

**M11106**

**18 19**

**Law Erasmus  
(full year)**

**Module Descriptors**

**Handbook Descriptor**

30 credits

LLBP1001 - Constitutional & Administrative Law

Leader: Amanda Akhtar

Handbook Descriptor 30 credits

Version No: 38

LLBP1001 - Constitutional & Administrative Law (LEVEL 4)  
(QLD MODULE)

Module Leader: Amanda Akhtar

Contact Details: Room HU6.100 Tel: 0116 2078176

Surgery hours: Please see folder in SAC

Email: aakhtar@dmu.ac.uk

Teaching Method:

Two lectures and a seminar each week

Assessment:

One and a half hour phase test (50%)

One 2,000 word piece of coursework (50%)

Module Characteristics

This module is designed to help students understand how the UK's system of government works and to examine how the exercise of government power can be controlled. Initially it focuses on the fact that the UK's constitution, being unwritten, is very flexible and quite unlike any other. It then looks at the main sources of the constitution and examines the key principles upon which it is based. The central role of Parliament within this constitution is considered, along with the impact of EU membership, the theoretical and practical powers enjoyed by the Monarch, and the roles of the judiciary and executive (or government). Other key topics covered are: (a) the impact of the Human Rights Act 1998, which ensures that the rights enshrined in the European Convention on Human Rights are now enforceable in the courts of this country; (b) the role of the police and how they can be held to account for the use of their wide ranging powers; and (c) executive accountability, the nature of the judicial review and the grounds upon which government decisions may be challenged.

Teaching and Assessment

This module is taught through lectures and tutorials. Teaching materials will also be available on Blackboard.

Formal assessment will be on the basis of: (a) a one and a half hour phase test (50%); and (b) one piece of coursework (50%).

Assessment Components

Phase test - Duration: 1 ½ hours - 50%.

Weighting 50%. The component receives a mark.

Coursework - Volume: 2000 words - 50%

Weighting 50%. The component receives a mark.

Assessment Rationale

Assessment criteria shall be such as may be agreed from time to time by the Law Management Board.

Assessment methods may be varied to take account of different modes of attendance.

Materials allowed in the phase test: No statutory materials allowed.

Students will be given an opportunity to retrieve a fail in the phase test component before the exam board.

Late Submission of Coursework:

The module booklets will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the extension tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the extension tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### Assessments and Learning Outcomes

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### Reassessment Requirements

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board

#### **Assessment Components**

Other Coursework 1 - coursework 2000 words

*Weighting 50%. The component receives a mark.*

*The word limit is 2,000.*

Phase Test 1 - consisting of multiple choice and similar questions.

*Weighting 50%. The component receives a mark.*

*The Duration is 90 minutes.*

#### **Assessment Rationale**

Assessment criteria shall be such as may be agreed from time to time by the Law Management Board.

Assessment methods may be varied to take account of different modes of attendance.

#### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board

#### **Learning Outcomes**

- 1 - Students should be able to demonstrate at a foundation level a knowledge and understanding of constitutional theory and principles, and their applications in modern situations.
- 2 - Students should be able to demonstrate at a foundation level an understanding of policing and other law enforcement structures and means of accountability, using relevant examples where appropriate.
- 3 - Students should be able to demonstrate at a foundation level an awareness and understanding of the Europe dimension and its impact on the United Kingdom. This should include an understanding of the content and impact of the Human Rights Act 1998, and a basic understanding of the constitutional implications of the UK's relationship with the EU.
- 4 - Students should be able to demonstrate at a foundation level an ability to explain and apply constitutional principle and relevant legal rules, where appropriate through the medium of problem solving.
- 5 - Students should be able to demonstrate at a foundation level an ability to present competent and coherent written arguments.
- 6 - Students should be able to demonstrate at a foundation level an ability to find and handle primary source material, including case law, legislation and relevant secondary sources, whether in hard-copy or electronic form
- 7 - Students should be able to demonstrate a willingness to reflect on own learning and to seek and make use of feedback.

---

**Please note that assessment information is subject to change**

**Handbook Descriptor**

30 credits

LLBP1002 - English &amp; European Legal Contexts (LEVEL 4)

Module Leader: Debra Brown  
Contact Details: Room HU 6.109 Tel: 0116 2078025  
Surgery hours: Please see folder in SAC  
Email: dabrown@dmu.ac.uk

## Module Characteristics

The module provides an introduction to both the English and European Legal Systems to ask what the law is and how it is made. It also provides an introduction to EU constitutional and administrative law, including such concepts as supremacy, direct applicability, direct effect and indirect effect. The structure of the English and European courts and the UK and EU legal processes are covered, as are the important areas of statutory interpretation and judicial precedent. Students should also develop an element of critical awareness and evaluation of the English and European legal systems and processes.

The module also focuses on the key skills needed for the study of law at undergraduate level, including writing essays and answering problem questions, and citation, referencing and good academic practice. In addition, it looks at key aspects of graduate career planning, such as writing applications, CVs and covering letters, as well as professional communication and interviewing skills.

Finally, the module provides students with an opportunity to join a faculty-led field trip as part of the #DMUGlobal programme.

## Teaching and Assessment

The module will be delivered through two one hour lectures and a one hour workshop each week. A student will be expected to pre-read, and contribute appropriately both verbally and on paper. Assessment is by a combination of coursework and unseen examination.

## Syllabus

What the law is and how it is made:

- ÿ What are Laws?
- ÿ Sources & categories of English law & EU law
- ÿ The ECHR
- ÿ Statutory interpretation
- ÿ The anatomy of law reports
- ÿ Precedent & ratio decidendi
- ÿ The legislative process in the UK & EU
- ÿ The structure of a UK statute & statutory interpretation in the UK

The English and European Legal Systems:

- ÿ English & European courts
- ÿ The civil & criminal systems
- ÿ The legal process, including case allocation
- ÿ What is the European Union?
- ÿ The importance & supremacy of EU law
- ÿ The institutional structure of the EU
- ÿ EU Law in the UK - direct applicability, direct effect & indirect effect
- ÿ Preliminary references
- ÿ Enforcement of EU Law & state liability

Study and Academic Skills:

- ÿ Good time management
- ÿ Writing good English
- ÿ Writing essays

LLBP1002 - English & European Legal Contexts (LEVEL 4)  
(continuation)

- ÿ Answering problem questions
- ÿ Thinking critically

- ÿ Citation, referencing & good academic practice
- ÿ Reflecting on your work
- ÿ Exam revision & exam technique

Research and Technical Skills:

- ÿ Using a Law Library
- ÿ Using books & journals
- ÿ Using legal databases
- ÿ Using reference materials
- ÿ Citation & Referencing

Employability Skills:

- ÿ Professional communication skills
- ÿ Oral communication skills - making a presentation
- ÿ Attention to detail
- ÿ IT Skills - creating a PowerPoint Presentation
- ÿ Applications & personal statements
- ÿ CVs and covering letters
- ÿ Interviewing and assessment skills

**Assessment Components**

Other Coursework 1 - Writing Task

*Weighting 20%. The component receives a mark.*

Other Coursework 2 - Oral Presentation

*Weighting 20%. The component receives a mark.*

Unseen Examination 1 - Unseen Examination - 2 hours consisting of 4 parts.

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

The module will be assessed by a writing exercise (worth 20%); an oral presentation (worth 20%); and a two hour examination (worth 60%). The examination will consist of MCQs, short answer questions and an exercise to test students' practical and employability skills.

The rationale of this assessment model is to encourage the development of practical legal skills as well as maximising opportunities for students to examine issues in depth and context and demonstrate both understanding and critical awareness.

Late Submission of Coursework:

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

Assessments and Learning Outcomes

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking account of all elements of the assessment the student will be required to re-present him/herself in each failed element unless agreed otherwise by the Law Management Board

### **Learning Outcomes**

- 1 - Demonstrate a knowledge of English and European legal methodology
- 2 - Demonstrate a knowledge and understanding of the main institutions of the English legal system, and the European Convention on Human Rights
- 3 - Demonstrate an ability (in the context of statutory interpretation and precedent) to use legal sources.
- 4 - Demonstrate an ability to research legal resources (from a variety of sources, including electronic) and to use them effectively to underpin an argument.
- 5 - Demonstrate an ability to communicate effectively on paper and orally.
- 6 - Demonstrate an ability to work as part of a team.

---

**Please note that assessment information is subject to change**

## LLBP1003 - Law of Contract (LEVEL 4) (QLD MODULE)

Module Leader: Andre Naidoo  
Contact Details: Room HU6.78 Tel: 0116 2577882  
Surgery Hours: Please see folder in SAC  
Email: anaidoo@dmu.ac.uk

## Module Characteristics

This module is compulsory in year one for the purposes of securing a qualifying law degree. It is an interesting and relevant subject because we enter contracts on a regular basis. The most common example is a sales contract from buying goods on-line; in a shop or from a vending machine. Other common contracts are those for services like train: taxis and even the use of car parks. Beyond the consumer perspective there are common commercial contracts. This module focuses on the foundations of contract law. It starts with theories and concepts of contract law before turning to the formation of contracts which covers offer and acceptance; consideration and intention. The module the addresses contractual terms where the focus is on express statements and terms implied by the courts (implied term from legislation like the Sale of Goods Act 1979 and the Consumer Rights 2015 are covered in Commercial Law and Private Consumer Law respectively). Other topics include how the fairness of terms is tested using legislation, some which is based on giving effect to EU law. The issue of bringing a contract to an end is about breach, damages, misrepresentation, duress and undue influence and frustration.

## Teaching and Assessment

On the full-time programme, teaching is by a combination of two one-hour lectures and a one-hour tutorial each week.

Tutorials concentrate on an overview of topics, concepts and application of the law.

The overall learning objective is to encourage the development of analytic and legal reasoning skills, although research also features.

Assessment is by a combination of: - one multiple choice test (40%) (Best mark out of 2 tests); - one unseen written examination (60%).

The diversity of assessment methods reflects the diversity of teaching and learning strategies employed.

## Syllabus

- 1) THE FORMATION OF A CONTRACT:
  - Offer and acceptance
  - Consideration
  - Intention to enter a legal relationship
- 2) TERMS OF CONTRACT :
  - Express and Implied terms (by the courts)
  - Incorporation of onerous terms
- 3) TESTING THE FAIRNESS OF TERMS:
  - Judicial approach
  - Unfair contract Terms Act 1977
  - Consumer Rights Act 2015

LLBP1003 - Law of Contract(LEVEL 4)  
(continuation)

- 4) ENDING THE CONTRACT:
  - Breach
  - Misrepresentation
  - Duress and Undue Influence

- 5) REMEDIES:

Damages

Other remedies

### **Assessment Components**

Phase Test 1 - Phase Test - best out of two

*Weighting 40%. The component receives a mark.*

*The Duration is 90 minutes.*

Unseen Examination 1 - Unseen examination - 2 out of 5 questions

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

### **Assessment Rationale**

All elements of the assessment diet are concerned with testing the acquisition of the knowledge based, and analytic and deductive reasoning elements of the specified learning outcomes.

Assessment methods may be varied to take account of different modes of attendance.

Materials allowed: None

Late completion of the Phase Test

Module Leader will advise students of the date the phase test must be completed. In exceptional circumstances a student may be able to obtain an extension and this must normally be done before the deadline for submission and in accordance with the Faculty of Business and Law Module Protocols. Application for an extension must be given to the Extension Tutor. The decision to grant an extension is not an automatic right to which a student is entitled.

A second phase test on Term 2 topics will take place for any students wishing to improve their mark from the first test. This opportunity applies even when the student is awarded zero for failing to attend the first test.

If a piece of work is completed up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

Assessments and Learning Outcomes

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking account of all elements of the assessment the student will be required to re-present him/herself in each failed element unless agreed otherwise by the Law Management Board.

### **Learning Outcomes**

- 1 - Demonstrate in respect of all these outcomes the level of achievement expected in that appropriate to a student in his or her first year of legal study at HE. An understanding of the general principles of Contract Law, in particular the principles concerning the formation, regulation and discharge of contracts and the remedies available to seek redress for breach of contract
- 2 - Demonstrate an ability to apply those general principles of Contract Law, in particular through the medium of problem solving.
- 3 - Demonstrate an ability to present competent and coherent written arguments.
- 4 - Demonstrate an ability to handle primary source material, both case law and legislation in hard copy and electronic form.
- 5 - Demonstrate a willingness to reflect on own learning and to seek and make use of feedback

---

**Please note that assessment information is subject to change**



LLBP1015 Criminal Law (LEVEL 4) (QLD MODULE)

Module Leader: Gavin Dingwall  
Contact Details: Room HU 6.88, Tel: 0116 2577175  
Surgery Hours: Please see folder in SAC  
Email: gdingwall@dmu.ac.uk

#### Module Characteristics

This module will enable you to understand the general principles of the criminal law and the requirements of some major criminal offences. It will develop your problem-solving skills in the field and your ability to utilise primary and secondary sources of law. Indicative content includes the general part (basis of criminal responsibility; modes of participation; inchoate crimes; general defences) as well as some specific offences (homicide; non-fatal offences against the person; theft; robbery; burglary).

