching Methods*

This module is taught through a mixture of pre-recorded video lectures and 10 weekly 50-minute small group tutorials. Each week before your tutorials, the module teaching team will make available on Moodle two or more pre-recorded video lectures that they have prepared and produced. In total, the duration of each week's video lectures will be approximately 50 minutes. In most teaching weeks, you will be expected to have watched these lectures before the tutorials, although some of these lectures may be designed to be watched after the tutorials to recap on material discussed there.

The module teaching team will also produce and make available on Moodle short guidance notes for each weekly tutorial. These notes will introduce the readings that must be completed in advance of each tutorial and will contain tips to help you understand and analyse those texts. You will be expected to have completed the readings in advance of your tutorials. Your tutorials will enable you to discuss the readings in the context of specific tutorial questions, to obtain feedback on your pre-class preparation and to deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular small assessed activities to enable you to reflect upon and track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

80% Summative Essay

20% Written tutorial preparation

## **LW250 – Legal Advice Case Work**

### *Second Year Option*

The module examines, in a clinical setting, a number of issues surrounding the provision of legal advice and involves the student training as an adviser with the University of Essex's Law Clinic. As a result, this provides practical experience of advice work, mainly, but not exclusively, of a legal nature.

The module involves students engaging in a different form of learning to most of their other courses. This form of learning is often called experiential learning because it involves the use of real-life experiences as the basis for learning. In law school, it is usually called clinical legal education. Throughout the world and increasingly in the United Kingdom clinical legal education is becoming central to legal education.

According to one expert, 'Clinical Legal Education involves an intensive small group learning experience in which each student takes responsibility for legal and related work for a client (whether real or simulated) in collaboration with a supervisor. The student takes the opportunity to reflect on matters including their interactions with the client, their colleagues and their supervisor as well as the ethical aspects and impact of the law and legal process'.

The module starts with an induction into clinical advice work. It will first provide students with the skills and ethical frameworks necessary to equip them to provide legal services to community members as an adviser with the University of Essex's Law Clinic (ELC). Then it will provide students with the opportunity both in class and through written assignments to apply their newly developed legal advice skills and to reflect on their experiences in terms of what they have learnt about legal skills, their own professional development, and their work in teams and for ELC clients.

Teaching will be by way of weekly two-hour classroom sessions in the Autumn term followed by a mix of seminars and reflective case surgeries in the Spring term.

Teaching will also be by way of participation in a variety of clinical activities under supervision. Skills training will be delivered in the form of lecturer instruction and exercises involving simulated legal work.

Please note that this module may only be undertaken by members of the Essex Law Clinic either as: Level 5 students that have successfully applied to the Essex Law Clinic for direct entry in 2020/21 (See below for details on how to apply); or Level 5 students that have successfully advanced from Bronze to Silver membership level during the 2019/20 academic year (whether or not they have undertaken any skills training as Bronze members).

To apply to become a Clinic member please e-mail [lawclinic@essex.ac.uk](mailto:lawclinic@essex.ac.uk) to request an application form. The Clinic is only able to take on a limited number of student volunteers in line with available resources. Student numbers on this module will also have to be restricted in line with available resources.

To become a clinic member, students must apply, undertake an interview and be accepted.

To undertake cases students must complete all compulsory induction sessions. Students must maintain Clinic membership, be able to attend clinic sessions, and be prepared to sign a confidentiality policy and uphold the University's equalities policies.

### *Module Aims*

1. To provide students through experience of clinical practice with a basic knowledge and understanding of some key concepts and principles central to the work of legal advice workers.
2. To provide students with experience of legal advice work in areas such as benefits advice, housing rights, equality and employment law, family law and consumer issues.
3. To encourage an appreciation of the social and political context in which legal advice operates.
4. To introduce students to the practice of reflection on experience in order to improve their performance and understanding of legal work.

### *Learning Outcomes*

On completion of this module the students should be able to:

1. Undertake a range of tasks and activities concerned with legal advice work.
2. Apply legal and, as appropriate, other skills in a practical and focused way to problems or project topics.
3. Assess and reflect on the work undertaken and set the work into the conceptual frameworks developed on the rest of their LLB degree programme.

### *Syllabus*

In the autumn term, skills training will be provided in interviewing, practical legal research, letter writing; and one or more advanced skills such as negotiation and advising vulnerable clients. Other areas covered to support student's legal advice casework may include topics such as legal ethics, civil litigation, alternative sources of funding for client's cases, effective signposting and referral and wellbeing in legal practice.

