



UNIVERSITY OF
BIRMINGHAM

BIRMINGHAM LAW SCHOOL

**FINAL YEAR
OPTIONS**
for
CERTIFICATE IN ENGLISH LAW students
2014-2015

Information is correct at the time of going to print July 2014

Introduction

In order to express a preference for optional modules, you must return the form at the end of this booklet to the Birmingham Law School Reception Desk no later than **Friday 20th June 2014**.

In some circumstances, the number of students who opt to take an option is so large that it is not possible to accommodate all students on the module because the School may not have the teaching resources available to run small group teaching for the module. When/if this arises it may become necessary to place a cap on the number of students who may take the module. In such circumstances the School runs a ballot, which randomly selects the name of students, until the numerical cap is reached. It is hoped that for the vast majority of cases it will not be necessary to “cap” a module, however the School can not give a guarantee that it may not become necessary to do so in some exceptional circumstances.

Any student who returns a form after the deadline, or does not return a form at all, will not participate in the “ballot” for any capped options.

If you have any queries about the process for expressing a preference for optional modules, please contact Mr Corin Ennis on 0121 414 6290, c.ennis@bham.ac.uk . If your question concerns the content of a particular module, you should contact the module leader.

The modules available next year

These are all 20 credit modules taught in one semester. Students should ensure the load is spread so that there are 60 credits in each semester.

Matching preferences to places

On the attached you are invited to express your preferences for the various optional modules on offer in 2014-2015. It is impossible for the School to guarantee that you will be able to take the options you most want to study but it is hoped that this will be possible. Please note:

- one or two modules may have a “cap” placed on them limiting the total number of students able to register for them;
- if insufficient students express a preference for a module, it may have to be withdrawn — a module that attracts fewer than 10 students is unlikely to run;
- some timetable clashes are also unavoidable. The School will do its best to minimise these, but it may turn out that some of your combinations of preferred modules are impossible;
- unpredictable events (e.g. a module teacher taking maternity leave, illness or leaving) may require a module to be withdrawn at late notice.

Every year some students end up doing a few modules they did not initially consider — and actually enjoying them. All this said the Birmingham Law School will try hard to match students with their preferred modules.

The following module must be taken:

Module Title: Contract Law

Method of Teaching: Lectures and Supervisions

Method of Assessment: 2,500 words project (25%) plus 2 hour examination (75%)

The creation of contractual obligations, including the doctrines of agreement, consideration, promissory estoppel, intention to create legal relations. Grounds for setting aside contractual obligations, including factors vitiating consent such as duress, undue influence, mistake and misrepresentation. The contents of the contract, including unfair terms and illegality. And, remedies for breach of contract, especially rescission and damages.

By the end of this module the student will be able to:

- explain the key principles and rules of contractual obligation and their operation;
- analyse case law and the main rules of precedent as relevant to the subjects studied;
- explain in general terms how contractual obligations relate to other branches of the law of obligations such as tort and restitution;
- apply their knowledge and understanding to legal problems (both actual and hypothetical) so as to indicate both the underlying issues and an appropriate manner of approaching them;
- undertake legal research, using appropriate resources, both printed and electronic;
- identify and locate relevant published material; demonstrate and understanding of a subject area in details;
- analyse case law and deal with other legal materials;
- write an essay employing key skills of written communication and of literacy in relation to issues of contractual obligations.

Students who have studied law in their home university must take additional modules totalling 90 credits from other Law modules listed for the First Year Examination and Final LLB examination stages 1 and 2 (whether listed as compulsory or optional), selected by each student with the guidance of and subject to the approval of the programme director for Certificate in English Law.

Students with no prior legal knowledge must take the following modules:

Module Title: Legal Foundations of the European Union (with project)

Method of Teaching: Lectures and Supervisions

Method of Assessment: One two hour written examination in semester 2 examination period (67%) and One word-processed essay of 2,500 words (33%)

The historical origins of the European Union and its economic and political objectives; the principal substantive provisions of the EC Treaty (in outline); the institutional framework of the European Union and its decision making processes; the legal status of the law deriving from the Treaties on which the European Union is based and its relationship with the national laws of the Member States; the judicial architecture of the European Union; the jurisdiction of the European Court of Justice and the European Court of First Instance. The following heads of jurisdiction are examined in detail: the action against Member States for infringement of their Treaty obligations, the action for annulment and the preliminary rulings procedure. Students will be required to prepare an assessed essay of 2,500 words on a subject relevant to the module set by supervisors.

By the end of the module the student will be able, to a degree commensurate with the level at which the module is taught, to:

- Demonstrate knowledge and understanding of the issues covered in their economic and political context
- Apply the knowledge acquired to reasonably complex situations, recognise potential alternative conclusions for particular situations and provide supporting reasons for them
- Bring together and present coherently materials from primary and secondary sources which deal with the issues addressed
- Summarise the current state of doctrinal and policy debate on the matters covered
- Make a personal and reasoned judgment based on an informed understanding of standard arguments in the areas covered
- Evaluate the legal issues addressed in terms of doctrinal coherence and the extent to which the law achieves its policy objectives
- Participate appropriately in academic debate on matters covered, presenting specialist material in a manner, both written and oral, which is appropriate to the audience
- Demonstrate an awareness of the methodology of European law, the features which distinguish it from the methodology of the common law and the way it has been influenced by the national laws of the Member States of the EU
- Interact with the other members of a learning group, giving and receiving information and ideas and modifying responses where appropriate
- Negotiate the definition of his or her own project and identify independently an appropriate range of sources
- Act independently in planning and managing tasks with limited guidance
- Use standard paper and electronic resources to locate relevant and up to date information on the issues covered
- Use word processing, standard library and information retrieval systems and web based resources

Assess his or her progress, identify and formulate issues on which assistance is needed and act on feedback given.