#### Teaching and Assessment

The course is taught on the following basis:

Two full group sessions each week.

One small group session each week.

Prior reading is required for all small group sessions so that there can be a particular emphasis on problem-solving and the development of analytical skills in the sessions.

#### Coursework:

Coursework assessment will be based on:-

two courseworks consisting of problem-solving answers; this will contribute 20% of the overall mark each.

#### Examination:

The other 60% of the marks will be obtained by a two-hour examination.

#### Syllabus

Introduction.

Principles: Basis of criminal responsibility. Modes of participation. Inchoate crimes. The general defences.

Offences against the person: fatal and non-fatal offences.

Offences against property.

#### **Assessment Components**

Other Coursework 1 - Best one out of two - 40%

*Weighting 40%. The component receives a mark.*

Unseen Examination 1 - UNSEEN1 - 60% (2 questions out of 5)

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed from time to time by the Law Assessment Board.

Coursework:

Coursework assessment will be based on:-

the better of two problem questions; contributing 40% of the overall mark.

Examination:

The other 60% of the marks will be obtained by a two-hour examination consisting of two problem questions from choice of five.

No materials are allowed in examination.

Assessment methods may be varied to take account of different modes of attendance.

Examination paper rubric:

TIME ALLOWED: 2 HOURS

INSTRUCTIONS: ANSWER TWO OF THE FOLLOWING QUESTIONS.

### **Late Submission of Coursework**

The Module handbook indicates the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to obtain an extension, provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extension Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

#### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Management Board.

#### **Learning Outcomes**

- 1 - Demonstrate at a foundation level an understanding of the general principles of Criminal Law and a range of offences against the person and against property.
- 2 - Demonstrate at a foundation level an ability to evaluate the consistency of the Criminal Law both internally and with reference to external norms.
- 3 - Demonstrate at a foundation level an ability to apply the law in particular through the mechanism of problem-solving.
- 4 - Demonstrate at a foundation level an ability to handle primary source material, both case law and legislation, in hard copy and electronic form
- 5 - Demonstrate at a foundation level an ability to present competent and coherent written arguments.
- 6 - Demonstrate a willingness to reflect on own learning and to seek and make use of feedback

---

**Please note that assessment information is subject to change**

## Level 5 Modules

### LLBP2004 - Issues in Civil Liberties

Leader: Amanda Akhtar

#### Handbook Descriptor

15 credits

The law on Civil Liberties and Human Rights has been an area of intense public focus since the enactment of the Human Rights Act 1998. This legislation requires lawyers to be ever more aware of the substantive obligations imposed under the European Convention on Human Rights and is clearly very important. However, the ECHR and 1998 Act are by no means the only source of legal rules affecting civil liberties and human rights in England and Wales, and this module is designed to reflect that. The emphasis is very much on the domestic perspective, and the aim is to help students to better understand and appreciate the present state of civil liberties in England and Wales. Specific areas for consideration include, but are not confined to, obscenity and offensive speech, contempt of court, and privacy.

#### Assessment Components

Essay 1 - Essay 1 - 1,500 words

*Weighting 50%. The component receives a mark.*

*The word limit is 1,500.*

Unseen Examination 1 - Unseen exam - 1 hour

*Weighting 50%. The component receives a mark.*

*The Duration is 60 minutes.*

#### Assessment Rationale

The module is assessed by (a) a coursework assignment with a word limit of 1,500 words, worth 50% of the overall mark; and (b) a one hour exam worth 50% of the mark. Assessment criteria shall be such as may be agreed by the Law Assessment Board from time to time.

#### Late Submission of Coursework:

The module leader will advise students of the date the coursework assignment has to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be granted an extension with the Extensions tutor and this must be done before the deadline for submission and in accordance with the Faculty of Business and Law Module Charter. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled. This is in accordance with Department of Law Assessment Protocols.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

#### Reassessment Requirements

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

#### Learning Outcomes

- 1 - Demonstrate an appropriate understanding of the nature and content of civil liberties and human rights and their relevance to modern circumstances.
- 2 - Demonstrate an appropriate understanding of the application of the law to specific civil liberties and human rights issues.
- 3 - Demonstrate a capacity for deductive reasoning, evaluation and application, in particular through the medium of problem solving.
- 4 - Demonstrate an appropriate ability to present competent and coherent written arguments.
- 5 - Demonstrate an appropriate ability to handle primary source material, both case law and legislation.
- 6 - Demonstrate an ability to work independently.

---

**Please note that assessment information is subject to change**

**Handbook Descriptor**

15 credits

Module Leader: Neil Parpworth  
Contact Details: Room HU6.72, Tel:0116 2078186  
Surgery Hours: Please see folder in SAC  
Email: njp@dmu.ac.uk

## Module Characteristics

## Module description (including outline content)

The powers which the police have both under statute and at common law authorise what would otherwise be clear invasions of the right to liberty, and property and privacy rights. In this module attention will focus on some of the most important powers which the police have for dealing with suspected crime, such as the powers of stop and search and arrest. The powers of the police relating to public gatherings of people will also be studied.

The module is assessed by two written assignments each with a word limit of 1,500 words. Each assignment is worth 50% of the overall mark. There is no examination element to the assessment.

**Assessment Components**

Essay 1 - 1,500 word limit essay  
*Weighting 50%. The component receives a mark.*

*The word limit is 1,500 word limit.*

Essay 2 - 1,500 word limit essay  
*Weighting 50%. The component receives a mark.*

*The word limit is 1,500 word limit.*

**Assessment Rationale**

Assessment criteria shall be such as may be agreed by the Law Assessment Board from time to time.

The module is assessed solely by two assignments, each worth 50% of the overall mark. Assignments will be subject to a word limit of 1,500 words.

The Module Leader will advise students of the dates on which the two assignments have to be submitted. A student must normally submit his or her assignment by the deadline. However, in exceptional circumstances, a student may be able to negotiate an extension with the Extensions Tutor provided that this is normally done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

**Reassessment Requirements**

Where a student fails to obtain an overall pass mark (40%) taking into account both assignments, the student will be required to be reassessed in the assignment(s) where the individual mark was below 40.

**Learning Outcomes**

- 1 - Demonstrate an appropriate understanding of certain police powers relating to the investigation of suspected crime and the maintenance of public order.
- 2 - Demonstrate a capacity for deductive reasoning, evaluation and application, in particular through the medium problem solving.
- 3 - Demonstrate an appropriate ability to present competent and coherent written arguments.
- 4 - Demonstrate an appropriate ability to handle primary source material, both case law and legislation.
- 5 - Demonstrate an ability to work independently.

---

**Please note that assessment information is subject to change**

LLBP2013 - Criminology (LEVEL 5)

Module Leader: Jonathan Merritt  
Contact Details: Room HU6.96, Tel: 0116 2078171  
Surgery Hours: Please see folder in SAC  
Email: jmerritt@dmu.ac.uk

#### Module Characteristics

Criminology involves the study of crime, criminals and criminality. The module includes study of the extent of crime; the effects of crime on victims and society; explanations of criminal behaviour; the role and functions of the criminal justice system; punishment and sentencing.

#### Teaching and Assessment

Teaching is by weekly lectures and fortnightly tutorials. Assessment is by coursework and a 2 hour exam. Students are required to submit one 1,500 word essay and attempt one online multiple choice test lasting 1 hour, each worth 25% of the final mark. The exam is worth 50% and will consist of essay questions, 3 chosen from 6.

#### Indicative Content

Sociological and some psychological theories of crime and criminality

#### Statistics and Trends:

Use and abuse of crime statistics,  
Victimisation studies, such as the British Crime Survey,  
Prisons and punishment in figures.

#### Formal Social Control:

The police, the courts and prisons as agencies of social control.

#### Informal social control

Family, community and relationships  
Subtle forms of control such as architectural

Sentencing, custodial and non-custodial.

#### Effectiveness of Solutions.

##### **Assessment Components**

Essay 1 - 1,500 word word essay

*Weighting 25%. The component receives a mark.*

*The word limit is 1,500.*

Online Test 1 - 20 online multiple choice phase test

*Weighting 25%. The component receives a mark.*

Unseen Examination 1 - 2 hour unseen exam with 3 essay questions selected from 6.

*Weighting 50%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Students are required to submit a 1,500 word essay on a set question and sit a 20 question on-line multiple choice phase test. In addition students will sit a 2 hour unseen exam with 3 essay questions selected from 6. The exam has a weighting of 50% and each of the essay and phase test is weighted at 25%.

Assessment methods may be varied to take account of different modes of attendance.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate an understanding of the current political, economic and social policy environment within which contemporary western criminological theory operates.
- 2 - Demonstrate an understanding of the relative nature of the concept of crime.
- 3 - Demonstrate an understanding of the main sociological theories of crime.
- 4 - Demonstrate an understanding of some prominent psychological theories of crime.
- 5 - Demonstrate an ability to understand the use, failings and abuse of criminal statistics.
- 6 - Demonstrate an ability to research and make use of primary source materials.
- 7 - Demonstrate an ability to present coherent and competent written argument.

---

**Please note that assessment information is subject to change**

**Handbook Descriptor**

15 credits

Module Leader: Ian Kilbey  
Contact Details: Room HU6.103, Tel: 0116 2078199  
Surgery Hours: Please see folder in SAC  
Email: [ikilbey@dmu.ac.uk](mailto:ikilbey@dmu.ac.uk)

Module description (including outline content)

This module examines the way that the European Union is run. It looks at the institutions of the EU and their powers, concentrating on the powers of the Court of Justice. It also looks at the sources of EU law and the application of those laws.

**Assessment Components**

Phase Test 1 - MCQ test 30 minutes

*Weighting 30%. The component receives a mark.*

*The Duration is 30 minutes.*

Unseen Examination 1 - 90 minute unseen examination

*Weighting 70%. The component receives a mark.*

*The Duration is 90 minutes.*

**Assessment Rationale**

The multiple choice test will be undertaken at the start of term two and will cover the institutions, Member States, the sources of law, The Direct effect and Indirect Effect of EU Law and a Member State's Liability to its citizens for breaches of EU Law. The MCQ Test will assess the first two learning outcomes above. There will be 20 questions and students will have 30 minutes to complete the test.

The unseen examination will contain questions on each of the powers of the Court of Justice (Enforcement Action Judicial Review, Preliminary References and Damages Actions) making a total of four questions from which students will have to answer two questions in a 90 minute examination. The unseen examination allows students to demonstrate that they have fulfilled the third learning outcome above. The two assessments total two hours.

**Reassessment Requirements**

Students will be allowed to re-sit the examination if a mark of 40% is not achieved

**Learning Outcomes**

- 1 - Identify each of the institutions of the European Union, its role and relationship to the other institutions.
- 2 - Identify and critique the sources of European Union Law.
- 3 - Demonstrate an understanding of the work of the Court of Justice

---

**Please note that assessment information is subject to change**

LLBP2019 - Substantive Law of EU (LEVEL 5)

Module Leader: Andre Naidoo  
Contact Details: Room HU 6.78, Tel: 0116 2077882  
Surgery Hours: Please see folder in SAC  
Email: [anaidoo@dmu.ac.uk](mailto:anaidoo@dmu.ac.uk) <<mailto:anaidoo@dmu.ac.uk>>

A 'thinking point' from the module:

We are always told about EU law allowing for people to move and live in other Member States. Did you know that EU law gives you the right to live in another Member State but only if you have sufficient resources and health insurance as not to be a burden on the welfare system of the host state?

Module description (including outline content)

Assessment (both during term 2):

50% - MCQ test (45mins)

50% - Essay (1500 words)

Delivery: 2 lectures a week and fortnightly tutorials.

Why is the module so useful now?

- EU law has always been important it is so relevant to so many areas of legal practice (business law, immigration employment and consumer rights; environmental law, IP rights, competition law and many others). That is why the study of substantive EU law was compulsory on law degrees for so many years. In EELCs you do not study the right from EU law, you just look at the EU legal system (the administrative law). That is a very different subject.
- Now, following 'Brexit', EU law is generally significant, and not just significant for lawyers. The study of the subject will give you a clear understanding of everything that is being talked about, such as single market and access to it; the rights of EU citizens to move to other Member States. You will be able to discuss such issues from an informed position rather than what the papers mention.
- Whatever deals the UK negotiates with the EU, you will have a much better understanding having studied this module.
- Clients will still trade with businesses within the EU and when they do, EU law will apply.
- The module will allow you to have knowledge of what will be another legal jurisdiction, a jurisdiction covering 27 countries!

What does the module cover?