In the spring term, the focus will be on advice work within the Clinic (either on campus, in the community or through online provision), together with a mix of seminars and reflective case surgeries (tutorials).

### *Learning and Teaching*

In the Autumn Term, this module is taught through a mixture of pre-recorded video lectures and 10 weekly 50-minute small group tutorials. Each week before your tutorials, the module teaching team will make available on Moodle two or more pre-recorded video lectures that they have prepared and produced. In total, the duration of each week's video lectures will be approximately 50 minutes. You will be expected to have watched these lectures before the tutorials.

In the Spring Term, the teaching will begin with a 50-minute webinar and will then consist of fortnightly 50-minute case surgeries in which you will reflect together with your peers on your cases and experiences within the Clinic. The module teaching team will also prepare, produce and upload to Moodle two or more pre-recorded video lectures to be watched before the case surgeries. In the Spring Term there will also be a greater focus on advice work. Therefore, learning and teaching will also be by way of participation in a variety of clinical activities (for example interviewing a client and preparing a letter of advice under supervision).

The module teaching team will also produce and make available on Moodle short guidance notes for each weekly tutorial or case surgery. These notes will introduce any set readings and preparation that must be completed in advance of each tutorial or case surgery. You will be expected to have completed the readings and preparation in advance of your tutorials. Your tutorials will enable you to discuss the readings in the context of specific tutorial questions, to obtain feedback on your pre-class preparation and to deepen your understanding of key concepts. In skills-based sessions, the tutorials will enable you to apply and develop your skills and again to obtain feedback on the development of your skills.

To help you prepare in the best possible way for your tutorials, you will be completing regular small assessed activities to enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

60% Summative Essay

20% Skills-Based Coursework Assignment (an exercise that involves writing an advice letter to a client)

20% Assessment of participation in online forums throughout the Autumn and Spring Terms

## LW251 – Employment Law and Practice

### *Third Year Option*

This is a module with a strong practical emphasis. In terms of theory, it examines employment relations including the contract of employment, the employment relationship including its termination, and the application of complex employment law and regulation.

An important component of the module revolves around the operation of the Employment Tribunal: it will look at the practicalities involved in settling workplace disputes and bringing a claim to an Employment Tribunal and communicating with the client regarding their claim.

### *Module Aims*

This module broadly aims:

- To introduce students to the practical application of employment law, the settlement of workplace disputes, the prohibition of discrimination insofar as it relates to the workplace, the termination of the employment relationship, and the requirements of bringing a claim to an Employment Tribunal.
- To explore the express and implied terms of the contract of employment, changes to terms and conditions of employment, changes to staff handbooks, information and consultation.
- To develop students' knowledge of bringing claims before an Employment Tribunal and to develop their skills in drafting tribunal forms and advocacy before a tribunal.
- To place the module in its social, economic, political, historical, philosophical, moral and cultural context. This includes reference to the influence of European directives and case law on the UK.

### *Learning Outcomes*

On completion of this module the students should be able to:

- Critically evaluate the practical application of employment law.
- Critically evaluate the operation of the contract of employment with reference to employment law and the wider social, economic, political, historical, philosophical, moral and cultural context within which employment relations operate.
- Apply skills of drafting and advocacy to a simulated Employment Tribunal claim.
- Critically evaluate the impact of employment law on the recruitment and engagement of employees and atypical workers.

### *Indicative Syllabus*

The module will provide the student with an understanding of the employer/employee relationship, as well as its social, economic, political, historical, philosophical, moral and cultural context.

An important component of the module revolves around dispute resolution. Therefore, the module will deal with practicalities involved in settling workplace disputes and bringing a claim to an Employment Tribunal and communicating with the client regarding their claim.

The module will enhance students' employability by, inter alia, developing interviewing, negotiation, advocacy, drafting, team working, problem solving, practical legal research, and office skills; as well as applying rules of procedure.

1. Introduction and employment status
2. The contract of employment
3. Employment dispute resolution
4. Termination of the employment contract
5. Employment tribunal skills
6. Occupational stress, health and safety
7. Equality law

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular small assessed activities to enable you to reflect upon and track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

80% Coursework Assignment involving a tribunal submission, a client letter and an oral presentation  
20% Written tutorial preparation

## **LW316 – Law of Evidence**

### *Final Year Option ONLY*

The aim of the module is to present a clear picture of the process and procedure involved in the presentation of evidence in criminal trials in England and Wales. In achieving this aim, the module examines the process of gathering evidence, the admissibility of such evidence and the ability to use such evidence in reaching decisions.

