Please note optional modules will be offered subject to student demand and availability of academics that can vary from year to year.
Important Information

Why do I have to pick my modules?
During your first year, all modules are core and were added to your student profile automatically when you joined. The core modules you have been studying to date have been taught at level 4 (certificate) and are worth 30 credits each towards your final degree. Full-time students are required to complete 120 Credits per year and Part-time students 90 Credits.

As you progress along your programme you are required to select option modules, depending on your interest. Option modules are offered at level 5 (intermediate) and level 6 (honours). Please refer to your programme handbook on Moodle for further information on your course structure.

How many modules do I need to pick?
Optional modules are worth 15 or 30 credits, and the number you select will depend on your year of study (2 or 3), mode of attendance (full-time or part-time) and your course programme (see table below). Your option modules will run alongside your new Core modules which are allocated automatically.

<table>
<thead>
<tr>
<th>Programme</th>
<th>Going into Year</th>
<th>Attendance</th>
<th>No of Credits required</th>
<th>Module Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB</td>
<td>2</td>
<td>Full-time</td>
<td>30</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Part-time</td>
<td>30</td>
<td>5</td>
</tr>
<tr>
<td>LLB</td>
<td>3</td>
<td>Full-time</td>
<td>60</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Part-time</td>
<td>30</td>
<td>6</td>
</tr>
<tr>
<td>LLB</td>
<td>4</td>
<td>Part-time</td>
<td>30</td>
<td>6</td>
</tr>
</tbody>
</table>

What are the options available to me?
In this booklet you will find a list of the modules that are available in the 2017-18 academic year, and more information including:

- module convenor/tutor name and email address;
- brief outline of the module;
- type of assessment (exam, assignment);
- teaching term (Autumn/Spring/Summer);
- the level of module (5 or 6);
- number of credits the module is worth (15 or 30)

Please note: Options will only run if there are enough students, and therefore under subscribed options may be cancelled.
How do I pick my options?
You will be sent a specific link to an online selection tool which will list all the available modules available in 2017/18. See key dates below.

All optional modules have limited space (normally 30 students), so allocations will be made on a first come basis.

Who do I speak to for help?
The School of Law will be running a Options Fair on Friday 2\textsuperscript{nd} June 6.00pm -7.30pm where you can come along and find out more information about the process and also speak to many of the module convenors/tutors who will be at the event. You can also email the relevant module convenor/tutor as listed in this booklet.

If you have any queries around completing the online selection tool, you should contact your course administrator:

LLB Year 2 - LLB-LLMQLDYEAR2@BBK.AC.UK
LLB Year 3 - LLB-LLMQLDYEAR3@BBK.AC.UK
LLB Year 4 - LLB-LLMQLDYEAR4@BBK.AC.UK

<table>
<thead>
<tr>
<th>Key Dates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday 2\textsuperscript{nd} June</td>
<td>Module Option Fair</td>
</tr>
<tr>
<td>Monday 12th June midday</td>
<td>Online module selection tool OPENS</td>
</tr>
<tr>
<td>Friday 30\textsuperscript{th} June 5pm</td>
<td>Online module selection tool CLOSES</td>
</tr>
<tr>
<td>Late August/early September</td>
<td>Allocations will be made once progression from your current year has been confirmed by the Exam Board.</td>
</tr>
<tr>
<td></td>
<td>Student timetables will be released via MyBirkbeck.</td>
</tr>
</tbody>
</table>
Things to consider when making your choices

1) Course structure – your choice in option modules will be dependent on your year and mode of attendance (see page 2).

Some modules run at both level 5 & 6 and you will be taught in the same class. You must select the level at which you wish to study the module (ie 5 or 6) as you cannot take it across both levels. The assessment will differ across the different levels.

2) What are the subjects of interest that you wish to study as you progress. Please note: not all option modules will run as they are subject to academic availability and student demand.

3) Do you have a preference for the type of assessment – ie you prefer essays to exams. This is stated in the module descriptions.

4) Can you manage the workload? Make sure you distribute your options evenly across the academic year.