- The significance and operation of the single market along with how and why it results in uniform rules such as consumer law, environmental law and employment law. How it all creates wealth.
- Free movement law:
  - We explore the rules allowing traders to sell move and sell their goods in different Member States - rules that are crucially important from a business law perspective.
  - We explore the rules on EU citizenship, in particular, the rules allowing EU citizens to move and live in other Member States.
  - We also address the basics of EU competition law, an area of law that is replicated by the national laws of Member States including the UK.

The study of this subject is a great diversion from common law subjects. EU law is far more accessible than common law subjects. The case law and legislation is readily available from the EU website. The cases are easy to read, not as long as common law decisions and the EU judges collectively produce a single ruling in each case. Having no formal system of precedent means that the focus is on the principles, reasoning and policy.

**Assessment Components**

Essay 1 - 1,500 word essay

*Weighting 50%. The component receives a mark.**The word limit is 1,500 words.*

Phase Test 1 - Phase Test - 25 MCQ

*Weighting 50%. The component receives a mark.**The Duration is 45 minutes. The word limit is 25 MCQ questions.*



### **Assessment Rationale**

The phase test is 25 multiple choice questions. 6 questions (24% of the marks) will be high level based on further reading from the legal journals or equivalent book chapters. These questions will be based on the published opinions, concepts, theory and criticisms. There will also be questions based on scenarios that require application as well as questions requiring factual knowledge.

### **Reassessment Requirements**

Students will have the opportunity to be re-assessed in the failed element of assessment.

### **Learning Outcomes**

- 1 - To understand and apply the TFEU rules on the internal market.
- 2 - Demonstrate a critical awareness of the contextual aspects of the rules on free movement.
- 3 - Demonstrate analytical and deductive reasoning through problem solving
- 4 - Demonstrate an ability to present a coherent written argument and advice based on personal research.

---

**Please note that assessment information is subject to change**

LLBP2023 - Family Law (LEVEL 5)

Module Leader: Sarah Brooks  
Contact Details: Room HU 5.98, Tel: 0116 2506384  
Surgery Hours: Please see folder in SAC  
Email: sbrooks@dmu.ac.uk

#### Module Characteristics

Family Law is a dynamic and engaging subject, constantly changing, sometimes controversial with a subject matter which is inherently interesting to many. The issues addressed in family law are often personal matters which we can relate to in our own lives, whether directly or indirectly through the experiences of those we know. The courts tend to get involved with families when things go wrong, when relationships break down or where there are concerns about a child's welfare. This module will equip you with an understanding of the legal rules, doctrines and principles which regulate and affect the modern family, especially the relationships of husband/wife, civil partners and parent/child.

#### Teaching and Assessment

Study of this module is by two 1 hour lectures per week and a fortnightly seminar. On occasion there may be videos and guest speakers from practice. Assessment is by coursework and examination on a 40:60 ratio. There is one compulsory problem question worth 40%.

The remaining 60% will be contributed by a 2 hour unseen exam.

#### Syllabus

Marriage, Civil Partnerships and Cohabitation:

The legal concept of "family".  
The nature of marriage and civil partnership.  
Legal consequences of marriage/civil partnership.  
Cohabitation in contrast with marriage/civil partnership.

Children:

Status of children.  
Parental responsibility.  
Fragmentation of parental responsibility on marriage breakdown, the welfare principle.  
State intervention in the parent/child relationship as a consequence of abuse, neglect etc.

Violence in the Family:

Proceedings under the Family Law Act 1996 as amended by Domestic Violence, Crime and Victims Act 2004.

Relationship Breakdown:

Divorce/Dissolution.  
Financial Provision.

#### **Assessment Components**

Problem 1 - Problem 1 - limit 2,000 words  
*Weighting 40%. The component receives a mark.*  
*The word limit is 2,000.*

Unseen Examination 1 - Unseen exam - duration : 2hrs - 60%  
*Weighting 60%. The component receives a mark.*  
*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed from time to time by the Law Assessment Board.

Students will be set one piece of assessed coursework which will be a problem question (with a 2,000 word limit), which will count for 40% of the overall mark and the remaining 60% will be contributed by a 2 hour exam. Students may use their own copy of unannotated Family Law Statutes. Statutes may be underlined and highlighted.

Materials allowed: Own copies of unannotated Family Law Statutes.

Examination paper rubric:

Answer TWO questions only. All questions carry equal marks.

Students may use their own unannotated copy of Family Law Statutes. Statutes may be underlined and highlighted.

Late Submission of Coursework:

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to obtain an extension with the Extensions Tutor and this must normally be done before the deadline for submission. The decision to grant an extension is at the discretion of the Extension Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

Statutes in Examinations:

Highlighting and underlining is permitted, but students are not permitted to use any other indicators whatsoever e.g. they are not permitted to write, attach or enclose paper, paperclips or inserts of any other type whatsoever. All statutes will be checked during the examination without exception. Students in possession of unauthorised material will face disciplinary proceedings which could result in expulsion from the University.

Assessments and Learning Outcomes

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate an appropriate understanding of the principles of Family Law
- 2 - Demonstrate a capacity for deductive reasoning, evaluation and application, in particular through the medium of problem solving.
- 3 - Demonstrate an appropriate ability to present competent and coherent written arguments.
- 4 - Demonstrate an appropriate ability to handle primary source material, both case law and legislation.
- 5 - Demonstrate an appropriate ability to work independently.

---

**Please note that assessment information is subject to change**

## Module Characteristics

## Module description (including outline content)

Questions about the role and place of religion in modern society are increasingly the subject of debate, and alongside this there have been several legal developments in recent years which have directly concerned religion. These include protection for freedom of religion as a right under the Human Rights Act 1998, the inclusion of religion as a protected characteristic in equality legislation, and the criminalisation of incitement to religious hatred. Religion and religious matters also have a bearing on other areas of law, including education and family law. The aim of this module is to explore some of these areas.

## Outline content:

- The context: a state with an Established church and an increasingly secular and multi-cultural society
- The meaning of 'religion'-legal and other perspectives
- Religious freedom as a human right, with particular reference to Article 9 of the ECHR
- Religious discrimination
- Religion and education
- Family law and religious group autonomy
- Religious exemptions and conscientious objection
- Religious offences

**Assessment Components**

Essay 1 - Essay 1 - 1,500 words.

*Weighting 50%. The component receives a mark.*

*The word limit is 1,500.*

Unseen Examination 1 - Unseen Exam - 1 hour

*Weighting 50%. The component receives a mark.*

*The Duration is 60 minutes.*

## **Assessment Rationale**

The module is assessed by (a) a coursework assignment with a word limit of 1,500 words, worth 50% of the overall mark; and (b) a one hour exam worth 50% of the mark. Assessment criteria shall be such as may be agreed by the Law Assessment Board from time to time.

### **Late Submission of Coursework:**

The module leader will advise students of the date the coursework assignment has to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be granted an extension with the Extensions tutor and this must be done before the deadline for submission and in accordance with the Faculty of Business and Law Module Charter. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled. This is in accordance with Department of Law Assessment Protocols.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate an appropriate understanding of the relationship between law and religion and the relevance of in modern circumstances.
- 2 - Demonstrate an appropriate understanding of the application of the law to specific issues concerning law and religion.
- 3 - Demonstrate a capacity for deductive reasoning, evaluation and application, in particular through the medium of problem solving.
- 4 - Demonstrate an appropriate ability to present competent and coherent written arguments.
- 5 - Demonstrate an appropriate ability to handle primary source material, both case law and legislation.
- 6 - Demonstrate an ability to work independently.

---

**Please note that assessment information is subject to change**

LLBP2045 - Law of Tort (LEVEL 5) QLD MODULE

Module Leader: Patty Healey  
Contact Details: Room HU6.104, Tel: 0116 2577188  
Surgery Hours: Please see folder in SAC  
Email: phealey@dmu.ac.uk

#### Module Characteristics

If X causes harm to Y, can Y sue? The answer to this question is to be found in civil law and, very often, in the area known as Tort. This module will help you to identify the characteristics of conduct which may be classified as tortious and the interests that are protected by the law of Tort.

Car accidents, medical accidents, deliberate touchings, harassment, slander, libel, invasions of privacy, trespass, nuisance and dog bites - all of these events and many more may fall within the scope of Tort law. Through studying this module you should acquire a thorough understanding of negligence and a number of other specific torts, together with an overall awareness of the principles which underpin tortious liability in general.

#### Teaching and Assessment

The module will be taught by an appropriate range of lecture, tutorial and seminar classes which will place particular emphasis upon student pre-reading and participation. Classes will involve discussion topics and problem solving. Emphasis will be placed upon common law, statutory and other relevant and appropriate sources. Effective analysis and understanding will be encouraged and promoted by appropriate means.

Assessment is by coursework and examination in the ratio 40:60. The coursework consists of one MCQ and two assignments, of which the better mark counts. In the 2 hour examination a student must answer three questions from six.

#### Syllabus

##### Introduction:

General principles of liability in tort; Nature of Tort; act or omission, intention, negligence, strict liability incorporating vicarious liability. Remedies introduced. Tort compared with other compensation systems.

##### Detailed Considerations:

A study of the application of general principles and defences through detailed consideration of a selection of the principal torts and their constituent elements:

Negligence - including Psychiatric damage (nervous shock) and defences to negligence.

Trespass - to the person and land

Nuisance and the principle in *Rylands v Fletcher*

Occupiers Liability

Vicarious Liability

#### **Assessment Components**

Essay 1 - Best 1 out of 2 pieces of work set (word limit/guidance 2,000 words).

*Weighting 40%. The component receives a mark.*

*The word limit is 2,000.*

Unseen Examination 1 - Unseen examination -

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment notes

Assessment criteria shall be such as may be agreed by the Law Assessment Board from time to time.

Assessment is by examination comprising of a Part A Seen question and Part B 20 MCQ's. Coursework will be best 1 of 2 assignments with no Phase Test. The examination and coursework elements of the assessment will be aggregated in the proportion 60:40

Assessment methods may be varied to take account of different modes of attendance.

Materials allowed: None.

Examination paper rubric:

The examination will be at the end of the academic session based on the material covered throughout. Seen paper (Part A) will be a question on Negligence; Part B, 20 MCQ's unseen covering topics studied throughout the year.

There will be no MCQ Test as part of the coursework element

### **Late Submission of Coursework**

Tutors will advise students of the date the coursework assignment has to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor and this must normally be done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all elements of assessment the student will be required to re-present him/herself in each failed element unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate an appropriate understanding of the general principles of tortious liability.
- 2 - Demonstrate an appropriate understanding of the role of policy in the development of the Law of Tort.
- 3 - Demonstrate a capacity for deductive reasoning, evaluation and application, in particular through the medium of problem solving.
- 4 - Demonstrate an appropriate ability to present competent and coherent written arguments
- 5 - Demonstrate an appropriate ability to handle primary source material, both case law and legislation.
- 6 - Demonstrate an appropriate ability to work independently.

---

**Please note that assessment information is subject to change**

LLBP2047 - Private Law of Consumer Protection (LEVEL 5)

Module Leader: Andre Naidoo

Contact Details: Room HU6.78, Tel: 0116 2077882

Surgery Hours: Please see folder in SAC

Email: [anaidoo@dmu.ac.uk](mailto:anaidoo@dmu.ac.uk) <<mailto:anaidoo@dmu.ac.uk>>

A 'thinking point' from the module:

Did you know that usually when you order and pay goods based on an online description or catalogue, you don't actually own the goods until they are dispatched to a third party delivery company? If the seller goes bankrupt after payment but before dispatch, you lose your money and the goods!!

Module description (including outline content)

Assessment (both during term 2):

50% - MCQ test (45 mins)

50% - Essay (1500 words)

Delivery: 2 lectures a week and fortnightly tutorials.

Why is the module so useful?

This module is a specialised area of contract law. It is very useful for two key reasons:

- On a personal level it is useful because you enter consumer contracts all the time and here we learn about your rights against retailers.
- On a professional level, it is very useful to those of you interested in business law because consumer rights are retailer obligations.

What does the module cover?

- A general map of private law. This is a reference to all of the legislation that gives consumers rights that they can enforce. This enables you to know the extent of the law, what is covered and by what legislation. We then focus on some of these on the course in more detail.
- Consumer sales law: specifically the implied terms of description, quality and fitness for purpose from the Consumer Rights Act 2015.
- The remedies following a breach (ending the contract; repair, replacement, price reduction and rescission).
- When ownership passes and the significance of that along with the associated problems; the rules on when risk (responsibility) of goods passes to the consumer.
- How and why we have rules on consumer sales: this covers the rationales for having the rules.
- Aspects of consumer insurance law.
- Holiday law - the legislation that gives us rights when we travel to other countries.
- Redress and enforcement of rights including the small claims procedure.