The module is a very practical one; examining why the law of evidence has evolved as it has.

Questions include:

- Can previous criminal convictions of either the defendant or a witness be presented to the court?
- Can the spouse of a defendant be compelled to give evidence against their accused spouse?
- What is the relevancy of purely circumstantial evidence?
- How are vulnerable witnesses, such as rape complainants or child victims protected by the court system?
- Can an illegally obtained confession be used in court?
- Can an illegally obtained murder weapon be evidence in court?

The module builds upon knowledge already gained in a number of other substantive law modules, in particular criminal law. Many would be lawyers who will find the module very useful for practice.

### *Module Aims*

- To understand the historical rules governing the admission of evidence in order to be able to reason what further changes are needed to the law.
- To reason why we have rules of evidence and assess the efficacy of the current rules for achieving justice and a fair trial.
- Know the most important cases and statutes in the area and understand their contribution to the subject.
- Learn and understand how the rules and procedures fit together in order to be able to apply them in practice.
- To provide students with the necessary knowledge and understanding of the law of evidence in criminal trials so as to enable them to meet the stated Learning Outcomes.

### *Module Learning Outcomes*

- To understand the historical evolution of rules governing the admission of evidence and to critically evaluate the need for further changes to the law.
- To assess the efficacy of the current rules for achieving justice and a fair trial.
- To understand the contribution of case law to this area of law.
- To understand the structure of the rules and procedures and to be able to apply them in practice.
- To develop a sense of critical assessment and evaluation of evidential facts and apply this to novel scenarios.

### *Indicative Syllabus*

- Relevance and Admissibility
- Burden of Proof
- Witnesses: Competence and Compellability
- Witness Evidence and Examination
- Identification Evidence
- Character Evidence of Witnesses
- Evidence of a Complainant in a Sexual Offence Case
- Bad Character of the Defendant
- Hearsay inc. Confessions
- Silence before and after trial

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week, the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular small assessed activities to enable you to reflect upon and track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

40% Summative Essay

40% Summative Essay

20% Multiple-Choice Quizzes

Self-assessed formative assessments in the Autumn and Spring Terms

## LW327 – International Trade Law

### *Final Year Option Only*

What are the key legal principles underlying international trade transactions? How is English law applied to international trade? What international instruments help establish an autonomous law of international trade? What are the rules applicable to the trading of goods and services between states? This module will provide students with the training to understand, develop and deploy legal arguments in the context of international trade law, including its private and public dimensions.

### *Module Aims*

The module aims to provide an overall examination of the major principles which underlie international trade transactions (private dimensions of international trade) and to the governance of trading relationships between states under international law (public dimensions of international trade). The module will cover the legal principles on international sale contracts, contracts of carriage by sea, international commercial arbitration, the rules of the World Trade Organization and regional trade agreements. The module will examine English law as applied to international trade since a large number of international transactions continue to be subject to English law. The module will also examine relevant international instruments which reflect efforts towards establishing an autonomous law of international trade.

### *Module Outcomes*

At the end of the course students would be expected:

- to have a systematic understanding of the key legal principles underlying international sale of goods and carriage of goods by sea transactions, international commercial arbitration and regulation and liberalisation of trade among states;
- to be able to understand accurately and critically important legislation and other legal instruments applicable in the context of international trade transactions and trade liberalisation among states;
- to be able to accurately and critically analyse important judicial and arbitral decisions and to apply judicial and arbitral decisions in various and divergent factual situations arising out of international trade transactions and trading relationships between states;
- to be able to develop and deploy arguments, critically analyse arguments and legal propositions in the context of international trade law and to develop or apply these arguments in various settings whether e.g. scholarly, in litigation, or in the context of provision of legal advice.

### *Indicative Syllabus*

1. A Typical International Trade Transaction
2. The Law Relating to the International Sale of Goods
3. Carriage of Goods by Sea
4. Choice of Law and International Commercial Arbitration
5. International and regional trade regulations

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.



To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

*Assessment*

60% Take-home exam)

20% Summative Essay

20% Multiple-Choice Quizzes

## LW343 – Competition Law

How do you apply competition law to mergers? What is abuse of dominant position in the market and why is it prohibited? What are cartels and why are they considered the most serious form of anti-competitive practice? This module explores the main aspects of EU and UK competition law. It examines the relationship between the EU and the UK competition law regimes and explores recent developments in the field.