5) Are you eligible to take the module? If you are selecting a module that has a pre-requisite this means that you must have passed the pre-requisite module before selecting your chosen module.

6) Availability - Some modules have restricted availability and places are allocated on a first-come, first-served basis. For example, a student who makes their module selections on the last day will have lower priority within their year of study than a student who makes their module selections promptly. **You will be asked to select a second option should your first choice be full or is not running.**

Students who make their module selections late will be allocated to whichever modules still have places and which meet their degree requirements. Options will be confirmed via MyBirkbeck in late August/early September
DRAFT 2017/18 LLB OPTIONS TIMETABLE (Updated 21 July 2017)

Full-Time students progressing into Year 2 of their studies.

<table>
<thead>
<tr>
<th>Year</th>
<th>Mode</th>
<th>Number of Credits</th>
<th>Level of Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB Year 2</td>
<td>Full-Time</td>
<td>Choose 30 Credits</td>
<td>Level 5 Modules</td>
</tr>
</tbody>
</table>

### Level 5  Term: AUTUMN  Credits: 15

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer Law – Monday</td>
<td>Judicial Studies [level 5/6]</td>
</tr>
<tr>
<td>Crime, Fiction and The Law</td>
<td>Legal Ethics- Critical Perspectives on the Values of Professional Practice</td>
</tr>
<tr>
<td>Drugs, Crime and Criminal Justice <strong>Criminology</strong></td>
<td>Organised Crime in Contemporary Society <strong>Criminology</strong></td>
</tr>
<tr>
<td>Law, History and Political Violence</td>
<td>Space Law: International, transnational, extra-terrestrial</td>
</tr>
<tr>
<td>Legal Writing and Advocacy</td>
<td><strong>Friday 18.00 – 19.30pm</strong></td>
</tr>
<tr>
<td></td>
<td>Media Law</td>
</tr>
<tr>
<td><strong>Saturday 10.00 – 13.00</strong></td>
<td></td>
</tr>
<tr>
<td>Crime and Science <strong>Criminology</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Level 5  Term: SPRING  Credits: 15

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced Constitutional Law</td>
<td>Borders, Migration and Criminal Justice <strong>Criminology</strong></td>
</tr>
<tr>
<td>Equality and Diversity</td>
<td>Contemporary Issues in Islamic Law</td>
</tr>
<tr>
<td>Food and the Law</td>
<td>Law and Spatial Power</td>
</tr>
<tr>
<td>Imprisonment and Justice <strong>Criminology</strong></td>
<td>Policing &amp; Society <strong>Criminology</strong></td>
</tr>
<tr>
<td>Introduction to Comparative Law</td>
<td></td>
</tr>
<tr>
<td>Secrecy, National Security and the Law</td>
<td></td>
</tr>
</tbody>
</table>

### Level 5  Term: AUTUMN AND SPRING  Monday 18.00 – 19.30pm  Credits: 30

Human Rights
Part-Time students progressing into Year 2 of their studies.

<table>
<thead>
<tr>
<th>Year</th>
<th>Mode</th>
<th>Number of Credits</th>
<th>Level of Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB Year 2</td>
<td>Part-Time</td>
<td>Choose 30 Credits</td>
<td>Level 5 Modules</td>
</tr>
</tbody>
</table>

**Level 5  Term: AUTUMN  Credits: 15**

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer Law – Monday</td>
<td>Judicial Studies [level 5/6]</td>
</tr>
<tr>
<td>Crime, Fiction and The Law</td>
<td>Legal Ethics- Critical Perspectives on the Values of Professional Practice</td>
</tr>
<tr>
<td>Drugs, Crime and Criminal Justice Criminology</td>
<td>Organised Crime in Contemporary Society Criminology</td>
</tr>
<tr>
<td>Law, History and Political Violence</td>
<td>Space Law: International, transnational, extra-terrestrial</td>
</tr>
<tr>
<td>Legal Writing and Advocacy</td>
<td>Friday 18.00 – 19.30pm</td>
</tr>
<tr>
<td>Saturday 10.00 – 13.00</td>
<td></td>
</tr>
<tr>
<td>Crime and Science Criminology</td>
<td></td>
</tr>
</tbody>
</table>