### **Assessment Components**

Essay 1 - Essay - 1,500 words

*Weighting 50%. The component receives a mark.*

*The word limit is 1,500.*

Phase Test 1 - Phase Test - 45 minutes

*Weighting 50%. The component receives a mark.*

*The Duration is 45 minutes.*



### **Assessment Rationale**

The phase test is 25 multiple choice questions. 6 questions (24% of the marks) will be high level based on further reading from the legal journals or equivalent book chapters. These questions will be based on the published opinions, concepts, theory and criticisms. There will also be questions based on scenarios that require application as well as questions requiring factual knowledge.

### **Reassessment Requirements**

Students will have the opportunity to be re-assessed in the failed element of assessment.

### **Learning Outcomes**

- 1 - To understand and apply the general principles of consumer sales law.
- 2 - Demonstrate a critical awareness of the contextual aspects of private consumer sales law.
- 3 - Demonstrate analytical and deductive reasoning through problem solving.
- 4 - Demonstrate an ability to present a coherent written argument and advice based on personal research.

---

**Please note that assessment information is subject to change**

## LLBP2048 - Public Law of Consumer Protection

Leader: Martin Taylor

### Handbook Descriptor

15 credits

LLBP2048 - Public Law of Consumer Protection (LEVEL 5)

Module Leader: Martin Morgan-Taylor

Contact Details: Room HU6.97, Tel: 0116 2577191

Surgery Hours: Please see folder in SAC

Email: [mart@dmu.ac.uk](mailto:mart@dmu.ac.uk) <<mailto:mart@dmu.ac.uk>>

Module description (including outline content)

LLBP2048 - Public Law of Consumer Protection (LEVEL 5)

Module Leader: Martin Morgan-Taylor

Contact Details: Room HU6.97, Tel: 0116 2577191

Surgery Hours: Please see folder in SAC

Email: [mart@dmu.ac.uk](mailto:mart@dmu.ac.uk) <<mailto:mart@dmu.ac.uk>>

Module description (including outline content)

This is a 15 credit module.

The module will examine elements of the public law of consumer protection of the UK, which is based on EU legislation. It will examine the following topics-

- Public law regulation: How and why
- Unfair commercial practices by sellers
- Misleading practices
- Aggressive practices
- Average consumer test
- Enforcement
- Defences
- Dangerous products

Assessment

The module assessed by way of a 45 minute MCQ test and one essay.

#### **Assessment Components**

Essay 1 - Essay 1,500 words

*Weighting 50%. The component receives a mark.*

*The word limit is 1,500.*

Phase Test 1 - Phase Test 45 minutes

*Weighting 50%. The component receives a mark.*

*The Duration is 45 minutes.*

### **Assessment Rationale**

The phase test is 45 minutes long. It will include a range of high level questions based on further reading from the legal journals or equivalent book chapters. These questions will be based on the published opinions, concepts, theory and criticisms. There will also be questions based on scenarios that require application as well as question requiring factual knowledge.

### **Reassessment Requirements**

Students will have the opportunity to be re-assessed in the failed element of assessment.

### **Learning Outcomes**

- 1 - To understand and apply the general principles underpinning the public regulation of consumer transactions.
- 2 - Demonstrate a critical awareness of the contextual aspects of the public law regulation of consumer transactions.
- 3 - Demonstrate analytical and deductive reasoning through problem solving.
- 4 - Demonstrate an ability to present a coherent written argument and advice based on personal research.

---

**Please note that assessment information is subject to change**

## LLBP2052 - BUSINESS ENTITIES (LEVEL 5)

Module Leader: Caroline Coles

Contact Details: Room HU5.102, Tel: 0116 2577180

Surgery Hours: Please see folder in SAC

Email: ccoles@dmu.ac.uk

## Module Characteristics

This module will introduce students to the various ways in which it is possible to organise a business. It examines the advantages and disadvantages of a range of options including sole traderships, partnerships and companies. There is considerable input from common law and statute in addition to fictional and real-life case studies. The module examines the full life cycle of a business from formation through management and financing to their dissolution. Issues of contemporary business theory such as corporate social responsibility and the influence of the EU are also discussed.

The module has a comparative and practical approach as it examines a number of common business legal themes: the nature of the internal management relationship; financing a business; terminating a business through insolvency. It involves a high level of integrated legal skills such as problem solving, legal research and practical commercial awareness via interactive sessions that include the use of internal and external expert guest speakers.

## Teaching and Assessment

Teaching will be in weekly seminars of two hours supported by course materials, with some use of computer lab sessions.

Assessment will be via a combination of a 2 hour examination comprising 60% of the final mark for the module and a coursework comprising the best mark from two courseworks for 40% of the final mark for the module.

## Syllabus

## 1. Methods of conducting a business

- Sole traders
- Partnerships ordinary
- Limited liability partnerships

## 2. Limited companies

Issues for different types of business

- Constitution of a business in law and practice
- Financing and business
- Managing a business
- Dissolving a business

**Assessment Components**

Other Coursework 1 - Assessed coursework

*Weighting 40%. The component receives a mark.*

*The Duration is 0 minutes. The word limit is 2,000.*

Unseen Examination 1 - Unseen examination

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Two courseworks are available. Students will be allowed to take the best mark from both courseworks if they choose to complete the second piece. Candidates may take Blackstones Company Law statutes into the examination room but will be provided with statutory extract as part of the exam paper.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is subject to Department of Law Protocols on extension and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate an understanding of the principles of Business Entities.
- 2 - Demonstrate an understanding of the interaction between Conventions, Directives and UK local law.
- 3 - Demonstrate a capacity for analytic and deductive reasoning, particularly through the mechanism of problem solving.
- 4 - Demonstrate an ability to present competent and coherent written argument.
- 5 - Demonstrate an ability to handle primary source material, both case law and legislation.

---

**Please note that assessment information is subject to change**

LLBP2205 - Land Law (LEVEL 5) QLD MODULE

Module Leader: Kerrie Deakin  
Contact Details: Room HU5.74, Tel: 0116 2506109  
Surgery Hours: Please see folder in SAC (displayed outside 5.74)  
Email: kdeakin@dmu.ac.uk

Land is a necessity for housing, production of food, industry, commerce and recreation. Land law is an important subject and is regarded as a foundation subject by the Solicitors Regulation Authority and the Bar Standards Board. It is perceived by many students to be a difficult subject. The framework of Land Law is explained in the context of the systems of registered and unregistered title. Students are introduced to joint ownership of land and the concept of the trust, as well as leases, easements, covenants and mortgages. The aim of the module is to build on the framework to ensure that students have an understanding of the two legal estates in land as well as the different legal and equitable rights to land which can exist, when these rights can be binding on others, and how they can be protected. The subject is rooted in property which is the most valuable asset most people own. Land Law has evolved to be a flexible subject and it is both conceptual and practical. Land Law is a second year subject and we begin to teach you in a way which reflects a transition from learning information to critical thinking, that is, constructing persuasive arguments about legal rules.

How will my work be assessed?

The assessment process for this module is currently as follows:

1. A coursework component which counts as 40% of the final module mark.
2. An examination which counts as 60% of the final module mark. The examination will be 2 hours in duration.

**Assessment Components**

Essay 1 - Essay 1 - 2,000 word limit

*Weighting 40%. The component receives a mark.*

*The word limit is 2,000.*

Unseen Examination - 60% of the overall module mark. 2 hours in duration

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

The coursework will consist of one problem or one essay question designed to test students' ability to construct argument, think critically, and solve problems.

The two hour examination will require students to attempt 2 out of 5 questions. The questions will take the form of problem solving questions and essay questions. Students will be given a free choice of questions.

There will also be a formative Blackboard test towards the end of the first term. This will not count towards the overall mark.

Examinations:

Additional reading time: None

Materials allowed: Property Statutes.

Examination paper rubric for Examination

Candidates may use their own unannotated Property Law Statute Book which may be highlighted or underlined, but no other annotation is permitted.

Students must attempt TWO questions.

Statutes in Examinations:

Highlighting and underlying is permitted, but students are not permitted to use any other indicators whatsoever, E they are not permitted to write, attach or enclose paper, paperclips or inserts of any other type whatsoever. The University reserves the right to check all statute books during the examination without exception. Students in possession of unauthorised material will face disciplinary proceedings which could result in expulsion from the University.

Late Submission of Coursework:

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor and this must normally be done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of coursework is submitted up to 14 days after the deadline or the agreed extension, no mark above 40 will be awarded. Where a piece of coursework is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

The details of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

## **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment / Management Board

## **Learning Outcomes**

- 1 - Demonstrate an appropriate understanding of Land Law.
- 2 - Demonstrate a capacity for analytic and deductive reasoning, evaluation and application, in particular through medium of problem solving.
- 3 - Demonstrate an appropriate ability to present competent and coherent written arguments.
- 4 - Demonstrate an appropriate ability to handle primary source material, both case law and legislation.
- 5 - Demonstrate an appropriate ability to work independently.

---

**Please note that assessment information is subject to change**

LLBP3002 Social Justice (LEVEL 6)

Module Leader: Alwyn Jones

Contact Details: Room HU6.82, Tel: 0116 2078045

Surgery Hours: Mondays from 3pm - 4pm and Thursdays from 12 noon to 1pm in Hugh Aston 6.82

Email: [apjones@dmu.ac.uk](mailto:apjones@dmu.ac.uk) <<mailto:apjones@dmu.ac.uk>>

Social Justice is about how law can protect vulnerable people, promote equality and prevent injustice. How can law make a difference for people living with homelessness or overcrowded, unhealthy housing conditions? How can the law help people overcome obstacles to accessing education or health care? When people are denied equal access to education, can the law intervene? Studying Social Justice can help students to get ready to work for human rights organisations, charities, law firms and government agencies that help people living with poverty, homelessness, inequality and social exclusion.

During one term, we will investigate economic, social and cultural human rights. We'll see how the courts apply these rights in the UK and other countries. During the other term, we will focus on the right to housing, exploring how the law responds to issues such as homelessness, poor housing conditions, unlawful eviction, harassment and anti-social behaviour.

#### Assessment

- Research essay (2,500 words for 40%)
- Exam (60%), unseen, 2 questions out of 6 in two hours

#### **Assessment Components**

Project 1 - Research essay 2,500 words. Best one from two essays - 40%.

*Weighting 40%. The component receives a mark.*

*The word limit is 2,500.*

Unseen Examination 1 - Examination - 2 out of 6 questions - 2 hours

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*



## Assessment Rationale

Research essay: 2,500 words for 40% of the mark, best one from two essays.

Unseen examination: 2 question out of 6, for 60% of the mark in 2 hours.

The research essay will encourage the in depth analysis and independent research expected of students at level 1 in a Law module. The exam will encourage students to engage with all topics of the syllabus.

Late submission of coursework:

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be granted an extension and this must be normally done before the deadline for submission and in accordance with the Protocol for Law Modules. The decision to grant an extension is at the discretion of the Extension Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or agreed extension no mark above 40% will be awarded. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

Assessments and Learning Outcomes:

The detail of the assessments, which will vary from year to year will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### Reassessment Requirements

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### Learning Outcomes

- 1 - Show a critical awareness of the nature of economic, social and cultural rights in general, and social housing law in particular (the module content).
- 2 - Analyse the module content in context, identifying significant issues from essay and problem questions; identifying relevant theories, legal principles and policy issues; and making connections between theory, principle and policy which (i) relate to the significant issues and (ii) move forward the student's argument.
- 3 - Apply the law to complex situations, particularly through problem solving.
- 4 - Conduct independent research, selecting appropriate sources to develop an argument and apply the law.
- 5 - Present complex and coherent arguments in written form, showing accurate knowledge of the relevant school thought (including the ability to describe and evaluate the arguments in favour of those views) and explaining and making appropriate connections to (i) the significant issues raised by a question, and (ii) the student's own arguments.
- 6 - When using primary and secondary sources to select relevant sources, identify key ideas and connect those ideas to significant issues raised by an essay question or problem scenario, demonstrating how the use of these ideas moves the student's argument forward.

---

**Please note that assessment information is subject to change**

LLBP3004 Immigration and Refugee Law (LEVEL 6)

Module Leader: Alwyn Jones

Contact Details: Room HU6.82, Tel: 0116 2078045

Surgery Hours: Mondays from 3 to 4 pm and Thursdays from 12 noon to 1 pm, in Hugh Aston 6.82

Email: [apjones@dmu.ac.uk](mailto:apjones@dmu.ac.uk) <mailto:apjones@dmu.ac.uk>**Module Characteristics**

When large numbers of people escape serious harm in countries such as Syria, South Sudan and Myanmar, this illustrates the importance of refugee protection. Like other crises, these situations raises questions about who we care for and where we draw the line between those we help and those we don't assist.

We will investigate how far border controls can (and should) operate and the extent to which people who apply for asylum are allowed to access benefits, employment and housing. We will investigate

How principles of refugee law created in the mid-20th century apply to issues today such as claims for refugee status by people escaping harm due to climate change, or harm targeted at individuals because of their gender or sexuality. We will explore immigration detention and the implications for vulnerable people such as survivors of torture. We will explore how the law responds when the UK authorities want to deport people who are believed to be criminals including terrorists.