Module Title: Criminal Law

Method of Teaching: Lectures and Supervisions

Method of Assessment: 3 hour examination

An examination of the major doctrines, principles and rules of the general part of the criminal law of England and Wales and an in-depth study of some specific offences. The following topics will be covered: the sources of criminal law including human rights; actus reus; causation; mens rea; homicide; offences against the person; sexual offences; law of theft and fraud; complicity; corporate liability; inchoate offences; justification and excuse; defences.

Learning Outcomes - on successful completion of the module students should have the following abilities and capacities:

- A sound knowledge of the primary and secondary sources of English Criminal Law;
- A sound knowledge of the doctrines, principles and rules of English Criminal Law;
- A sound knowledge of the definitions and applications of selected specific offences.

Module Title: Public Law

Method of Teaching: Lectures and Supervisions

Method of Assessment: 3 hour examination

Aspects of constitutional law, administrative law and human rights, including the following: the concept of a constitution and the nature of the UK's constitution; the UK in Europe, the concept of the union state and devolution; the allocation and nature of legislative, executive and judicial powers of government; the legal control of public authorities in the UK, especially through claims for judicial review; the protection of rights in the UK, especially under the Human Rights Act 1998.

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

- Demonstrate a sound and accurate knowledge and understanding of the issues covered in the module;
- Identify and explain the legal issues that arise in specific problem scenarios, and apply the relevant law to provide a reasoned legal answer in respect to those issues;
- Identify and explain the standard arguments/issues which arise in respect of the areas covered by the module;
- Retrieve up to date information on the issues covered by the module, by use of paper and electronic sources;
- Use word processing and standard library and information retrieval systems;
- Demonstrate proficiency in the use of English language and legal terminology, both orally and in writing;
- Interact with other members of a learning group, giving and receiving information and ideas and modifying responses where appropriate.

You can choose any of the following modules to make up your remaining credits.

Module Title: Law of Torts

Method of Teaching: Lectures and Supervisions

Method of Assessment: 3 hour examination

Introductions to the law of tort, including its historical origins, its theoretical underpinnings and its aims and functions; trespass to the person; negligence, including liability in respect of omissions, psychiatric harm and pure economic loss; occupiers liability; nuisance; defamation; and damages.

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

- Demonstrate knowledge and understanding of the issues covered in the module in their social, economic and historical context;
- Summarise the current legal and policy issues informing the area of study of the module;
- Identify, analyse and critically evaluate the rules and principles of law covered in the module;
- Identify, analyse and critically evaluate trends in judicial decision-making;
- Make independent and reasoned judgements on the issues covered in the module;
- Bring together and present coherently materials from primary and secondary sources which deal with the issues covered in the module;
- Apply the knowledge acquired to reasonably complex situations and supply reasons to support conclusions; Demonstrate improved analytical, research and writing skills.

Module Title: Jurisprudence

Method of Teaching: Lectures and Supervisions

Method of Assessment: One x 2,000 word essay and One x 6,000 word essay

Ethical evaluation in law and theories about the relationship between law and morality (theories of natural law and theories of justice); conceptual analysis of the inner structures of law and of legal concepts and arguments (legal positivism, including the British positivists, Dworkin, legal realism, and the pure theory), Fundamental critique of legal theory; theories about law and legal institutions seen as social phenomena (sociological approaches to law).

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

- Demonstrate knowledge and understanding of some primary literature which contributes to debates on the topics;
- Apply this knowledge and understanding to concrete legal problems (both actual and hypothetical) so as to elucidate the underlying theoretical questions and thus provide possible solutions supported by tenable arguments;
- Engage in analysis, synthesis, critical judgement and evaluation of the theoretical legal issues examined;
- Demonstrate a personal perspective on the theoretical legal issues examined in sufficient depth and detail to illuminate the student's other legal studies;
- Express both orally and in writing arguments on these theoretical legal issues;

Interact effectively within a learning group, giving and receiving information and ideas and modifying responses where appropriate.

Module Title: Land Law

Method of Teaching: Lectures and Supervisions

Method of Assessment: 3 hour examination

Property Law A and Property Law B are conceived as together forming one integrated course designed to develop an understanding of the elements of English Property Law. Property Law A broadly covers Land Law, that is the focus is on those elements of English property Law that relate to Real Property: Fundamental concepts in property and land; fixtures and fittings; an introduction to the relationship between Law and Equity; tenure; estates and interests in land; priority of title, including priority over items of "lost" personal property; unregistered title; registration of title to land; freeholds; freehold covenants; leaseholds; leasehold covenants; licences to use land; co-ownership; mortgages.

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

- Demonstrate a sound and accurate knowledge and understanding of the issues covered in the module;
- Apply the acquired knowledge to problem situations;
- Engage in critical analysis of the law covered by the module to a standard commensurate with Level i including the ability to consider alternative policy where relevant;
- Display an ability to reason as a common lawyer to a standard commensurate with Level i, including skills involved in the application of precedent such as the ability to argue by analogy and the ability to distinguish a previous case on relevant facts;
- Retrieve up-to-date information on the issues covered by the module, by use of paper and electronic sources;
- Use word-processing and standard library and information retrieval systems;
- Demonstrate an ability to communicate effectively in writing to a standard commensurate with Level i, including the correct use of legal terminology where appropriate, both orally and in writing;

Interact with other members of a learning group, giving and receiving information and ideas and modifying responses where appropriate.