**Level 5  Term: SPRING  Credits: 15**

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced Constitutional Law</td>
<td>Borders, Migration and Criminal Justice Criminology</td>
</tr>
<tr>
<td>Equality and Diversity</td>
<td>Contemporary Issues in Islamic Law</td>
</tr>
<tr>
<td>Food and the Law</td>
<td>Law and Spatial Power</td>
</tr>
<tr>
<td>Imprisonment and Justice Criminology</td>
<td>Policing &amp; Society Criminology</td>
</tr>
<tr>
<td>Introduction to Comparative Law</td>
<td></td>
</tr>
<tr>
<td>Secrecy, National Security and the Law</td>
<td></td>
</tr>
</tbody>
</table>

**Level 5  Term: AUTUMN AND SPRING  Monday 18.00 – 19.30pm  Credits: 30**

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights</td>
</tr>
</tbody>
</table>
**DRAFT 2017/18 LLB OPTIONS TIMETABLE** (Updated 21 July 2017)

Full-Time students progressing into Year 3 of their studies.

<table>
<thead>
<tr>
<th>Year</th>
<th>Mode</th>
<th>Number of Credits</th>
<th>Level of Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB Year 3</td>
<td>Full-Time</td>
<td>Choose 60 Credits</td>
<td>Level 6 Modules</td>
</tr>
</tbody>
</table>

**Options: Level 6**  
**Term: AUTUMN**  
**Day: Credits: 15**  

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Relations</td>
<td>Banking and Monetary Law</td>
</tr>
<tr>
<td>Foundations in Company Law</td>
<td>International Asylum and Refugee Law</td>
</tr>
<tr>
<td>Law and Disorder: The Criminal Law &amp; Protest</td>
<td>Judicial Studies</td>
</tr>
<tr>
<td>Law, History and Political Violence</td>
<td>Law, Psychoanalysis &amp; Culture</td>
</tr>
<tr>
<td>Political Violence and Terrorism <strong>Criminology</strong></td>
<td>Legal Ethics- Critical Perspectives on the Values of Professional Practice</td>
</tr>
<tr>
<td>Public Legal Education</td>
<td>Organised Crime in Contemporary Society</td>
</tr>
<tr>
<td>Tax Law I Fundamentals of International and UK Tax Law</td>
<td>Public International Law and the Use of Force</td>
</tr>
<tr>
<td>The History of Legal Education and the Profession</td>
<td>Property Law: Capitalism, Schizoculture, Control</td>
</tr>
<tr>
<td></td>
<td>Space Law: International, transnational, Extra-terrestrial</td>
</tr>
</tbody>
</table>

**Saturday 10.00 – 13.00**  
Crime and Science

**Level 6**  
**Term: AUTUMN AND SPRING**  
**Credits: 30**  

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights</td>
<td>Evidence</td>
</tr>
<tr>
<td>Lawyering and Legal Skills</td>
<td>Intellectual Property Law</td>
</tr>
<tr>
<td></td>
<td>Labour Law</td>
</tr>
<tr>
<td></td>
<td>Medical Law &amp; Ethics</td>
</tr>
</tbody>
</table>

**Friday 18.00 – 21.00 (2 or 3 sessions dates TBC)**

UG Dissertation

**Level 6**  
**Term: SPRING**  
**Credits: 15**

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Law</td>
<td>Advanced Studies in Company Law</td>
</tr>
<tr>
<td></td>
<td>You MUST have taken Foundations in Company Law prior to picking this option</td>
</tr>
<tr>
<td>Private International Law</td>
<td>Boarders, Mitigation and Criminal Justice <strong>Criminology</strong></td>
</tr>
<tr>
<td>Secrecy, National Security and the Law</td>
<td>Contemporary Issues in Islamic Law</td>
</tr>
<tr>
<td>White-Collar and Corporate Crime <strong>Criminology</strong></td>
<td>Cyberspace Law</td>
</tr>
<tr>
<td><strong>Friday 18.00 – 19.30pm</strong></td>
<td>UK Immigration Law</td>
</tr>
<tr>
<td>International Law of Armed Conflict</td>
<td>Uprising: Revolution, Rights and Law</td>
</tr>
</tbody>
</table>

**Saturday 09.30 – 13.00**

Tax Law II: Advanced Issues in International Taxation Law & Policy  
You MUST have taken Tax Law I prior to picking this option
Part-Time students progressing into Year 3 of their studies.