If you would like to explore what studying the module would involve, we recommend the following:

- Gina Clayton "Textbook on Immigration and Asylum Law" (2016)
- Fauziya Kassindja "Do they hear you when you cry?" (1988)
- Khaled Hosseini "The Kite Runner" (2004) and "A Thousand Splendid Suns" (2008)

**Teaching and Assessment**

The module runs in a weekly two-hour seminar. It is assessed by a research essay and an exam.

**Syllabus**

The ethics and politics of immigration and asylum; border controls, criminalisation and deterrence of asylum seeking; making a claim for refugee status; resisting removal using human rights arguments; deportation and removal; climate change and migration; gender and sexuality; human rights and terrorism; immigration detention.

**Assessment Components**

Essay 1 - Essay (word limit 3,000 words)

*Weighting 40%. The component receives a mark.*

*The word limit is 3,000 limit.*

Unseen Examination 1 - Unseen examination - duration 2 hours

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed by the Law Assessment Board from time to time.

Assessment methods may be varied to take account of different modes of attendance.

Examination is 2 hours

Materials allowed: None

Examination paper rubric: Students should answer 2 questions

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Assessment and Learning Outcomes**

The details of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass grade taking into account all the elements of assessment, the student will be required to re-present himself/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Explain and analyse the nature and content of immigration and refugee law and its application through the immigration process.
- 2 - Assess and appraise the nature of refugee protection and the rationale for protection of refugees
- 3 - Identify and critique the powers, duties and accountability of the immigration service
- 4 - Formulate your analysis using analytic and deductive reasoning, particularly through problem solving.
- 5 - Articulate and debate competent and coherent written arguments.
- 6 - Select primary source material (both case law and legislation) that is relevant to your argument; identify precisely the relevant legal principles and evaluate their contribution to the arguments you discuss in your answer

---

**Please note that assessment information is subject to change**

LLBP3007 - Commercial Law (LEVEL 6)

Module Leader: Martin Morgan-Taylor  
Contact Details: Room HU6.97, Tel: 0116 2577191  
Surgery Hours: Please see folder in SAC  
Email: mart@dmu.ac.uk

### Module Characteristics

This module examines areas of Commercial Law from the following selection of potential broad areas: the law relating to the supply of goods including the domestic sale of goods; the law of international sales including the Vienna Convention and commercial agency. Other areas of possible coverage include international carriage. These areas form the backbone of modern commercial law and their study will help to facilitate an understanding of the relationships which exist between the parties to modern commercial relationships.

### Teaching and Assessment

Skeleton notes outlining the key issues will be provided in respect of all parts of the syllabus. Students will be expected to supplement these notes through wider reading in supporting texts, journal articles and the law reports. Classes will be conducted by way of seminars concentrating on key issues. It is expected that all students will prepare in detail for each seminar and group work may be a feature of classes. This seminar-based approach is designed to enhance the research and presentational skills of students participating in this course. Some seminar topics will concentrate on problem solving skills.

Students following this module will be assessed in two ways. There will be a TWO hour unseen examination, representing 50% of the overall assessment. The remaining 50% will consist of a 3,000 word limit coursework.

Syllabus (Indicative only and subject to modification, we will cover as many of these topics as possible in class )

#### A. Supply of Goods

The nature and formation of supply of goods contracts; sale and other transactions; meaning of goods.  
Passing of property and risk.

Title  
disputes between buyer and seller;  
disputes involving third parties.

The obligations of the seller -  
delivery  
description, quality and fitness of the goods  
exclusion of liability.

Remedies for breach of contract -  
Seller's remedies -  
(i) against the goods  
(ii) personal remedies;

Buyer's remedies  
(i) against the goods  
(ii) personal remedies.

LLBP3007 - Commercial Law (LEVEL 6)  
(Continuation)

International sales of goods 1: Problems of International Sales and FOB contracts.  
International sales of goods 2: CIF contracts and Incoterms.  
CISG 1: Sphere of application and duties of seller and buyer. Seminar 4: CISG 2: Remedies.  
CISG 3: Comparative analysis of CISG and SGA.

The meaning and creation of the law of agency.  
The respective rights and duties of the principal, third party and agent.

**Assessment Components**

Essay 1 - Assignment 50%.

*Weighting 50%. The component receives a mark.*

*The word limit is 3,000.*

Unseen Examination 1 - Unseen exam two hours - 50%

*Weighting 50%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment Criteria shall be such as may be agreed from time to time by the Law Assessment Board.

Students following this module will be assessed in two ways. There will be a two hour unseen examination worth 50% of the module mark. Students will also submit a 3,000 word essay, worth the remaining 50% of the module mark.

Candidates may NOT take any materials into the examination room.

The overall pass mark for the module as a whole is 40%.

Assessment methods may be varied to take account of different modes of attendance.

Materials allowed: No materials are permitted in the examination.

Examination paper rubric: Students must attempt two questions from a choice of five.

### **Statutes in Examinations**

No materials are permitted in the examination. Students in possession of unauthorised material will face disciplinary proceedings which could result in expulsion from the University.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Understand and apply general principles of law covered
- 2 - Demonstrate a critical awareness of the contextual aspects of commercial law.
- 3 - Demonstrate a capacity for analytical and deductive reasoning, particularly through the mechanism of legal problem solving.
- 4 - Demonstrate an ability to present a competent and coherent written argument through the process of personal research.

---

**Please note that assessment information is subject to change**

LLBP3009 - Company Law (LEVEL 6)

Module Leader: Simi Akintoye  
Contact Details: Room HU 6.105, Tel: 0116 2077790  
Surgery Hours: Please see folder in SAC  
Email: simi.akintoye@dmu.ac.uk

#### Module Characteristics

Companies are a popular way of organising for business and this module examines how and why they are formed, how they are financed and managed and how the law protects minority shareholders. The Companies Act 2000 has significantly reformed company law and introduced a large number of provisions, there is therefore quite a lot of statutory material to look at but lots of interesting case law as well. Every effort is made to link the material to news stories from the corporate world. This module builds on Business Entities in the second year but there is no requirement for students to have studied on this.

Topics of study include; what is a company? Concepts of legal personality and limited liability, how a company is formed; promotion, formation and registration. There will need to be consideration of a company's constitution, including the Articles of Association in particular, who manages a company and an analysis of the statutory duties of directors. Shares - class rights and shareholders remedies are also studied. Issues in financing the company - equity and debt and maintenance of capital, together with the related issue of insolvency and ways of dissolving a company are also included.

#### Teaching and Assessment

Teaching this year will be through two weekly lectures and one fortnightly tutorial in which we will work through material distributed on each topic. Tutorials focus on problem solving and practice questions. You are expected to supplement your lecture materials with wider reading of journal articles, textbooks and law reports and pre-read materials in advance of each tutorial.

Assessment is on the basis of:

- A) Two pieces of coursework which take the form of an in-course online test taken at the beginning of the second term and an essay or problem question. Each piece counts for 20%. Alternatively, a student can submit a mini project of no more than 5,000 words instead of the coursework component. The topic must be agreed with the module leader. This will count for 40%.
- B) All students sit a final unseen written 3 hour examination which counts for 60%.

#### Syllabus

What is a company? Concepts of legal personality, limited and unlimited liability, How is a company formed? Promotion, formation and registration of companies, What is the company's constitution? Articles of Association, Who manages a company? The statutory duties of directors. Shares - class rights and variation, Shareholders - their rights and remedies, Financing the company - equity and debt and maintenance of capital. Insolvency and dissolution.

#### Assessment Components

Essay 1 - Essay - 20%

*Weighting 20%. The component receives a mark.*

Phase Test 1 - In-course Test (20%) alternatively mini-project.

*Weighting 20%. The component receives a mark.*

Unseen Examination 1 - Unseen exam - Duration : 3hrs - 60%

*Weighting 60%. The component receives a mark.*

*The Duration is 180 minutes.*

## Assessment Rationale

Assessment criteria shall be such as may be agreed from time to time by the Law Assessment/ Management Board.

Approved Company Law statutes, unannotated, may be taken into the exam. The examination lasts 3 hours. The paper will contain 6 questions, 3 of which must be answered. Questions will be drawn predominantly from the tutorial programme.

Two coursework assignments are to be completed one of which will be an essay or problem and the other will be 'in-course' test. Where coursework consists of an essay or problem the word guideline will be 3,000 words. The two coursework marks count for 40% in total. Alternatively a mini-project may be substituted for the 2 pieces of coursework.

Assessment methods may be varied to take account of different modes of attendance.

Additional reading/note taking time: None

Materials allowed: Approved Company Law statutes

Examination paper rubric:

Answer 3 questions only, All questions carry equal marks. Candidates may refer to their own copies of approved Company Law statutes, highlighted or underlined but with no other indicators whatsoever.

## Late Submission of Coursework

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

## Statutes in Examinations



Highlighting and underlining is permitted, but students are not permitted to use any other indicators whatsoever and they are not permitted to write, attach or enclose paper, paperclips or inserts of any other type whatsoever. All statutes will be checked during the examination without exception. Students in possession of unauthorised material will face disciplinary proceedings which could result in expulsion from the University.

## Assessments and Learning Outcomes

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board

### **Learning Outcomes**

- 1 - Identify, analyse and apply relevant incidents of the law from a critical perspective.
- 2 - Understand the policy underpinning the law.
- 3 - Demonstrate an ability to apply the law, in particular through the medium of problem-solving.
- 4 - Demonstrate an ability to present competent and coherent written arguments
- 5 - Demonstrate an ability to handle primary source material, both case law and legislation, in hard copy and electronic form.
- 6 - Where a mini project is undertaken:-
  - a) (by independent study) to research thoroughly, sift and evaluate diverse materials, and
  - b) present a cogently argued and balanced analysis of a legal or other contextual issue.

---

**Please note that assessment information is subject to change**

**Handbook Descriptor**

30 credits

LLBP3021 - Law of Evidence (LEVEL 6)

Module Leader: Helen Edwards  
Contact Details: Room HU6.86, Tel: 8161  
Surgery Hours: Mondays and Tuesdays 2 - 3  
Email: helen.edwards@dmu.ac.uk

Module Characteristics

We concentrate exclusively on the law relating to evidence in criminal cases. This subject is especially useful (arguably essential) for potential LPC or BPTC students who want to conduct advocacy and practice criminal law.

Module Characteristics

We concentrate exclusively on the law relating to evidence in criminal cases. Subject is especially useful for potential BPTC students.

Teaching and Assessment

Students will be taught by two lectures a week and a tutorial each week.

Coursework will comprise 40% of the total assessment and consist of two essays or problems, to be submitted during the year.

There will be an unseen examination of 2 hours.

Syllabus

Introduction and terminology  
Relevance, admissibility and circumstantial evidence  
The burden of proof  
Standard of proof and probabilities  
Witness competence and compellability  
Special measures for vulnerable witnesses  
Examination in-chief and cross-examination  
Protection of complainants in sex cases  
Expert evidence  
Hearsay  
Visual identification evidence  
Confessions by defendants  
Inferences from silence or non-disclosure  
Character, credibility and disposition  
Improperly obtained evidence and entrapment

**Assessment Components**

Other Coursework 1 - Coursework (2 x 20%) - Best one from two = 40%  
*Weighting 40%. The component receives a mark.*

Unseen Examination 1 - Unseen exam - Duration : 2hrs - 60%  
*Weighting 60%. The component receives a mark.*  
*The Duration is 120 minutes.*

## **Assessment Rationale**

As agreed from time to time by the Law Assessment Board.

Coursework will comprise:

Two essays, to be submitted during the year (as such length as may be prescribed through word limits), the best mark to count.

There will be an unseen examination of 2 hours in which candidates must answer 3 out of 6 questions.

Materials allowed: Candidates are entitled to take into the examination an approved set of Statutes on Evidence. These sources may contain highlighting and underlining. No annotation permitted.

Examination paper rubric:

Answer THREE questions. Start each question on a new sheet. Candidates are entitled to take into the examination an approved set of Statutes on Evidence. These sources may contain highlighting and underlining. No annotation permitted.

Submission of Coursework

Tutors will advise students of the dates coursework assignments have to be handed in. Students must comply with the rules set out in the current version of Essential Information and Protocols for law students.

Assessments and Learning Outcomes

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Understand the principles of the English Law of Evidence as to what matters may be proved, and how they interact with other areas of the law.
- 2 - Demonstrate a critical awareness in respect of those principles and rules, and of the policy considerations that underpin them.
- 3 - Demonstrate an ability to present complex competent and coherent written arguments.
- 4 - Demonstrate a capacity for analytic and deductive reasoning, together with the ability to apply the law to complex situations, particularly through the mechanism of problem solving.
- 5 - On completion of the mini-project a student should be able to:-
  - a) by independent study, research thoroughly, sift and evaluate diverse materials, and
  - b) present a cogently argued and balanced analysis of a legal or other contextual issue.
- 6 - Demonstrate a significant ability to find and handle primary source material, whether hard copy or electronic.