Module Title: Law of Equity & Trusts

Method of Teaching: Lectures and Supervisions

Method of Assessment: 3 hour examination

The nature of equity, the definition, nature and functions of a trust, the creation of express private trusts (inter vivos and testamentary) including the three certainties, statutory formalities and completely and incompletely constituted trusts, implied, resulting and constructive trusts, purpose trusts and charitable trusts. Appointment, retirement and removal of trustees, remuneration of trustees, the general duty of care of trustees, specific powers and duties of trustees (investment, delegation, dispositive powers, maintenance and advancement), variation of trusts. Trusts of Land. Equitable remedies including breach of trusts, the fiduciary duties of trustees, liability of strangers to a trust, tracing elements of restitution, personal and proprietary remedies of beneficiaries, defences.

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

- Identify, collate and present information derived from primary and secondary sources of Trust Law and Equity;
- Demonstrate understanding of aspects of precedent and statutory interpretation in the context of Trust Law and Equity;
- Show an awareness of underlying policy issues and current development in this and related areas of law;
- Express ideas clearly, fluently and persuasively both orally and in writing;
- Interact within a group by offering and receiving information and taking due cognisance of group discussions;

Utilise word processing, library and information retrieval systems and gather information from a variety of web based resources.

DISSERTATION ON A PRESCRIBED LEGAL TOPIC (20 Credits)

Module leader: Moira Wright

Module teachers: You will be supervised by one of the members of staff on the list of prescribed topic areas below.

This module involves the student carrying out research into a legal issue with advice from a supervisor and writing a dissertation presenting their findings. The dissertation is an in-depth study of a topic which is not covered within a taught course, or which may be covered but is not studied in depth in a taught course. The length of the dissertation is a maximum of 10,000 words.

The table below indicates the areas in which there are opportunities to write dissertations, and the staff offering to supervise them. It may be possible to write on a topic not within the areas listed, provided a member of staff can be found who agrees to act as supervisor. Members of staff do not have to take on more than three dissertation students although some may choose to do so.

Within an area, the title of a dissertation may be arranged with the supervisor. You may not take this module unless a member of staff agrees to supervise your work, and you need to arrange this with the person concerned by the time you submit your option form.

It is also important to realise that it is not the responsibility of the member of staff to formulate the research topic for you. Rather, you need to have an idea of a research topic yourself and, having that idea, you need to contact a member of staff on the list overleaf whose area of interest seems to coincide with, or best fits with, the topic you would like to explore. For example, there is no point contacting a member of staff saying you would like to do a dissertation in the field of "contract" without having a specific area of contract law in mind, and some idea as to why this might be an interesting area to research with a view to writing a dissertation. Remember, the dissertation module must be undertaken in one semester. So there is not a lot of scope for spending time trying to figure out what your dissertation needs to be about. Therefore you need a concrete idea at the outset to enable you to undertake the work in the time available.

When deciding on a topic for investigation you also need to be aware of the need to avoid duplication, either with the work of another candidate or with other topics you may have researched or been examined (in detail) on as part of your degree. In particular, anyone considering a topic which could be within the scope of a final-year taught module which they are taking would be wise to consult the member of staff responsible for that module to ensure there is no significant overlap.

Once the relevant semester begins, it is the responsibility of the student (you) to contact the supervisor at the beginning of the semester, i.e. no later than the end of the first week of that semester. A programme of work will then be settled. Supervisors will discuss and comment on the formulation of the topic, the bibliography, the general structure of the dissertation. Supervisors will also read a draft and provide detailed feedback. The exact nature and timing of the submission of the draft to be read will be agreed between the student and the supervisor. Students are entitled to four meetings with their Dissertation Supervisor.

The length of the dissertation is a maximum of 10,000 words. The current practice is that you submit your Dissertation electronically through Turnitin and hand one typed copy of your dissertation in at the Birmingham Law School Reception on the relevant date: for first semester dissertations this will be in first week back after the Christmas vacation; for second semester dissertations this will be in the first week back after the Easter vacation. The exact dates will be announced at the beginning of the next academic year. At the time of printing this document the following list of topics and supervisors was correct:

DISSERTATION ON A PRESCRIBED LEGAL TOPIC

Name	Areas
Mr George Applebey	Contract Law, Health & Safety Law, Civil Justice
Professor Anthony Arnull	European Union law, especially: the role and jurisdiction of the European Court of Justice; the judicial architecture of the European Union; the protection of fundamental rights in the European Union; the relationship between European Union law and the national laws of the Member States; the Constitutional Treaty and the Treaty of Lisbon.
Kim Barker	Intellectual Property Law including (but not limited to) copyright, trademarks, patents, biotechnologies
Ms Sophie Boyron	Comparative Public Law
Dr Gavin Byrne	Legal Philosophy; Jurisprudence, Law and Critical Theory, Aspects of Property Law
Mr N. Jansen Calamita	International Law, International Investment Law, International Arbitration
Dr Aleksandra Cavoski	Environmental Law, EU and International Environmental Law
Professor Sean Coyle	Jurisprudence, Political Philosophy
Professor Rob Cryer	International Law; Criminal Law
Dr Dominic De Cogan	Taxation; Public Finance
Dr Kate Doolin	Restorative Justice, Aspects of Criminal law, Criminal Justice, Criminology
Dr Rilka Dragneva-Lewers	Company Law, Corporate Governance, Law of Regional Economic Integration, Law and Economic Development.
Professor Nelson Enonchong	Restitution, Illegality, Duress & Undue Influence Contract Law
Professor Marie Fox	Health Care Law and Ethics, Gender & Law, The Law Relating to Animals, Criminal Law
Dr Rosa Freedman	International Institutional Law, Law and Politics of the United Nations, and International Criminal Law
Mr Martin George	The Conflict of Laws, Land Law, Carriage of Goods by Sea
Mrs Kate Gooch	Criminal Law, Criminal Justice, Youth Justice and Child Law
Dr Rosie Harding	Family Law; Gender, Sexuality and Law; Equality and Discrimination Law; Healthcare Law (especially relating to mental capacity); Socio-Legal Theory
Professor Sonia Harris-Short	Family Law, International Human Rights, Some aspects of Law and Gender