<table>
<thead>
<tr>
<th>Year</th>
<th>Mode</th>
<th>Number of Credits</th>
<th>Level of Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB Year 3</td>
<td>Part-Time</td>
<td>Choose 30 Credits</td>
<td>Level 6 Modules</td>
</tr>
</tbody>
</table>

### Options: Level 6  Term: AUTUMN  Day: Monday 18.00 – 21.00

- Adult Relations
- Foundations in Company Law
- Law and Disorder: The Criminal Law & Protest
- Law, History and Political Violence
- Political Violence and Terrorism
- Public Legal Education
- Tax Law I Fundamentals of International and UK Tax Law
- The History of Legal Education and the Profession

**Saturday 10.00 – 13.00**

- Crime and Science

### Level 6  Term: AUTUMN AND SPRING  Credits: 30

- Monday 18.00 – 21.00
  - Human Rights
  - Lawyering and Legal Skills
  - Intellectual Property Law
  - Labour Law
  - Medical Law & Ethics

- Friday 18.00 – 21.00 (2 or 3 sessions dates TBC)
  - UG Dissertation

### Level 6  Term: SPRING  Credits: 15

- Monday 18.00 – 21.00
  - Child Law
  - Private International Law
  - Secrecy, National Security and the Law
  - White-Collar and Corporate Crime
  - Advanced Studies in Company Law
  - Boarders, Mitigation and Criminal Justice
  - Contemporary Issues in Islamic Law
  - Cyberspace Law
  - UK Immigration Law
  - Uprising: Revolution, Rights and Law

**Saturday 09.30 – 13.00**

- Tax Law II: Advanced Issues in International Taxation Law & Policy
  - You MUST have taken Tax Law I prior to picking this option
DRAFT 2017/18 LLB OPTIONS TIMETABLE (Updated 21 July 2017)
Part-Time students progressing into Year 4 of their studies.

<table>
<thead>
<tr>
<th>Year</th>
<th>Mode</th>
<th>Number of Credits</th>
<th>Level of Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>LLB Year 4</td>
<td>Part-Time</td>
<td>Choose 30 Credits</td>
<td>Level 6 Modules</td>
</tr>
</tbody>
</table>

Options: Level 6  Term: AUTUMN  Day: Credits: 15

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Relations</td>
<td>Banking and Monetary Law</td>
</tr>
<tr>
<td>Foundations in Company Law</td>
<td>International Asylum and Refugee Law</td>
</tr>
<tr>
<td>Law and Disorder: The Criminal Law &amp; Protest</td>
<td>Judicial Studies</td>
</tr>
<tr>
<td>Law, History and Political Violence</td>
<td>Law, Psychoanalysis &amp; Culture</td>
</tr>
<tr>
<td>Political Violence and Terrorism <strong>Criminology</strong></td>
<td>Legal Ethics- Critical Perspectives on the Values of Professional Practice</td>
</tr>
<tr>
<td>Public Legal Education</td>
<td>Organised Crime in Contemporary Society</td>
</tr>
<tr>
<td>Tax Law I Fundamentals of International and UK Tax Law</td>
<td>Public International Law and the Use of Force</td>
</tr>
<tr>
<td>The History of Legal Education and the Profession</td>
<td>Property Law: Capitalism, Schizoculture, Control</td>
</tr>
<tr>
<td></td>
<td>Space Law: International, transnational, Extra-terrestrial</td>
</tr>
</tbody>
</table>