---

**Please note that assessment information is subject to change**

LLBP3024 - International Child Law (LEVEL 6)

Module Leader: Dr Rajnaara Akhtar  
Contact Details: Room HU6.85, Tel: 0116 2506112  
Surgery Hours: Please see folder in SAC  
Email: Rajnaara.akhtar@dmu.ac.uk

#### Module Characteristics

The law relating to children is fast becoming a subject of international and regional concern rather than exclusively a domestic issue for individual States parties.

At the international level, the United Nations Convention on the Rights of the Child of 1989 (CRC) has been of great interest for international lawyers because of its near-universal ratification by States. This important code of children's rights has been further strengthened by optional two substantive protocols relating to: i) 'Children and Armed Conflict' and ii) the 'Sale of children, child pornography and child prostitution'. A third protocol establishing a Communications Procedure (i.e. a complaints forum in Geneva) came into force in 2014. This is therefore an exciting time for the development of International Child Law, as the decisions generated under this new procedure should go some way to generating a jurisprudence of international children's rights.

The movement of families and the proliferation of family forms have also raised practical challenges for legal regimes established by the Hague Conference dealing with intercountry adoption and international child abduction.

The labour markets of both developed and developing nations continue to raise issues about how children can be protected from exploitative practices. There are also further challenges presented by the needs of particular groups of children; e.g. disabled children, street children, abused children, children in armed conflicts and indigenous children.

This module seeks to introduce students to the field of international child law and policy.

#### Teaching & Assessment

Study of this module is by a two-hour seminar each week. This will comprise a mixture of lecturing and interactive group work. On occasion there may be videos and guest speakers.

Assessment is by coursework and examination on a 40%:60% ratio.

The coursework element will be a research paper consisting of a maximum of 5,000 words.

A three hours unseen examination at the end of the year will count for the remaining 60% of the overall module mark

#### Syllabus

- The concepts of childhood and children's rights.
- Introduction to sources and institutions of international law and (briefly) relevance of choice of law rules
- The UN Convention on the Rights of the Child
- Child Labour
- International Parental Child Abduction
- Intercountry Adoption
- Sexual Exploitation
- Children and Armed Conflict

#### Assessment Components

Essay 1 - A research paper on a title provided by the Module leader. Maximum 3,000 words including a 100 word  
*Weighting 40%. The component receives a mark.*

*The word limit is 3,000 word limit.*

Unseen Examination 1 - Unseen examination - 2 hours in duration

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment - the standard 60%:40% exam to coursework ratio.

- a) A two hour unseen examination at the end of the year, and;
- b) a research paper. A maximum of 3,000 words.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate a critical awareness of the principles of International Child Law.
- 2 - Demonstrate a critical awareness of policy issues in the context of International Child Law.
- 3 - Demonstrate a capacity for analytical and deductive reasoning, together with the ability to apply the law to complex situations.
- 4 - Demonstrate ability to present complex, competent and coherent written arguments.
- 5 - Demonstrate a significant ability to handle primary source material; case law, legislation and Treaty material.
- 6 - Demonstrate an ability to conduct independent research, sift and evaluate diverse materials, and present a cogently argued and balanced analysis of a legal or relevant contextual issue.

---

**Please note that assessment information is subject to change**

## LLBP3025 - Intellectual Property Law (LEVEL 6)

Module Leader: Debra Brown  
Contact Details: Room HU6.109, Tel: 0116 2078025  
Surgery Hours: Please see folder in SAC  
Email: dabrown@dmu.ac.uk

## Module Characteristics

Intellectual Property is concerned with all aspects of creativity and intellectual effort. How can creators and inventors protect themselves against the freeloaders who would steal their ideas?

It is now regarded by companies as crucial to their commercial success. How can ideas be turned into money?

It is of vital importance to those involved in most businesses, such as:

- Industry: How long can a drug company monopolise that crucial Aids drug?
- The Arts: Did Robbie Williams really plagiarise folk singer Loudon Wainwright?
- The Media: Should the Sun have published CCTV pictures of Princess Diana and Dodi Al Fayed?
- Design: What can VW do to protect the design of their car exhausts?
- Entertainment: Can Arsenal prevent others from using a picture of a gun?
- Education: How much of your photocopying is really permitted?

The module explores the major tensions of commercial policy - exclusive rights exploitation versus monopoly; balancing the interests of users (all of us!), the consumers and the producers of information.

The module is centred in the 4 "great" statutory types of IP: Patents, Copyright, Design Rights and Trade Marks which also looking at contemporary issues such as the enforcement of such rights.

## Teaching and Assessment

A practical approach is adopted throughout, with references to engaging examples, case studies, images, diagrams and visual aids. We also highlight the practical issues involved in protecting intellectual property rights.

A variety of learning materials and resources are used, including gapped lecture handouts, audio lectures, flowcharts, revision guides and some specialist materials produced by the Intellectual Property Office and the European Patent Office.

We provide a lively and detailed account of the key cases for each topic and introduce lots of points for you to consider, FAQs and practical issues that you need to be aware of.

The module will be taught by an appropriate mixture of lectures and seminars. Seminars will consist of exercises in problem solving based on pre-set situations together with an opportunity for discussion of issues raised by the areas law raised in lectures as well as the seminars. Students will be expected to prepare for each seminar by self-study and to participate in the oral discussion at the seminar. Written skills will be developed by the coursework programme, which comprises the best one out of two pieces of coursework consisting of problem solving or discussion essays, with a word limit of 2,500 each. The remaining 60% will come from a seen examination which will take place during the 3rd term. The exam, which will be published to students 3 weeks in advance of the exam, will contain 6 questions in total.

LLBP3025 - Intellectual Property Law (LEVEL 6)  
(continuation)

## Syllabus

At the start of this module we look briefly at the range and different types of intellectual property rights (IPRs) and the key characteristics before considering some of the justifications for them. We also introduce the international dimension to intellectual property law and the various sources that have influenced current UK law.

The module then covers the four key IPRs - copyright, design rights, trade marks and patents, as well as the remedies that are available for infringement of them.

**Assessment Components**

Other Coursework 1 - Other coursework - 40%  
*Weighting 40%. The component receives a mark.*

Seen Examination 1 - Seen examination - 2 hours  
*Weighting 60%. The component receives a mark.*  
*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed by the Law Assessment Board from time to time.

Assessment is by a combination of coursework, counting towards 40% of the total marks, and a 2 hour examination, counting towards 60% of the total marks. The coursework will have a word limit of 2,500 words. The exam will be a 2 hour seen examination, which will take place at the end of the 2nd semester. Candidates may use their own unannotated copies of relevant Intellectual Property Statutes.

Assessment methods may be varied to take account of different modes of attendance.

Additional reading/note taking time: None.

Materials allowed: Intellectual Property Statutes (eg Blackstone's).

Examination paper rubric:

Answer TWO questions.

Candidates are supplied at the beginning of the examination with a supplementary answer book.

Candidates may use their own unannotated copies of relevant Intellectual Property Statutes and 'Statutory Extracts from Intellectual Property Exams'. These may be highlighted or underlined, but no other annotation is permitted.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Statutes in Examinations**

Highlighting and underlining is permitted, but students are not permitted to use any other indicators whatsoever e.g. they are not permitted to write, attach or enclose paper, paperclips or inserts of any other type whatsoever. All statutes will be checked during the examination without exception. Students in possession of unauthorised material will face disciplinary proceedings which could result in expulsion from the University.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate an understanding of the principles of Intellectual Property Law - in particular, the Copyright, Design, Patent and Trade Mark systems.
- 2 - Demonstrate an understanding of the role of Intellectual Property in a European context.
- 3 - Demonstrate an understanding of interaction between Conventions, Directives and UK local Law.
- 4 - Demonstrate a capacity for analytic and deductive reasoning, particularly through the mechanism of problem solving.
- 5 - Demonstrate an ability to present competent and coherent written arguments.
- 6 - Demonstrate an ability to handle primary source material, both case law and legislation.



---

**Please note that assessment information is subject to change**

LLBP3027 - Employment Law (LEVEL 6)

Module Leader: Katharine Thompson  
Contact Details: Room HU6.81, Tel: 0116 2506106  
Surgery Hours: Please see folder in SAC  
Email: kht@dmu.ac.uk <mailto:kht@dmu.ac.uk>

#### Module Characteristics

Employment Law will affect almost everyone, because at some time most people are likely to be in some form of employment. In recent years the world of work has changed and we now have a more flexible labour market, with many different ways of working. This flexibility has had an impact on employment law rights.

The module begins by exploring how the law determines whether a person is an employee or an independent contractor and why this is an important distinction. The focus then moves on to the contract of employment. We consider the sources and content of the different terms of the employment contract and consider how the contract may be varied.

The protection the law offers against discrimination - both contractual and non-contractual - on the grounds of sex, marital status, race, religion, sexual orientation, age or disability within the employment field is explored in some detail. The legislation on equal pay and the gender pay gap is also considered

Finally, the module ends with an examination of the protection from both the common law and legislation against dismissal.

#### Teaching and Assessment

Teaching will fulfil the Module Characteristics of the module. The module will be taught 2 x 1 hour lectures per week and one seminar per fortnight.

Coursework consists of three written essays (word limit 2,500 words for each essay), the final mark being the best or piece of work submitted. You do not have to do all three pieces of work and many students choose to just do one. You are free to decide which pieces of work you complete. Coursework counts for 40% of the module. The remaining 60% will be contributed by a 2 hour exam.

#### Syllabus

##### Contract of Service:

Sources of labour law: legislation, custom, codes of practice.

Differences between a contract of service and a contract for services.

Effect of collective agreements and their enforceability between collective and individual parties.

Implied duties of the employer and employee.

##### Legal constraints on Employment:

##### The Protected Characteristics

Race

Sex

Religious Belief

Sexual Orientation

Gender Re-assignment

Marriage or civil partnership

Maternity or pregnancy

Age

Disability

LLBP3027 - Employment Law (LEVEL 6)  
(Continuation)

Discrimination on the basis of part-time or fixed term working

##### Prohibited Conduct

Direct discrimination

Indirect discrimination  
Victimisation  
Harassment.

Equality of Terms  
Like work  
Work Rated Equivalent  
Work of Equal Value  
Defence of Material Factor

Termination of the Employment Relationship:  
Meaning of dismissal.  
Distinction between wrongful and unfair dismissal.  
Special provisions relating to unfair dismissal.

**Assessment Components**

Other Coursework 1 - Other coursework - 40%  
*Weighting 40%. The component receives a mark.*

*The word limit is 2,500 limit.*

Unseen Examination 1 - Unseen exam - Duration : 2hrs - 60%  
*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed by the Law Management Board from time to time.

Students will be set three pieces of assessed coursework:-

1. an unsupervised problem type question (with a 2,500 word limit);
2. an unsupervised essay type question (with a 2,500 word limit);
3. an unsupervised case analysis (with a 2,500 word limit)

The best piece of work submitted will contribute the 40% of the overall mark.

The remaining 60% will be contributed by a 2 hour exam. Students may use their own copy of an Employment Law Statutes book. The only permitted annotation of the Statute Book is underlined and highlighted.

Assessment methods may be varied to take account of different modes of attendance.

Additional reading time: None

Materials allowed: Students own copy of Employment Law Statute book.

Examination paper rubric:

Answer TWO questions only. All questions carry equal marks.

Students may use their own unannotated copy of Employment Law Statutes book, which may be underlined and highlighted.

## **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

## **Statutes in Examinations**

Highlighting and underlining is permitted, but students are not permitted to use any other indicators whatsoever e.g. they are not permitted to write, attach or enclose paper, paperclips or inserts of any other type whatsoever. All statutes will be checked during the examination without exception. Students in possession of unauthorised material will face disciplinary proceedings which could result in expulsion from the University.

## **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

## **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

## **Learning Outcomes**

- 1 - Understand and apply the general principles of Employment Law.
- 2 - Demonstrate a critical awareness of the contextual aspects of Employment Law.
- 3 - Demonstrate a capacity for analytical and deductive reasoning, together with the ability to apply the law to complex situations, particularly through the mechanism of legal problem solving.
- 4 - Demonstrate an ability to present complex competent and coherent written legal arguments.
- 5 - Demonstrate a significant ability to handle primary source material, both legislation and case law, in hard cop and electronic format.
- 6 - Demonstrate an ability to conduct independent research.

---

**Please note that assessment information is subject to change**

LLBP3029 - Law and Medicine (LEVEL 6)

Module Leader: Jo Samanta  
Contact Details: Room HU 6.107, Tel: 01162577178  
Surgery Hours: Please see folder in SAC  
Email: jsamanta@dmu.ac.uk

### Module Characteristics

This module considers the relationship between law and medicine by concentrating on current medico-legal topics. In particular, it considers consent to treatment and medical negligence, death and dying (including euthanasia and physician assisted suicide), abortion, treatments for infertility and organ transplantation. Most topics are controversial and generate polarised and interesting debate.