This module provides the opportunity to develop an understanding of the regulation of competition in a free market economy at two different levels: supranational (the EU) and national (the UK). It will cover key aspects of competition law including restrictive agreements and concerted practices, merger control, the abuse of a dominant position, the cartel offence and the law of civil liability and third-party rights. In addition, it will also consider current competition law policies and recent reforms. This module is co-taught with LW702-7-AU Competition Law, which is offered to LLM students, but the assessments for the two levels are different.

### *Module Aims*

The aims of the module are:

- To develop an understanding of the rationale behind competition law and policy, and its importance in the regulation of a free market economy
- To enable students to understand the direct impact of EU competition law on UK law
- To provide an in-depth knowledge of the general principles of competition law of the EU and its influence on national laws
- To provide students with the ability to understand the role of economic theory in competition law
- To cover the main substantive norms relating to competition law within the EU and the UK, including abuse of a dominant position, merger control, anti-competitive agreements and other anti-competitive practices, as well as competition law, criminal law and civil liability.
- To provide students with knowledge of recent reforms and future developments of competition law
- To enable students to understand the practical application of competition law, including how the law governs business practices that may restrict competition in economic markets
- To develop skills of legal research and problem analysis
- To promote independent learning and originality in approach
- To enable the student to identify and analyse relevant legal issues and resolve problem questions by the application of substantive competition law within a time constraint

### *Module Outcomes*

On successful completion of this module students will be able to:

- Discuss and critically analyse EU and UK competition law and their sources
- Explain the relationship between the EU and the UK competition law regimes
- Demonstrate a sound knowledge and awareness of competition law and policy and its importance in the regulation of a free market economy
- Demonstrate an awareness of interdisciplinary connections in competition law between the law and economics and particularly the importance of economic concepts
- Demonstrate knowledge of the substantive norms of EU and UK competition law and assess developments in the areas of EU and UK competition law
- Apply the relevant principles and rules of competition law to specific cases
- Apply analytical skills to critically evaluate EU and UK competition law as it operates in a commercial environment
- Demonstrate skills of legal research and problem analysis

### *Topics include:*

1. Cartels and anticompetitive practices
2. Abuse of dominant position in the market
3. Merger Control
4. Public enforcement of competition law
5. Private enforcement of competition law

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-watch them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

### *Assessment*

80% Summative Essay

20% Multiple-Choice Quizzes

## **LW349 – Contemporary Issues in Criminal Justice: Law, Policy and Practice**

### *Second and Third Year Option*

This module will appeal to students seeking an in-depth and critical knowledge of the law, policy and practice of key aspects of the criminal justice system in England and Wales.

The module will begin with an overview of the criminal justice system in England and Wales. The importance of the presumption of innocence and the defendant's right to a fair trial will also be addressed, along with due process and crime control models of criminal justice, and recent trends and themes in criminal justice policy.

Specific aspects of the criminal process, ranging from pre-trial to post-trial stage, will then be examined in-depth.

#### *Module Aims*

1. To provide students with knowledge and understanding of the law, policy and practice of specific aspects of the criminal process in England and Wales.
2. To encourage students to engage critically with the literature and other evidence, and to develop reasoned judgments and arguments based on their engagement with this material.
3. To encourage students to communicate effectively in both oral and written format.
4. To encourage an appreciation of the social and political context in which the criminal justice system operates.

#### *Learning Outcomes*

At the end of this module students should be able to:

1. Demonstrate knowledge and critical understanding of key aspects of the criminal justice process in England and Wales, including an awareness of current debates on these topics.
2. Demonstrate an ability to analyse and evaluate differing opinions on the law, policy and practice of the criminal process.
3. Understanding of the limits of existing knowledge and how this influences analysis and interpretations based on that knowledge.
4. Provide reasoned arguments based on academic writings and other research-based evidence.
5. To present these arguments in a coherent manner, both orally and in writing.