Name	Areas
Dr Adrian Hunt	Constitutional Law, Judicial Review, Human Rights
Dr Imogen Jones	Criminal Law, Criminal Evidence, Criminal Justice
Dr Vidya Kumar	Constitutional Law, Comparative/Global Constitutional Law, and Constitutional Theory
Mr James Lee	Aspects of Restitution, Tort (including causation), Jurisprudence, Equity and Trusts
Dr Julian Lonbay	EU Law Internal Market Law, especially regulation of professions and mobility
Ms Theresa Lynch	Criminal evidence; Criminal justice; Anti-Social Behaviour; Criminal Law
Dr Bharat Malkani	Human rights and criminal justice, including death penalty, sentencing, and punishment of offenders
Dr Sheelagh McGuinness	Healthcare law (not particularly Tort law aspects), law and reproduction
Professor Jean McHale	Health Care Law, including regulation of genetics, consent, privacy and confidentiality, nanomedicine, mental health, organ transplantation and use of human material, regulation of clinical research
Dr Claire McIvor	Tort Law
Dr Leon McRae	Criminal law; Mental health law; Sports law; Criminological theories
Dr Jane Norton	Religious freedom; Freedom of expression; Discrimination Law
Dr Alexander Orakhelashvili	Public international law, including mainly jurisdiction and immunities, relationship between international and English law, use of force, international organisations
Dr Veronica Rodriguez-Blanco	Legal Philosophy
Dr L Rubini	The Law and Policy of the WTO, Energy, trade and climate change, Competition Law
Dr Djakhongir Saidov	International Trade Law
Dr Stephen Smith	Medical Law (excluding medical negligence), Jurisprudence/Legal Philosophy: Bioethics
Professor Hilary Sommerald	Legal Aid; Legal Advice; Legal Profession
Dr James Treadwell	Criminal Justice and Criminal Law; Criminology and Victimology'
Dr Victoria Trimble	Anti-terrorist Law, Public Law

Name	Areas
Professor Martin Trybus	Law of the European Union, European defence and security, EU external relations, public procurement
Mr Keith Uff	Contract Law, Torts, Commercial Law, Procedure and Evidence
Mr Steven Vaughan	Company Law; Banking Law; Environmental Law; 'Lawyers + The Legal Profession'
Dr Marianne Wade	Criminal Justice; Aspects of Criminal Law and Criminology; European Criminal Justice; Terrorism
Mrs Moira Wright	Family Law
Professor Richard Young	Policing; Criminal Justice; Socio-Legal Studies

If you wish to take this module you must:

- contact your prospective supervisor (by email or in person) to discuss the matter; and provide a brief synopsis of the topic you wish to explore in your dissertation
- obtain his or her signature on Part A of the options form.

OTHER LAW OPTIONS

Title: **Advanced Law of Torts**
Credit: 20 credit module
Module Leader: Dr Claire Mclvor
Semester: 2

Description: The module will take an analytical approach to the study of tort law and it will examine discrete areas of the subject, building upon the knowledge and understanding provided by the core Obligations B module taken by all law students in their first year. Topics likely to be covered include: vicarious liability; limitation of actions; causation; economic torts; wrongful interference with property; torts and human rights; and defences.

Assessment: One 2 hour written examination

Title: **Advanced Property Law**
Credit: 20 credit module
Module Leader: Martin George/James Lee
Semester: 2

Description: This module will examine what might be called the higher branches of the Law of Property. It will build upon the knowledge gained from the Law School's LLB 2nd-year Property modules. The module will include some topics which are outside the syllabus for those, such as Trespass to Land, and the applicable human rights jurisprudence. But it will also allow deeper and more theoretical engagement with key concepts. It will draw on current themes in research, but also seek to explore the practical effects of property law on the world that we live in. The module will engage with contemporary theories of Property, as well as tying those theories to their historical roots, and address topical issues in the laws of Adverse Possession and Trespass, and the reach of Human Rights claims to Property. The impact of Equity on the nature of Property will also be discussed. An outline of topics covered by the module might be as follows:

- The Theory of Property
- Property in Comparative and Historical Perspective
- The Nature of Equitable Ownership
- Trespass to Land
- Adverse Possession
- Property and Human Rights

Assessment: One 2 hour written examination

Title: **Bioethics**
Credit: 20 credit module
Module Leader: Dr Stephen Smith
Semester: 1

Description: An introduction to bioethics and its connection to UK medical law, covering topics such as: general ethical approaches (consequentialism, deontology, virtue ethics), professional bodies (Royal Colleges of Medicine, General Medical Council, British Medical Association), moral status, value of life, autonomy, beneficence/non-maleficence/ harm, justice, dignity, confidentiality/truthfulness/consent, research ethics, genetics, future generations, beginning of life, end of life, retention of organs and tissues including organ transplantation, global and societal bioethics issues including population control, allocation of resources and environmental issues, and the application of ethics to law (including law and morality, human rights and ethics, and criminal law and ethics)

Assessment: One 2 hour written examination

Title: **Canadian Constitutional Law**
Credit: 20 credit module
Module Leader: Dr Vidya Kumar
Semester: 1

Description: The aim of this module is to provide an introduction to the various components of Canadian constitutional law, and to the basic principles necessary to understanding and applying the provisions of the Constitution in Canadian legal practice.