Students are provided with PowerPoint slides that form the backdrop to weekly seminars. Students are expected to participate in 1 of the 6 dilemmas sessions that take place throughout the year. These sessions are accommodated within the two hour seminar slots approximately every third week. The end of year examination is based on these Dilemma scenarios.

A 3,000 word research essay gives students the opportunity to choose a subject which is of interest to them and enables them to research primary and secondary legal sources as well as considering relevant clinical, economic, sociological, psychological and philosophical materials.

### Teaching and Assessment

Students are encouraged to purchase an up to date textbook. PowerPoint slides are provided that form the backdrop to weekly seminars. Students are also expected to participate in 1 of the 6 dilemmas sessions that take place throughout the year. The Dilemma sessions are accommodated within the two hour seminar slots every third week. These dilemma scenarios form the basis of the end of year examination. A 3,000 word dissertation offers students the opportunity to choose a subject area which is of interest to them and which enables them to research primary and secondary legal sources as well as considering, where appropriate, clinical, economic, sociological, psychological and philosophical materials.

Assessment regime: a 3,000 word research assignment contributes 40% of the mark. A 2 hour part-seen exam forms the remaining 60% of the marks.

### Syllabus

#### Clinical negligence :

- Including liability in contract and tort, clinical negligence and its application to diagnosis, treatment, advice and communication.

#### Consent to medical treatment/procedures:

- Informed consent - capacity, consent, voluntariness and disclosure.
- Causes of action for failure to obtain valid consent.
- Limits of parental consent and withholding of consent.
- Justifications for proceeding in the absence of consent.
- Power of children to consent to, or refuse, medical treatment

#### Confidentiality:

- Causes of action and the basis of the obligation to maintain confidentiality, power/duty to breach confidentiality,

#### Treatment of dying, chronically and severely ill patients:

- Withholding and withdrawing life-sustaining treatment from adults, children and newborns
- Euthanasia and physician-assisted suicide
- Conjoined twins.

Version No: 32

Control of reproduction:

- Status of the embryo and foetus in law, abortion, artificial reproductive techniques including surrogacy, actions for negligent causing of an unwanted birth to occur i.e. wrongful birth and wrongful life.

Organ Transplantation:

- Legal definition of death
- Powers to remove organs for transplantation from dead donors under the Human Tissue Act 2004
- Powers to use living donors under the Common Law, the Human Tissue Act 2004
- Buying and selling organs for transplantation.

**Assessment Components**

Essay 1 - Essay

*Weighting 40%. The component receives a mark.*

*The word limit is 3,000.*

Seen Examination 1 - Part-seen Examination - 2 hours

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed by the Law Assessment Board from time to time.

A research essay of a maximum of 3,000 words contributes 40% of the marks. The remaining 60% to be contributed by a 2 hour exam. Students are permitted to have an unannotated copy of a Medical Law statute book with them in the examination.

In the exam students would be required to answer TWO questions as follows:

One question is linked to the presentation given for one of the 'Dilemmas' during the year. This question will be distributed prior to the examination but must be answered in the examination.

Another question, from a choice of three, again based around one of the 'Dilemmas' in the year, but not the 'Dilemma' which the student presented. This (choice of) questions will only be seen by the students in the examination itself.

Additional reading time: None

Materials allowed: Students may have an unannotated copy of a Medical Law statute book with them in the examination.

Examination paper rubric:

The examination is divided into two parts, Part A and Part B. The students should answer one question from Part A and one question from Part B only. Both questions carry equal marks.

Late Submission of Coursework

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

Assessments and Learning Outcomes

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate knowledge and understanding of the central concepts and principles of medical law (evidenced by examination and research essay).
- 2 - Demonstrate an ability to construct coherent written legal argument (examination and research essay).
- 3 - Demonstrate skills in researching and using primary and secondary legal materials in medical law including, where appropriate, interdisciplinary materials and paper-based and electronic sources (evidenced by the examination and research essay).
- 4 - Demonstrate an ability to apply and critically analyse and evaluate areas of the law relating to medical practice (evidenced by examination and research essay).

---

**Please note that assessment information is subject to change**



## **LLBP3031 - Project**

**Leader:** Ian Kilbey

### **Handbook Descriptor**

30 credits

LLBP3031 - Project (LEVEL 6)

Module Leader: Ian Kilbey  
Contact Details: Room HU6.103 Tel: 0116 2078199  
Surgery Hours: Please see folder in SAC  
Email: [ikilbey@dmu.ac.uk](mailto:ikilbey@dmu.ac.uk)

### Module Characteristics

This module allows you to explore an area of law selected by you for detailed critical analysis. It allows you to work closely with a tutor-supervisor who will be able to advise and guide you through the relevant area. The module will normally usually involve empirical research and the report is usually derived from text based, library driven research. Because the area for study is self-selected it will appeal to self-motivated enquiring minds.

### Teaching and Assessment

The project permits the student to study in depth and analyse critically a specific topic or issue in law, drawing upon contextual as well as legal sources where relevant and appropriate. The student will pursue the study in close liaison with an appropriate academic tutor, the project supervisor, but the student will be expected to demonstrate independence of thought. Empirical research is not a necessary element in project design or execution. In the light of the assessment criteria it is anticipated that a student will have studied the subjects which are regarded as foundation subjects.

The student will produce a report which must not normally exceed 10,000 words.

The submission date will be such as may be prescribed from time to time by the Subject Authority Board but will normally be during the first week of the term immediately following the Easter vacation.

The project module will be selected in the normal way but the responsibility for identifying the topic for the project resides with the student who will be advised by the Module Leader (Ian Kilbey).

The choice whether or not to supervise a particular project will be dependent upon staff expertise, timetable loading, other academic or administrative responsibility, and will be made by the member of the academic staff proposed as supervisor. The agreement of the proposed supervisor to supervise a project must be obtained in advance of the commencement of the module and the student must co-operate with the supervisor in the creation of a timetable for study and submission of material. The project report will be second-read by an academic tutor, and an agreed mark and assessment of the project report will be submitted by the supervisor and second-reader. As with other modules, the project report may be submitted to an appropriate external examiner.

Students opting to study a module that is assessed by means of one or more pieces of extended coursework should note that no substantial replication is allowed between such coursework and material forming the basis of the project module.

### **Assessment Components**

Project 1 - Word limit 10,000 excludes bibliography, footnotes & appendices.

*Weighting 100%. The component receives a mark.*

## **Assessment Rationale**

Assessment methods may be varied to take account of different modes of attendance.

The assessment criteria which may be agreed from time to time by the Law Assessment Board will apply subject to the further criteria below:

The project and project-report will be assessed by reference to the student's demonstration of:

- (a) an ability to research thoroughly, sift and evaluate diverse materials;
- (b) an ability where necessary to consider and evaluate the impact on legal principles of inter-disciplinary materia
- (c) an ability to present a cogently argued and balanced analysis;
- (d) an awareness of the development of legal principles and their application by the legal institutions.

## **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

## **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

## **Learning Outcomes**

- 1 - Research thoroughly, sift and evaluate diverse materials.
- 2 - Consider and evaluate, where necessary, the impact on legal principles of inter-disciplinary materials.
- 3 - Present a cogently argued and balance analysis of a legal or socio-legal issue.
- 4 - Demonstrate an awareness of the development of legal principles and their application by legal institutions.

---

**Please note that assessment information is subject to change**

**Handbook Descriptor**

30 credits

LLBP3037 - International Law (LEVEL 6)

Module Leader: Tim Hillier

Contact Details: Room HU5.73, Tel: 0116 2577184

Surgery Hours: Please see folder in SAC

Email: thillier@dmu.ac.uk

Module Characteristics

International Law regulates the conduct of states and other entities recognised as having international personality, such as international organisations. The module investigates the way in which rules of international law come into existence and how they are applied and enforced. The module provides an introduction to the general principles of public international law and focuses on the following particular topics:

The Development and Nature of International Law

The Sources of International Law

The Subjects of International Law

Treaty Making

Territorial Sovereignty

Jurisdiction

Immunities from Jurisdiction

State Responsibility

Use of Force

International Humanitarian Law

Peaceful Settlement of Disputes

Students are assessed primarily by means of an extended essay on a topic of their choosing. This enables students to focus on a particular topic of substantive international law of interest to them.

Teaching Method:

2 hour seminar a week

Assessment:

2 hour test - (40%)

Oral Presentation - (10%)

3,000 word mini-project (50%)

Syllabus

The Development and Nature of International Law

General Principles of International Law

International Relations Perspectives on International Law

The Role of the UN and Regional Organisations

International Law and the Use of Force by States

Diplomacy and the Threat of Force by States

September 11 and the New World Order

International Criminal Law

Human Rights: The Nature of Human Rights. The Role of the UN. Regional Conventions and Enforcement.

**Assessment Components**

Presentation - Students would present the results of their research into their chosen topic to the rest of the seminar.  
*Weighting 10%. The component receives a mark.*

Test - Test - Unseen test - Durations 2hours

*Weighting 40%. The component receives a mark.*

*The Duration is 120 minutes.*

Presentation 1 - 15 minute presentation and handout

*Weighting 40%. The component receives a mark.*

*The Duration is 15 minutes.*

Mini Project - Students would write up a 3,000 word mini project on a approved topic of international law to be chc

*Weighting 50%. The component receives a mark.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed from time to time by the Law Assessment Board.

Assessment methods may be varied to take account of different modes of attendance.

Students would sit a two hour test at the beginning of the spring term. The test would consist of Part A: twenty short questions (some multiple choice, some true/false) and Part B: two short essay questions. Students would be expected to divide their time equally between the two parts. The test would count for 40% of the students overall mark.

The other 60% of the marks would be made up of 10% for an oral presentation and 50% for a mini project.

The nature of the syllabus means that the subject easily divides into two parts. The first part, delivered in the autumn term, focuses on the general principles and rules of the international legal system. The first term concentrates on the first two module learning outcomes:

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

- a) Demonstrate an understanding of the nature of international law as a system of law and understand its relationship with municipal law;
- b) Demonstrate a critical awareness of the divergence between doctrine and practice;

It seems to make sense to assess these outcomes at the earliest opportunity.

The second part of the course looks at substantive areas of international law and particular current problems, for example the use of force or international environmental law. Students can focus on a particular topic in greater depth this will enable students to demonstrate more clearly the other three module learning outcomes:

- a) Demonstrate a capacity for analytical and deductive reasoning, particularly through the mechanism of legal problem solving;
- b) Demonstrate an ability to research and make use of primary source materials;
- c) Demonstrate an ability to handle competent and coherent written argument.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the tutor provided that this is done before the deadline for submission. The decision grant an extension is at the discretion of the extensions tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

### **Learning Outcomes**

- 1 - Demonstrate an understanding of the nature of international law as a system of law and understand its relationship with municipal law;
- 2 - Demonstrate a critical awareness of the divergence between doctrine and practise;
- 3 - Demonstrate a capacity for analytical and deductive reasoning, particularly through the mechanism of legal problem solving;
- 4 - Demonstrate an ability to research and make use of primary source materials;
- 5 - Demonstrate an ability to present competent and coherent written and oral arguments.

---

**Please note that assessment information is subject to change**

LLBP3041 - Contemporary Issues in Jurisprudence and Legal Theory (Level 6)

Module Leader: Dr Julia J.A. Shaw  
Contact Details: HU6.89, Tel: 0116 250 6840  
Surgery Hours: Please see folder in SAC  
Email: jshaw@dmu.ac.uk

#### Module Characteristics

Jurisprudence can be described as a critical investigation into the theories, nature and philosophy of law. It addresses questions arising from the advancement of doctrinal law, such as, what is law and why does it matter? Are there unjust laws? How much law is really necessary? What are the appropriate limits and justifications for law? What is the relationship between law, morality and justice? Do judges make law or do they find it? Does law in effect do something other than what it purports to do? What considerations determine one legal argument as making more sense than another? These are just a small sample of questions which form the starting point for much inquiry and debate. A range of diverse disciplines such as philosophy, sociology, economics, history, literature and psychology are used in investigating the legitimacy and appropriateness of key legal doctrines.

Much of the module will be spent on systematically questioning attitudes, beliefs, values and presuppositions about law and legal practice which would normally be taken for granted. The module is library-based, in which a range of interdisciplinary materials will be used to subject legal 'facts' or 'truths' to critical analysis within the contexts in which they arise. The first half of the course introduces key legal theories and theorists. The second semester encourages the exploration of legal theories within the context of contemporary issues, themes and events.

#### Teaching and Assessment

Class-contact time will be in 2 hour seminars. Each session will comprise of a weekly 2-hour interactive seminar session, during which a diverse range of learning techniques will be employed. Some seminars will be based around the discussion of a text or film, which raises interesting and relevant issues in the context of legal interpretation. Students will be invited to read the indicated materials before each session, and be prepared to engage in lively debate. On other occasions, reading materials will be provided in class and we will read and discuss these together.