#### *Indicative Syllabus:*

- Introduction to the Criminal Justice System, including adversarial and inquisitorial systems of justice, crime control and due process models of criminal justice, and recent themes and trends in criminal justice policy
- Policing, including stop and search, police and crime commissioners
- Prosecution
- Plea Bargaining
- Jury trial
- Sentencing policy and rationales
- Gender and Criminal Justice – sexual offences

#### *Learning and Teaching Methods*

This module is taught through a mixture of pre-recorded video lectures and 10 weekly 50-minute small group tutorials. Each week before your tutorials, the module teaching team will make available on Moodle two or more pre-recorded video lectures that they have prepared and produced. In total, the duration of each week's video lectures will be approximately 50 minutes. In most teaching weeks, you will be expected to have watched these lectures before the tutorials, although some of these lectures may be designed to be watched after the tutorials to recap on material discussed there.

The module teaching team will also produce and make available on Moodle short guidance notes for each weekly tutorial. These notes will introduce the readings that must be completed in advance of each tutorial and will contain tips to help you understand and analyse those texts. You will be expected to have completed the readings in advance of your tutorials. Your tutorials will enable you to discuss the readings in the context of specific tutorial questions, to obtain feedback on your pre-class preparation and to deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

#### *Assessment*

80% Summative

20% Multiple-Choice Quizzes

## **LW352 – Legal Ethics and Justice**

Third Year Option (only available for Essex Law Clinic students)

This module focuses questions of ethics and justice raised by legal practice. It is designed to provide students with the ethical frameworks necessary to equip them to provide legal services to community members as an adviser with the University of Essex's Law Clinic, as well as to explore issues of access to justice raised by the sort of problems which lead people to seek out the Clinic's help. It will be of particular interest and benefit to all students who are thinking of entering legal practice, particularly if they wish to use their legal skills to help those most in need.

The module will also appeal to those who enjoy "learning by doing". Thus a central focus is on what is called active or experiential learning in that it involves the use of real-life experiences or simulations designed to replicate such real-life experiences as the basis for learning. In law school, this form of learning is usually called clinical legal education. Throughout the world and increasingly in the United Kingdom clinical legal education is becoming central to legal education.

According to one expert, 'Clinical Legal Education involves an intensive small group learning experience in which each student takes responsibility for legal and related work for a client (whether real or simulated) in collaboration with a supervisor. The student takes the opportunity to reflect on matters including their interactions with the client, their colleagues and their supervisor, as well as the ethical aspects and impact of the law and legal process'. In the module such reflection will occur in class, in learning diaries and written assignments.

Reflection will cover both what they learn about ethics and access to justice in reading, class discussion and from their clinical work (both cases and projects). Students will also reflect on participation in an exercise involving what is known as "Giving Voice to Values". Here, they will have attempt to persuade some other person (their boss or client, for instance) to chance a proposed course of action because of a clash of values relating to the ethics or justice of legal practice. The module will also explore current issues in obtaining access to justice. In addition, there will be an attempt to involve as much interactive learning as possible so that students gain experience in articulating their values in a safe environment before they venture into practice. Such interaction will occur in classes which involve students using the learning form pre-set reading to explore actual dilemmas and issues which have arisen in law clinics and legal practice, and in some cases engaging in related role-plays.

The classes will start with an introduction to experiential learning and the aims of ethical education, with particular emphasis on Giving Voice to Values. There will then follow classes on issues of legal ethics and access to justice most pertinent to law clinic students and those who serve those most in need of legal services. Students will write fortnightly diaries and an essay reflecting on one or more aspects of their clinic work.

### *Module Aims*

1. To provide students with an introduction to the ethical issues which arise in law clinics and legal practice, the theoretical resources to resolve them and opportunities to explore how they should be resolved.
2. To provide students with an introduction to issues of access to justice which arise in law clinics and legal practices designed to ensure services to those most in need.
3. To provide students with an appreciation of the ethical, social and political context in which legal services are provided.
4. To introduce students to the practice of reflection on experience in order to improve their performance and understanding of legal work.
5. To provide students with practice in arguing for particular positions on ethics and access to justice.

### *Learning Outcomes*

On completion of this module the students should be able to:

1. Understand and critically evaluate the core ethical and professional principles governing the provision of legal services
2. Understand and critically evaluate the context in which these core ethical and professional principles governing the provision of legal services operate
- 3.. Engage in critical reflection on the performance of relevant legal and educational activities.
3. Confidently adopt and defend positions on legal ethics and access to justice.

### *Syllabus*

Reflection on the ethics of the legal profession will involve looking at the most important ethical principles governing legal practice such as confidentiality and the avoidance of conflicts of interest and some of the most controversial debates such as whether lawyers should pursue immoral goals or use unethical means to achieve client goals, whether clients should be allowed to make "irrational decisions" and whether lawyers owe duties to ensure equal access to justice. Related to this issue is the current position as regards access to justice and possible means of redressing current problems. The module will also consider strategies for putting values into action in the legal professional setting.