The topics covered includes:

- The basic features of Canadian legal and political system
- The nature and sources of the Canadian constitution
- Federalism and the distribution of powers between federal and provincial governments
- The role of the judiciary (including general principles of interpretation)
- The Canadian Charter of Rights and Freedoms
- Aboriginal and treaty rights

Assessment: One 2.5 hour written examination

Title: **Civil Procedure and Evidence**
Credit: 20 credit module
Module Leader: Mr Keith Uff
Semester: 2

Description: General matters including limitation of actions, costs and the role of inferior judicial officers. The course of a civil action under the Civil Procedure Rules 1998 and its associated Practice Directions; the fast track, the multi track and the small claims track. The law of evidence in civil cases, including in particular; burden and standard of proof; competency and compellability of witnesses; presentation of testimony; doctrine of judicial notice; privilege; hearsay.

Assessment: One 2 hour written examination

Title: **Company Law**
Credit: 20 credit module
Module Leader: Professor Geoffrey Morse
Semester: 1

Description: The module examines the major aspects of corporate law in the United Kingdom with the exception of general insolvency. It will begin with the history and development of modern company law and the briefly deal with the formation and constitution of companies. It will then consider legal personality, primary liability for torts and wrongs and the rules relating to corporate contracts. After examining some aspects of share capital and shares, the module will examine corporate control, involving the duties and liabilities of directors, the powers of the majority and the protection of minority shareholders.

Assessment: One 2 hour written examination

Title: **Counter Terrorism Law**
Credit: 20 credit module
Module Leader: Dr Adrian Hunt
Semester: 2

Description: This module explores certain key substantive and methodological issues associated with counter-terrorism law and practice. In so doing the module draws upon legal concepts from fields including: Criminal Law, Criminal Justice, Civil Liberties, Human Rights, and International Law. The issues are explored both at the international (including EU and EC) and domestic law level. As regards the latter particular attention is paid to the relevant British law. Since this is a dynamic and evolving field of law, the topic areas covered may change from year to year depending on developments in international and domestic counter-terrorism law and practice. However topics typically addressed in the module will include all or most of the following: Legal definitions of terrorism; Terrorism as an 'International Crime'; Various key international initiatives in countering terrorism; Human rights and counter-terrorism; Terrorism and International Humanitarian Law; Arrest and detention of terrorist suspects; Special counter-terrorist investigative powers; Proscription of terrorist organisations; Defining counter-terrorist offences; and use of lethal force as a response to terrorism.

Assessment: One 2 hour written examination

Title: **Criminal Evidence**
Credit: 20 credit module
Module Leader: Dr Imogen Jones
Semester: 2

Description: This module explores the rules and principles that regulate the trial stage of the criminal process. The module is socio-legal in its approach, placing as much emphasis on the theoretical and political context of rules as the content of those rules. It also challenges students to consider a normative agenda. Topics to be covered include the following; models of proof, adversarial techniques, principles of criminal evidence, burden and standard of proof, relevance, inferences and Bayesian reasoning. In addition, a number of specific evidential rules will be examined. This may include: vulnerable witnesses, character evidence, hearsay evidence, double jeopardy, confessions and improperly obtained evidence.

Assessment: One 2 hour written examination

Title: **Criminology**
Credit: 20 credit module
Module Leader: Dr Kate Doolin
Semester: 2

Description: The module presents a theoretical and empirical overview to theories and explanations of offending behaviour, the measurement of criminal activity and victimisation, aspects of the criminal justice process, and legal, official and social responses to crime. The module will encourage a critical appreciation of these important issues. Selected topics are likely to include: measuring crime and victimisation; theories of criminal behaviour; aspects of the criminal justice process; victims and the criminal justice process; restorative justice; race, ethnicity and crime.

Assessment: One 2 hour written examination

Title: **Domestic Sale of Goods**
Credit: 20 credit module
Module Leader: Mr Keith Uff
Semester: 1

Description: The contract of sale of goods; the passing of property and risk; the effect of sales by a non-owner and the rights and obligations of the parties to the contract of sale. Remedies for breach of a sale of goods contract.

Assessment: One 2 hour written examination

Title: **Environmental Law**
Credit: 20 credit module
Module Leader: Dr Aleksandra Cavoski
Semester: 1

Description: The aim of this course is to provide an introduction to some of the key issues in environmental law and regulation. The course will be underpinned by the themes of sustainability, social justice and the potential (as well as the limits) of law to deliver environmental protection and sustainable development in a manner consistent with social justice.

It will examine the development of environmental law, the policy dynamics that drive decision-making in the formulation of environmental laws and regulations, the principles underpinning environmental law and the different perspectives or theories that can be used both to provide an understanding of how environmental law functions at present as well as to set goals for future development of the law in this area.

The course will provide students with an understanding of how the law seeks to regulate use of the environment, focusing on particular areas such as development control, pollution control, waste management, and risk assessment and management. The course will also focus on decision-making with regard to environmental matters, to include access to environmental information, public consultation and participation, and environmental litigation.

The course will focus to a great extent on the system of environmental laws and regulations in the UK, but will also consider how this has been impacted by European and international environmental law. The broader themes and ideas underpinning the course will be explored by reference to examples taken from both the UK and other jurisdictions.