There is no examination. Coursework one comprises one essay of 4,000 words to be submitted at the end of semester 2: comprising 70% of the final mark. Also for the second term, a 15-minute individual presentation will comprise a further 30% of the final mark.

#### Syllabus

The syllabus will address the following topics which relate to alternative methods of legal inquiry and comparative schools of jurisprudence:

1. Introduction to the idea of 'law in context'; law as interdisciplinary. Since legal concepts are formulated by, and imposed upon, particular communities of people (those who make the law and those who are subject to, and objects of, the law), the social sciences, arts and humanities also relate to law. History and language, for example, are important since law's legitimacy rests on the transmission of its ancient traditions, and relies on both the text (cases and statutes) and image (visual metaphors, court etiquette and forms of dress) from which it derives its identity and authority.

LLBP3041 - Contemporary Issues in Jurisprudence and Legal Theory (Level 6)  
(Continuation)

2. Law as argumentative; law as a culture of argument. Introducing the importance of language; in general, and specifically the privileged language of law - as a hierarchy of authoritative texts and persuasive rhetorical devices (dominant legal discourse) which may privilege certain ideas and encourage a particular reading or interpretation. Common literary devices, for example, the implementation of metaphor, analogy and rhetorical flourishes are still prevalent in legal adjudication. Classical Greek lawyers were also excellent orators. As a cloistered profession, the legitimization of legal authority was premised on the sacral myth of perfect speech. Quintilian, in his AD 95 *Institutio oratoria*, juxtaposed the art of law with the art of persuasion, deducing sophistry to be a necessary prerequisite to legal science; arguing that rhetoric precedes justice (II.17.25-26).

3. Rights and Justice. Legal and moral rights. Examples of rights theorists and theories; Hohfeld, Dworkin, Raz. Four main theories of justice; distributive, procedural, utilitarianism, libertarianism. Rawls v Nozick.

4. Law and morality. Why is morality an important consideration for lawyers. Hart v Fuller (the case of the 'Grudge informer'). Hart v Devlin I (the enforcement of morality); the 1957 Wolfenden Report. Hart v Devlin II (private v public morality); J.S. Mill's 'harm principle'.
5. Brief introduction to classical and modern natural law theory; the Greek Stoics, Aquinas, Kant, Fuller, Finnis
6. Brief introduction to classical and modern legal positivism; Bentham, Austin, Kelsen, Hart, Raz
7. A critique of Fuller's The case of the Speluncean Explorers, which summarises many ideas, methodologies and approaches to adjudication, discussed in previous seminars.

In part II of the module we will focus on contemporary issues which discuss the principles of, for example, justice, fairness, equality and democracy. These will be critically examined from the perspective of legal theory in relation to contemporary issues arising, for example, in the media and from within the legal tradition. Key themes will be explored, such as:

- Crime and the concept of moral punishment
- Law and morality in relation to complex dilemmas such as assisted dying and same-sex adoption
- Discrimination and equality
- Citizenship, rights, duties and the state
- Information technology, privacy, surveillance: cyberspace, law and justice
- Law and popular culture
- Law and the 'war on terror'

### **Assessment Components**

Essay 1 - Essay- word limit of 4000 words

*Weighting 70%. The component receives a mark.*

*The word limit is 4000.*

Presentation 1 - 15 minutes

*Weighting 30%. The component receives a mark.*

*The Duration is 15 minutes.*



## Assessment Rationale

\Jurisprudence is a dynamic subject, inviting a more discursive approach and therefore group work and essay-based evaluation is considered the most effective and appropriate means of assessment.

One essay with a word limit of 4,000 words to be submitted at the end of semester 2 - comprising 70% of the final work.

A 15 minute individual presentation, on the application of relevant jurisprudential theory or competing theories to a current legal, moral or ethical dilemma. This will be assessed according to six distinct criteria, namely:

- A) Appropriateness of theoretical framework to contemporary issue/dilemma.
- B) Structure.
- C) Clarity and coherence of argument, evidence of reasoned analysis and use of relevant sources.
- D) Innovative use of media, for example, presentation design, audio-visual clips, provision of handout, as appropriate.
- E) Overall style of presentation: for example some degree of audience 'eye' contact, voice projection, modulation and pace.
- F) Ability to effectively handle questions from the audience.

The individual presentation will comprise 30% of the final mark.

## Reassessment Requirements

When a student fails to obtain an overall pass mark taking into account all the elements of assessment, the student will be required to re-present him/herself in each failed element, unless agreed otherwise by the Law Assessment Board.

## Learning Outcomes

- 1 - To examine common preconceptions about the nature, purpose and authority of law; including so-called "legal fictions".
- 2 - To develop the ability to understand law in a broader context, particularly in relation to other concepts such as morality, ethical principles and politics.
- 3 - To introduce students to philosophical enquiry and various legal research methodologies.
- 4 - To introduce students to a wide range of interdisciplinary texts and encourage the development of independent analytical thinking.
- 5 - To develop research skills, techniques of argumentation and persuasion, along with the ability to produce a written paper requiring evidence of sound legal reasoning and critical analysis.
- 6 - To encourage the further development of oral communication, argument and critical thinking skills.

---

**Please note that assessment information is subject to change**

LLBP3051 - Electronic Commerce Law (LEVEL 6)

Module Leader: Martin Morgan-Taylor  
Contact Details: Room HU6.97 Tel 257 7191  
Surgery Hours: Please see folder in SAC  
Email: mart@dmu.ac.uk

#### Module Characteristics

The following provides an indicative content of the module. We will cover most of these topics-

- Contract formation and jurisdiction.
- Offer, acceptance and consideration on-line.
- Jurisdiction and the conflict of laws.
- The lack of a clear, single European point for contract formation.
- Payment.
- Consumer rules on fraudulent card use and non-delivery.
- Information & cooling off rights for consumers.
- Information and cooling-off rights owed to consumers under the Consumer Rights Directive.
- Statutory implied terms for the sale of goods. (Consumer and business)
- General rules on rights and obligations relating to description, quality and fitness under the Consumer Rights Act 2015.
- Consumer and business remedies for breach of the implied terms.
- Sales in the course of a business?
- Specific issues arising from on-line marketplaces (including sale in the course of a business and the quality obligation).
- The passing of property and risk
- The rules on the passage of property and risk- and how they apply to on-line sales.
- Data protection; spam and targeted advertising.
- What a business can and cannot do with the data it collects, including behavioural advertising.
- Contract enforcement.
- The problems of cross border enforcement.
- The European Small Claims Procedure and the draft European ODR/ADR Directive/Regulations.

#### Teaching and Assessment

This module will be taught in one academic year by way of seminars.

The examination lasts two hours (worth 60% of the module).

One coursework assignment is to be completed of a maximum of 2,000 words (worth 40% of the module mark).

#### Syllabus (Indicative content subject to modification)

We will address some of the following in detail - The definitions of e-commerce, advertising and contract formation on the internet (invitations to treat and acceptance). We will then examine payment issues, sellers obligations with distance sales and title disputes. We will also address the differences between commercial and private sales and purchases. Consideration will also be given to spam and behavioural advertising as well as data protection matters. We will conclude by looking at dispute resolution.

#### **Assessment Components**

Essay 1 - Essay 1 (2,000 words)

*Weighting 40%. The component receives a mark.*

*The Duration is 0 minutes. The word limit is 2,000.*

Unseen Examination 1 - Unseen examination.

*Weighting 60%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed from time to time by the Law Assessment Board. The essence of the module is the application of various areas of law in a specific context. All elements of the assessment diet are concerned with testing the acquisition of the knowledge based, and analytic and deductive reasoning elements of the specified learning outcomes.

One coursework assignment will be completed consisting of an essay. The word limit will be 2,000 words for the assignment. The coursework mark counts for 40% of the module mark.

The examination lasts 2 hours and has two parts which all students must attempt. Part A is an MCQ test and Part B requires the answering of one question from the choice given. Both Part A and B are worth 50% of the exam mark. The exam mark itself is worth 60% of the overall module mark.

Additional reading/note taking time: None

Examination paper rubric:

All questions carry equal marks. Candidates may not bring any materials into the examination.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Statutes in Examinations**

None permitted.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

Students who fail to achieve the overall pass mark will be required to re-take the elements of assessment that they failed, unless agreed otherwise by the LAB.

### **Learning Outcomes**

- 1 - Demonstrate an understanding of the law as far as it relates to contract formation, advertisements and payments for goods or services purchased over the internet or by e-mail.
- 2 - Demonstrate an understanding of the international aspects of sale and purchase, particularly with regard to private international law.
- 3 - Demonstrate a capacity for analytic and deductive reasoning, particularly through the medium of problem solving and research for the coursework.
- 4 - Demonstrate an ability to present competent and coherent written arguments.
- 5 - Demonstrate an ability to handle primary source material; both English and European case law and legislation.

---

**Please note that assessment information is subject to change**

## LLBP3052 - Competition Law

**Leader:** Ian Kilbey

### Handbook Descriptor

30 credits

LLBP3052 - Competition Law (LEVEL 6)

Module Leader: Ian Kilbey  
Contact Details: Room HU6.103 Tel: 0116 207 8199  
Surgery Hours: Please see folder in SAC  
Email: [ikilbey@dmu.ac.uk](mailto:ikilbey@dmu.ac.uk)

#### Module Characteristics

Competition Law is an area where the European Commission has been active in harmonising Member States' laws in order to ensure the optimal working of the internal market. This module looks at the principle mechanisms designed to prevent undertakings from thwarting the free movement of goods and services through collusion, abuse of dominant position, mergers and unfair aid from the state. It will also consider how the law is enforced both nationally and by the European Commission. The differences between English and European Law will be considered.

#### Teaching and Assessment

This is a 30 credit module taught in one academic year by way of weekly lectures and fortnightly tutorials. Students complete one essay (from a choice of two) and an unseen examination.

The examination lasts 2 hours. The paper will contain 4 questions, 2 of which must be answered.

The word limit for the coursework is 3,000 words.

#### Syllabus

Starting with an introduction to the theories underlying competition law, this module will then examine the constituent elements of articles 101 & 102, together with the methods of enforcement and the provisions for exemptions and exceptions. Merger control will be examined as will the law relating to state aid. In all cases these topics will be approached from both a European and an English perspective.

#### Assessment Components

Essay 1 - Essay 1 (3,000 words)

*Weighting 30%. The component receives a mark.*

*The Duration is 0 minutes. The word limit is 3,000.*

Unseen Examination 1 - Unseen examination - 2 hours (2 questions from 4)

*Weighting 70%. The component receives a mark.*

*The Duration is 120 minutes.*

## **Assessment Rationale**

Assessment criteria shall be such as may be agreed from time to time by the Law Assessment Board. The essence of the module is the application of various areas of law in a specific context. All elements of the assessment diet are concerned with testing the acquisition of the knowledge based, and analytic and deductive reasoning elements of the specified learning outcomes.

The examination lasts 2 hours. The paper will contain 4 questions, 2 of which must be answered.

Students will be provided with a choice of two essay titles, one of which must be completed. The word limit will be 3,000 words.

Additional reading/note taking time: None

Examination paper rubric:

Answer 2 questions only, All questions carry equal marks.

### **Late Submission of Coursework**

Tutors will advise students of the dates coursework assignments have to be handed in. A student must normally submit his or her coursework by the deadline. However, in exceptional circumstances a student may be able to negotiate an extension with the Extensions Tutor provided that this is done before the deadline for submission. The decision to grant an extension is at the discretion of the Extensions Tutor and is not an automatic right to which a student is entitled.

If a piece of work is submitted up to 14 days after the deadline or the agreed extension, no mark above 40% will be awarded except where an agreed extension is in place. Where a piece of work is submitted after 14 days following the deadline or agreed extension, the work will receive a zero mark.

### **Assessments and Learning Outcomes**

The detail of the assessments, which will vary from year to year, will ensure that the students always have an opportunity to achieve the Learning Outcomes of the module.

### **Reassessment Requirements**

When a student fails to obtain an overall pass mark taking into account all of the elements of assessment, the student will be required to re-take each failed element, unless agreed otherwise by the LAB.

### **Learning Outcomes**

- 1 - Demonstrate an understanding of the theories underlying competition law.
- 2 - Demonstrate an understanding of the principles of articles 101, 102, merger control and state aid from both a English and a European perspective.
- 3 - Demonstrate an understanding of the means by which competition law is enforced.
- 4 - Demonstrate a critical awareness of the problems that competition law presents to consumers, producers and enforcement authorities.
- 5 - Demonstrate an ability to present competent and coherent written arguments.
- 6 - Demonstrate an ability to handle primary source material, including both English and European case law and legislation.

---

**Please note that assessment information is subject to change**