### *Learning & Teaching Methods*

This module is taught through a mixture of pre-recorded video lectures and weekly 50-minute small group tutorials. Each week before your tutorials, the module teaching team will make available on Moodle pre-recorded video lectures that they have prepared and produced. In total, the duration of each week's video lectures will be approximately 50 minutes. You will be expected to have watched these lectures before the tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes for each weekly tutorial. These notes will introduce the readings that must be completed in advance of each tutorial and will contain tips to help you understand and analyse those texts. You will be expected to have completed the readings in advance of your tutorials. Your tutorials will enable you to discuss the readings in the context of specific tutorial questions, to obtain feedback on your pre-class preparation and to deepen your understanding of key concepts.

### *Assessment*

50% Summative Essay

20% Skills-Based Coursework Assignment (involving a persuasion and negotiation exercise based on submission of an assessed action plan, an unassessed conversation with an audience and an assessed reflection on that conversation)

30% Fortnightly reflective diaries

## **LW354 – Criminology**

### *Second and Third Year Option*

This module provides an introduction to criminology primarily for law students but would also be of interest/suitable for other students who have not studied criminology as part of their degree programme so far. It introduces criminology as a subject, before examining theoretical explanations for criminal behaviour, including explanations based on biological factors, intelligence, and environmental factors. The second part of the module looks at specific contemporary issues in criminology, including: sexual violence, the media, and mental health.

#### *Module Aims*

This module examines issues of crime and its control from a criminological and socio-legal perspective. In addition, it encourages students to evaluate and critique established criminological, political and socio-economic theories of crime. A further aim is to develop a critical awareness of both crime and the law in their broader social and political contexts.

#### *Learning Outcomes*

On completion of the module students should be able to demonstrate knowledge and understanding of the main theoretical approaches to deviance, crime and its social control; critically evaluate the relevance of theories of control and the subsequent creation of agencies concerned with crime control; demonstrate analytical and critical skills in regard to the social implications of existing perceptions of crime; and demonstrate developed research and writing skills, including the ability to work independently.

#### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live lectures, pre-recorded videos, and tutorials. Each week, the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute lecture in which they further explore key legal concepts and answer your questions about the topics. These lectures will subsequently be available online through Listen Again so that you can re-visit them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular small assessed activities to enable you to reflect upon and track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

#### *Assessment*

80% Summative Essay

20% Multiple-Choice Quizzes



## LW356 – International Environmental Law

*Final Year Option ONLY*

This module introduces students to the international legal and governance mechanisms concerning the environment. It examines key principles under international law related to the environment, such as sustainable development and precaution. It then goes on to consider salient aspects of international environmental law as it applies to specific regimes such as those related to climate change, biodiversity protection, freshwater management and the management of hazardous waste. It also considers the relationship that exists between international environmental law and other areas of law that intersect with it, such as human rights and the law of armed conflict.

Throughout the module it will introduce students to the structural dimensions of existing international environmental law that have resulted from North-South relations and provides students with a basis upon which consideration can be given to the related issues of equity, common but differentiated responsibility and environmental justice.

### *Module Aims*

This module aims to:

- Provide students with an understanding of the way that international institutions work to manage and govern the environment;
- Develop an in-depth understanding of the general principles of international environmental law and sustainable development;
- Introduce students to different areas of environmental law such as biodiversity management and climate change; and
- Enable students to appreciate the North-South dimensions of international environmental law and the relationship that it has with equity, common but differentiated responsibility and environmental justice.

### *Learning Outcomes*

After the successful completion of this module, students should be able to:

- Identify the key principles, actors and institutions relevant to international environmental law;
- Understand the sources of international environmental law;
- Demonstrate sound knowledge of the key principles under international environmental law and their application to specific areas such as climate change or biodiversity;
- Explain the relationship between domestic and international environmental law; and
- Critically evaluate the linkage between other areas of public international law (such as humanitarian law) and international environmental law.