**Saturday 10.00 – 13.00**

- Crime and Science

---

**Level 6 Term: AUTUMN AND SPRING  Credits: 30**

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Rights</td>
<td>Evidence</td>
</tr>
<tr>
<td>Lawyering and Legal Skills</td>
<td>Intellectual Property Law</td>
</tr>
<tr>
<td></td>
<td>Labour Law</td>
</tr>
<tr>
<td></td>
<td>Medical Law &amp; Ethics</td>
</tr>
</tbody>
</table>

**Friday 18.00 – 21.00 (2 or 3 sessions dates TBC)**

- UG Dissertation

---

**Level 6 Term: SPRING  Credits: 15**

<table>
<thead>
<tr>
<th>Monday 18.00 – 19.30</th>
<th>Monday 19.30 – 21.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Law</td>
<td>Advanced Studies in Company Law</td>
</tr>
<tr>
<td></td>
<td>You MUST have taken Foundations in Company Law prior to picking this option</td>
</tr>
<tr>
<td>Private International Law</td>
<td>Boarders, Mitigation and Criminal Justice <strong>Criminology</strong></td>
</tr>
<tr>
<td>Secrecy, National Security and the Law</td>
<td>Contemporary Issues in Islamic Law</td>
</tr>
<tr>
<td>White-Collar and Corporate Crime <strong>Criminology</strong></td>
<td>Cyberspace Law</td>
</tr>
</tbody>
</table>

**Friday 18.00 – 19.30pm**

- UK Immigration Law

**Saturday 09.30 – 13.00**

- Tax Law II: Advanced Issues in International Taxation Law & Policy
  You MUST have taken Tax Law I prior to picking this option
AIMS AND OBJECTIVES

Why Constitutional Law? Did I not learn enough in Year One?

The historical discussion about the need to introduce a codified constitution for Britain has recently gained extra momentum. The reasons for this include concerns about the recent use of prerogative powers to wage unpopular wars, the current state of emergency allowing the government to circumvent human rights, the post-devolution paradoxical role of Scottish and Welsh MPs, and others. But is a codified constitution the solution? What, overall, is the value of constitutionalism? The main aim of this module is to equip you to pose and answer these broad questions and so to follow and contribute to the current debates about entrenching liberal constitutional values in Britain and the world. Many of the particular questions we will be asking will be already familiar to you: what is a constitution? What is the function of public law? What is constitutional theory? What is the meaning of sovereignty? This time, however, you will now be introduced to a broader and more demanding literature on constitutional theory and the use of law in politics than was possible in Year One.

This module compliments many existing LL.B modules, such as Human Rights; and it can also function as preparation for those of you seeking a related postgraduate degree, i.e. Birkbeck Law School’s LL.M in Law and Political Justice.

What should I expect to learn?

In particular the module is designed to:

(i) introduce you to texts that historicise western constitutional law and theory; thus, by completing this module successfully you will be able to discuss what a ‘constitution’ may mean depending on the ways in which past and present writers have problematised certain political phenomena as constitutional problems and determined the scope of constitutional theory by devising ‘solutions’ to these.

(ii) familiarise you with certain classic and contemporary constitutional theory; by completing this module successfully you will be able to distinguish between, on the one hand, normative inquiries concerning methods of interpreting the constitution and the role of the court in engaging in constitutional adjudication (which assume the authority of the values of modern liberal constitutionalism) and, on the other hand, critical assessments of the relation between public authority and civil society in modern liberal states.

(iii) interest you in critiques of modern liberal constitutionalism and thereby equip you for developing a critical view; at the end of the module you will be able to use a number of insights to reflect critically both on contemporary UK constitutional affairs and the current trend towards liberal democracy worldwide.

(iv) alert you to the methodological difficulties inherent in constitutional comparativism and introduce you to a practical ‘ethnomethodology’ for studying public law in action both domestically and comparatively. The aim is to allow you to be attentive to the actual
practical processes of public law; at the same time you will be equipped to assess critically the labelling of some states as constitutionally ‘faulty’ or ‘rogue’.

MODULE FORMAT
Format: weekly seminars/lectures focusing on texts read in advance.