Assessment: Two 4,000 word essays (maximum)

Title: **Human Rights and Criminal Justice**
Credit: 20 credit module
Module Leader: Dr Bharat Malkani
Semester: 1

Description: This module examines the relationship between human rights law and the criminal justice system. We will explore (a) the rights of those suspected of committing criminal offences, including an examination of stop and search powers, and the powers of police to question suspects; (b) the rights of those facing a criminal trial; (c) the rights of prisoners, and how human rights law has impacted upon sentencing and punishment, including a study of the death penalty. Students will be expected to develop a critical understanding of the need to protect human rights with the need to effectively detect and punish criminal behaviour.

Assessment: One 2 hour written examination

Title: **Intellectual Property Law**
Credit: 20 credit module
Module Leader: Kim Barker
Semester: 1

Description: Intellectual Property Law examines the legal protections available for new ideas and new products. This is one area where the law is constantly responding to technological developments.

This module will consider examples such as Coca Cola, Apple and Cadburys as the law of copyright, patent and trademark is considered. The module will cover a wide range of topics including:

- The national and international frameworks of intellectual properties
- Copyright; categories of works, criteria for protection, authorship & originality, moral & economic rights, infringement & defences, remedies, digital copyright (databases, internet and software) and international copyright (TRIPS, WIPO etc)
- Trademarks; registered trademarks, international and community registration & requirements, rights & infringement, unregistered trademarks & passing off
- Patents; scope & objectives, novelty & 'the inventive step,' infringement & EU initiatives and biotechnology.
- Contemporary Issues in IP; patent, copyright and trademark current issues & reform

Students will also gain knowledge of the main legislative instruments at both a national and international level, and develop familiarity with the major cases in these areas.

Assessment: One 2 hour written examination

Title: **International Human Rights**
Credit: 20 credit module
Module Leader: Dr Bharat Malkani
Semester: 2

Description: In this module, we will examine how international human rights law works. The course starts with an introduction to the history and philosophical foundations of human rights, and then moves on to look at how human rights are protected in the international legal system, for example, through the United Nations. We will also look at specific substantive rights, such as the right to life, freedom from torture, and the right to liberty.

Assessment: One 2 hour written examination

Title: **International Sale of Goods**
Credit: 20 credit module
Module Leader: Professor Nelson Enonchong
Semester: 2

Description: International and domestic sales contrasted; commercial and legal background; interlacing contractual arrangements relating to carriage, insurance and finance; the range of sale contract options; detailed analysis of shipment contracts; ex works and cif.

Assessment: One 2 hour written examination

Title: **Law of Adult Relationships**
Credit: 20 credit module
Module Leader: Mrs Moira Wright
Semester: 2

Description: The aim of this module is to provide the student with a sound understanding of the existing legal provisions dealing with family relationships between adults. It also introduces the student to some of the legal, moral, social and political debates which inform the substantive content of this area of the law. The module places particular emphasis on the challenges raised by the changing nature of family life in contemporary society and examines whether the law has responded adequately to these changes. The existing law and current reform proposals are considered in detail, with particular reference to the arguments raised by commentators who believe the law works unfairly against certain groups in society including women, cohabitants and same-sex couples.

Topics covered include: the concept of 'family', the diverse range of intimate adult relationships which could be categorised as 'familial' and the aims, functions and limitations of the law in this area; marriage and nullity; same-sex partnerships; cohabitation; protection afforded to the victims of domestic violence and harassment; the law and procedure relating to divorce; and the redistribution of family income and assets upon separation or divorce.

Assessment: One x 4,000 word assessment plus One x 1 hour written examination

Title: **Law of the European Union**
Credit: 20 credit module
Module Leader: Dr Julian Lonbay
Semester: 1

Description: The module examines some of the most important duties imposed, and rights conferred, on Member States, businesses and individuals under the Treaties establishing the European Union. Building on Legal Foundations of the European Union, it examines aspects of the law relating to freedom of movement in the European Union, the rules on public procurement and the competition rules laid down in the Treaty on the Functioning of the European Union, as well as the procedure for enforcing those rules.

Assessment: One 2 hour written examination

Title: **Legal Issues in Health Care**
Credit: 20 credit module
Module Leader: Professor Jean McHale
Semester: 1

Description: The course will examine the interface between legal regulation and health care practice. By reference to a series of topical areas it will explore legal and ethical regulatory challenges and dilemmas. Typical issues which will be considered will include, compensation for clinical malpractice, consent and capacity, regulation of medical genetic technologies, regulation of reproductive technologies, dilemmas at the end of life and organ transplantation.

Assessment: One 2 hour written examination

Title: **Mooting**
Credit: 20 credit module
Module Leader: Theresa Lynch
Semester: 2

Description: The module will encompass an understanding of advocacy and mooting. Students will participate in moots and argue cases on appeal to an appellate court. Students will enhance their knowledge in a legal subject offered by the Law School as they research and prepare a moot on an advanced area.

Assessment: Individual written pleadings: (4000) words each based on the grounds of appeal and a moot.