### *Syllabus*

An indicative outline of teaching for this module would be as follows:

Week 1	Historical Development of International Environmental Law
Week 2	Sources of International Environmental Law
Week 3	Key Principles: Sustainable Development & Precautionary Principle
Week 4	Key Principles: Differential Treatment and North-South Relations
Week 5	Hazardous Waste / Transboundary Pollution
Week 6	Biodiversity
Week 7	Climate Change I
Week 8	Climate Change II
Week 9	Armed Conflict and the Environment
Week 10	Armed Conflict and the Environment II

### *Learning and Teaching Methods*

This module is taught through a mixture of pre-recorded video lectures and 10 weekly 50-minute small group tutorials. Each week before your tutorials, the module teaching team will make available on Moodle two or more pre-recorded video lectures that they have prepared and produced. In total, the duration of each week's video lectures will be approximately 50 minutes.

In most teaching weeks, you will be expected to have watched these lectures before the tutorials, although some of these lectures may be designed to be watched after the tutorials to recap on material discussed there.

The module teaching team will also produce and make available on Moodle short guidance notes for each weekly tutorial. These notes will introduce the readings that must be completed in advance of each tutorial and will contain tips to help you understand and analyse those texts. You will be expected to have completed the readings in advance of your tutorials. Your tutorials will enable you to discuss the readings in the context of specific tutorial questions, to obtain feedback on your pre-class preparation and to deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

*Assessment*

80% Summative Essay

20% Multiple-Choice Quizzes

## LW363 – Copyright and Trade Mark Law

*Final Year Option ONLY*

This module introduces students to the exciting field of intellectual property – the field of law that governs creativity and innovation. It aims to enable students to understand the nature and purposes of copyright and trade mark law, two of the key intellectual property rights in the UK. It involves a detailed examination of the relevant statutory provisions in the CDPA 1988 and Trade Marks Act 1994, as well as relevant case law. The course is taught against the backdrop of an increasingly voluminous EU jurisprudence.

### *Module Aims*

The module will enable the students to gain a deep knowledge and understanding of the nature and purpose of copyright and trade mark law, and of the rules currently applied in these fields, by introducing students with relevant primary and secondary sources and thus enabling them to gain awareness of and critical understanding of controversial issues in this area, including developments triggered by technological developments.

### *Module Outcomes*

Upon successful completion of the module, students will be able to:

1. Show knowledge and critical understanding of the nature and purposes of copyright and trade mark law, specifically the current rules relevant to the area;
2. Demonstrate their understanding of current and controversial issues in the field of copyright and trade mark law;
3. Show their familiarity with primary and secondary sources, including academic materials;
4. Demonstrate their ability to apply with critical analysis the relevant principles, rules and techniques.

### *Indicative Syllabus*

WK 16: General introduction to intellectual property

WK 17: Copyright subject matter and criteria for copyright protection

WK 18: Authorship and ownership; the nature of the right and duration

WK 19: Copyright infringement

WK 20: Permitted acts, fair dealing and defences to copyright infringement

WK 21: Moral rights and related rights (performers' rights, database right, artists' resale right)

WK 22: Trade mark registrability (absolute grounds for refusal)

WK 23: Trade mark registrability (relative grounds for refusal)

WK 24: Trade mark infringement and defences

WK 25: Passing off

### *Learning and Teaching Methods*

This module is taught through a mixture of weekly live webinars, pre-recorded videos, and tutorials. Each week, the module teaching team will first produce and make available on Moodle two 25-minute pre-recorded video lectures. The module teaching team will then deliver a weekly live 50-minute webinar in which they further explore key legal concepts and answer your questions about the topics. These lectures and webinars will subsequently be available online through Moodle so that you can re-watch them as part of your independent study. Alongside this, there will be five bi-weekly 50-minute small group tutorials.

The module teaching team will also produce and make available on Moodle short guidance notes. These notes will introduce the material to be covered in the lectures, webinars and required readings. The notes will also contain tips designed both to help you navigate the material to be covered in the lectures and webinars and to equip you to analyse the required readings. You will be expected to have completed the required readings in advance of your tutorials. Your tutorials will enable you to discuss the material covered in lectures, webinars and the required readings, obtain feedback on your pre-class preparation and deepen your understanding of key concepts.

To help you prepare in the best possible way for your tutorials, you will be completing regular Multiple-Choice Quizzes on Moodle. The quizzes will be based on the reading set for that week so that the quiz forms part of your preparation for each tutorial. The quizzes will enable you to track your

progress, understand what you are doing well, and give you clear feedback to help you manage your studies and your progress.

*Assessment*

80% Summative Essay

20% Multiple-Choice Quizzes