Title: **Political and Legal Theory II:
Early Modern Political and Legal Thought**
Credit: 20 credit module
Module Leader: Dr Gavin Byrne
Semester: 1

Description: The aim of this module is to explore both the relationship between political and legal theory and some of the arguments and concepts used therein. The module will cover a range of specific topics, including but not limited to:

- The origins of “left”, “right” and “centre” in legal and political theory
- Equality
- Neutrality
- Liberty
- Rights
- Authority and Obligation
- Interpretation
- The ‘Normativity’ of Law
- Contractarianism
- Communitarianism
- Feminist Legal Theory
- The ‘Critical Legal Studies Movement’

Assessment: One 2 hour written examination

Title: **Public International Law**
Credit: 20 credit module
Module Leader: Professor Rob Cryer
Semester: 2

In an increasingly globalised world, there are fewer and fewer areas of law and practice that do not involve some form of international law. This course is intended to introduce candidates to the basic nature, structure, legal sources and concepts of international law, alongside a selection of its basic rules. International law has antecedents that predate the Common Era, but the modern, State-based international order is slightly more recent, dating from 1648. Nonetheless, there have been large changes in global order in the last century, with, for example the creation of the United Nations and the emergence of individuals and multinational corporations as international actors.

SEMINAR LIST

1. International Law and International Society;
2. The Sources of International Law
3. Hierarchy of International Rules
4. International Legal Personality: States
5. International Legal Personality: Individuals and International Organisations
6. International Law and Domestic Law
7. Jurisdiction
8. The Law of Treaties
9. State Responsibility
10. Peaceful Settlement of International Disputes
11. The United Nations and its Organs
12. Use of Force

Assessment: One 2 hour written examination

Title: **Regulation of the Legal Profession**
Credit: 20 credit module
Module Leader: Steven Vaughan
Semester: 2

Description: Lawyers are one of the most powerful and respected professions whilst also being amongst the most regularly criticised. The first half of the course looks at why lawyers have gained their privileged status; what it means to be a professional and whether lawyers live up to their side of the professional bargain. Throughout the course we will look closely at research on the profession and seek to hone your skills of critical thinking and writing; helping you develop some of the tools necessary to critically evaluate what goes on in court rooms and lawyers offices.

The second half of the course looks more closely at the ethics of the legal profession. It takes some of the lawyers key ethical duties and some of the key associated ethical dilemmas and looks at these carefully to see how far law and morality co-exist, but also how the professional rules seek to aid lawyers in the resolution of professional tensions. We also consider the education and training of lawyers and look at diversity in the legal profession.

We use academic research to provide some understanding of why lawyers might be criticized, but it is important that you seek to understand the academic debates in a current context.

Assessment: Two x 4,000 word essays (maximum)

Title: **Tax Law**
Credit: 20 credit module
Module Leader: Professor Geoffrey Morse
Semester: 1

Description: The module examines the basics of the operation and application of tax law through the operation of the four principal taxes. It is not a course on taxation as such. After considering how tax law originated and its current physiology, the module will look at the two major revenue raising taxes; the charge to income tax, on employees and self-employed taxpayers and VAT. It will then turn to the two principal taxes on capital: capital gains tax and inheritance tax. Emphasis will be on the construction and application of the taxing statutes in modern life.

At the end of the module the students should demonstrate knowledge and understanding of the issues covered, apply that knowledge to reasonably complex situations and provide reasoning and analysis. They should also be able to bring together and present coherently materials from all sources which deal with the issues addressed.

Assessment: One 2 hour written examination

Title: **The Law of Health and Safety at Work**
Credit: 20 credit module
Module Leader: George Applebey
Semester: 2

Description: On the basis of a detailed examination of primary law, secondary legislation and case law: After the history of employer's liability, Part 1 of the course is based upon criminal law; strict liability and regulatory criminal offences; and Health and Safety at Work Act 1974; the role of the Health and Safety Executive and enforcement; The European Framework directive and implementing British Regulations; Corporate Manslaughter and Corporate Homicide Act 2007. The second part of the course is largely aspects of Tort Law. Employer's liability in Negligence at common law; the tort of breach of statutory duty; selected case studies on certain types of claim, e.g. Occupational stress and claims arising from exposure to asbestos, including the debate over pleural plaques; Employment law aspects of health and safety, worker participation, etc; the European Union's role in the working environment; the Working Time Regulations 1999; the Human Rights Act 1998 and health and safety law.

Assessment: Two 4,000 word essays (maximum)

Title: **Women and the Criminal Justice System**
Credit: 20 credit module
Module Leader: Theresa Lynch
Semester: 1

Description: This course is taught by a combination of lectures and seminars. It builds on some topics covered in Criminal Law but its aim is to examine criminal law in its social and cultural context, focusing specifically on its gendered context and how criminal law and the operation of the criminal justice system impacts on women. It is socio-legal in emphasis, so that we will be interested in legal details (legal facts and rules) less for their own sake than for what they tell us about the operation of criminal law. Thus, the practice and enforcement of criminal law will be given as much attention as its content. To this end we will consider matters such as how particular offences are defined, prosecuted and punished and indeed why certain forms of behaviour are not criminalised. In particular, we want you to think critically about central themes which underpin the course such as harm, culpability, agency, responsibility, and violence, and to examine the issue of who gets to count as a legal subject. Overall the course aims to offer a critique of the parameters and territory of the traditional criminal law course in examining how female and male offenders and victims are legally constructed. Subjects covered will include female killers, the gendered nature of defences, the framing and prosecution of sexual offences, policing of prostitution, regulation of body

modification and genital cutting, and the punishment, sentencing and imprisonment of female offenders.

Assessment: One 8,000 word essay (maximum)

Title: **Youth Crime and Youth Justice**
Credit: 20 credit module
Module Leader: Dr Kate Gooch
Semester: 2

Description: This module will focus on the criminal justice response to children in conflict with the law in England and Wales. The prevalence and nature of youth crime has been a persistent concern of at least the last two hundred years and regularly captures the attention of media and political debate. More recent concerns have centred upon the prevalence of gang violence, knife crime and anti-social behaviour. This module will examine trends in youth crime and youth justice policy as well as evaluating the range of possible responses to youth crime. It will explore how the tension between conceptualising juvenile delinquents as 'children in trouble' or 'children in need' stimulates or inspires youth justice policy and the nature of the criminal justice response. Although the module will focus primarily on the youth justice system in England and Wales, reference will be made to comparative examples as and when appropriate. Topics will include: 1) the development of the youth justice system; 2) influences on youth justice policy; 3) criminal responsibility and capacity; 4) risk and predictive factors; 5) the nature and extent of youth crime including the involvement of girls; 6) children in contact with the police including the power to 'stop and search' and the legal rights of children detained in the police station; 7) community and custodial disposals; 8) serious sexual and violent offending by children including gang violence; and 9) children's rights and international obligations.

Assessment: Two 4,000 word essays (maximum)

Instructions on how to express preferences

- **First decide whether you want to take the Dissertation on a Prescribed Legal Topic module.** If you wish to take this option, you must contact the supervisor of your intended topic and obtain his or her signature on **Part A** of the form. Having done this, you can assume that you will be able to take this module (barring exceptional circumstances).
- Now move on to fill out Part B of the form. Express your preferences for the modules you would like to study by ranking them in order — placing a “1” in the box next to the module you most want to take, “2” next to your second preference, and so on. You need to do this for both Semesters. You should rank all the modules so that the Office knows what you would like to do if your ideal arrangement is not possible (e.g. because an option has reached its cap, there is a timetable clash or the module is withdrawn because insufficient students express a preference for it).
 - If you are intending to take the Dissertation on a Prescribed Legal Topic, you should bear in mind that you need additional modules totalling 100 credits.
 - If you are not taking the Dissertation on a Prescribed Legal Topic, you will need 120 credits from the list.
- If you wish to do so, **you can “veto” up to two modules in each Semester** by placing an “x” in the relevant boxes. The Birmingham Law School will try to ensure that you do not have to study these modules.
- You are strongly advised to make and keep a copy of the form for your own records.
- Hand in the form to the Birmingham Law School Reception Desk by **Friday 20th June 2014.**
- If the School does not receive your form by the deadline, or you fail to submit a form at all, you will be treated as having no preferences and will be allocated modules according to availability.

The process behind the scenes

- Working from your expressions of preference, the School Office will work out the optimum combination of optional modules totalling 120 credits for you. It may be necessary to contact you by telephone or email to discuss the arrangements. Please check your University email regularly.
- You will be informed in writing at the end of this process, before the end of July.
- Note also that in limited circumstances the University of Birmingham regulations allow students to switch from one module to another within the first week of semester 1. If in September you find yourself wanting to do this, please contact Mr Corin Ennis. Permission to change has to be authorised. In no circumstances will you be permitted to transfer into a popular module that has already reached its cap. **No changes at all will be permitted after this date. This includes Semester 2 module choices.**

PREFERENCES FOR FINAL YEAR OPTIONAL MODULES 2013-2014

Print clearly! Make and keep a copy of BOTH sides of this form for your own records!

Name			
ID number			
Programme			
Contact telephone number	Term time	Summer vacation	Mobile
Email			

Part A

Dissertation on a Prescribed Legal Topic		
Name of supervisor		
Signature of supervisor		
Prescribed Legal Topic		
Dissertation will be taken in Semester	*1 / 2	*Please delete as appropriate
Before you fill this out you must secure the agreement of a supervisor. You will need to provide your prospective supervisor with a synopsis of the topic you wish to cover in your dissertation.		

Approved by Dr Katharina Moser _____

Part B

Module Name	Code	Cap	Semester	Preference (No each module 1 being favourite)	Veto no more than 3 overall
Criminal Law – 30 credits	21212		Both		
Jurisprudence – 30 credits	21225		Both		
Contract Law – 30 credits	21220		Both		
Contract Law – 20 credits	18617		Both		
Law of Torts – 30 credits	21222		Both		
Legal Foundations of the EU (with Project) – 30 credits	21228		Both		
Legal Foundations of the EU (without Project) – 20 credits	21227		Both		
Land Law – 30 credits	21215		Both		
Law of Equity & Trusts – 30 credits	21217		Both		
Public Law L1 – 30 credits	21214		Both		
Module Name	Code	Cap	Semester	Preference (see attached example)	Veto (2 in each Semester)
Bioethics	22353	50	1		
Canadian Constitutional Law	24487		1		
Company Law	22354		1		
Domestic Sale of Goods	22357		1		
Environmental Law	25048		1		
Human Rights and Criminal Justice	22359		1		
Intellectual Property Law	25552		1		
Law of the European Union	22342		1		
Legal Issues in Health Care	22361		1		
Political and Legal Theory II	24919		1		
Tax Law	22377		1		
Women and the Criminal Justice System	22347		1		
Module Name	Code	Cap	Semester	Preference (see attached example)	Veto (2 in each Semester)
Advanced Law of Torts	23347		2		
Advanced Property Law	25637		2		
Civil Procedure and Evidence	22339		2		
Counter Terrorism Law	22355		2		
Criminal Evidence	25551		2		
Criminology	20189		2		
International Human Rights	20191		2		
International Sale of Goods	22340		2		
Law of Adult Relationships	22358	40	2		
Mooting	26027	24	2		
Public International Law	03530		2		
Regulation of the Legal Profession	26080		2		
The Law of Health and Safety at Work	21927	40	2		
Youth Crime and Youth Justice	24486		2		