ASSESSMENT
Assessment will consist 100% of an ‘open book exam’ based on one of three texts that you will choose.

READING

- Excerpts from Hegel, *Philosophy of Mind* [1830], § 535-541.
- Hamilton, *Federalist Papers No 1*.
- Paine, *Rights of Man*.
- Brown, “At the Edge” (2002) 30 Political Theory 556-76.
AIMS AND OBJECTIVES
Adult Relations is a dynamic subject that directly or indirectly impacts on all our lives. On this course we ask ‘what is a family?’; ‘what personal relationships should the State recognise (and why?)’; ‘what is a parent?’; ‘what duties do parents owe to children?’; (and to what extent should or can the State enforce them?); and, to what extent should children have rights?

In answering these questions we will look at controversial debates about shifting definitions of marriage; how the law should treat divorcing or separating couples; access to reproductive technology; child protection mechanisms; and a wide range of familial conflicts that touch on complex and controversial moral (and often religious) issues.

In this course you will achieve not only a sound knowledge of the legal framework governing the family but also a good grasp of the sociological context in which the legal questions arise. We will focus on what happens in practice as well as what should happen in theory.

The Adult Relations course is followed on with the Child Law module. Students may take Adult Relations or Child Law independently or choose to take both of these options.

TOPICS
The following topics are generally covered:

• The Family
• Marriage and Civil Partnership
• Divorce and Dissolution
• Financial consequences of relationship breakdown
• Inheritance disputes

MODULE FORMAT: 1.5 hour combined lecture and seminar

ASSESSMENT
Assessed by one essay of 3,000 words
## AIMS AND OBJECTIVES

Through a series of case studies this module builds upon your knowledge of the foundational concepts of company law.

To enhance understanding of national, European and International developments in the legal regulation of business.

To develop an understanding of company law and its economic, business and social context.

To further develop transferable skills particularly research skills, and communication skills relating to written presentations.

To enhance analytical, critical and rhetorical skills to reflect upon the way in which these skills have been acquired.

## COURSE STRUCTURE AND CONTENT

This course allows you to deepen you interest and understanding of Company law. The following is an indicative list of topics that will be covered in this half option.

1. Histories of incorporation
2. Contemporary debates in corporate personality: Corporate personality and human rights
3. Issues in corporate finance; limited liability
4. Disclosure regimes
5. Stakeholder activism and corporate governance
6. Diversity and the composition of boards
7. Comparative corporate governance
8. Global codes of corporate governance

## TEACHING AND LEARNING FORMAT

The course will be run as a seminar. The course will stress active learning. Participation is essential. Student feedback has indicated that participation is a learning method that adds to understanding.
To be successful, active learning demands that you make every effort to complete reading tasks set for seminars prior to the seminars and use that reading as a basis for participation in discussions.

Wherever possible some of the seminar time will be spent in small group discussions.

**MODULE FORMAT:**
1.5 hour combined lecture and seminar

**ASSESSMENT**
1. An essay of 3000 words maximum (70% of the total marks)
2. A workbook 1500 words maximum (30% of the total marks)

**TO COMPLETE THE MODULE YOU MUST PASS BOTH PARTS OF THE ASSESSMENT**

In combination the assessment is challenging and wide-ranging. These two modes of assessment focus on different skills and seek to assess your knowledge of both the course as a whole and a particular area of study. Student feedback suggests that many students find the workbook particularly challenging. It requires you to develop and demonstrate good summarising skills. It also demands skills of critical reflection and evaluation. Undertaking the Foundations Course provides you with an experience of the workbook type of assessment.

**COURSE MATERIALS**
The core readings for the Foundations of Company Law are also relevant to this course. However, there is less dependence upon lecture notes provided by the course tutor. Core reading will be provided. In addition for several of the seminars you will also be expected to read scholarly articles, commentaries and cases without the added support of lecture notes. You will also be expected to supplement these materials with readings from the recommended text books and other scholarly sources. The general reading list and recommended seminar reading lists provide a wide range of materials of varying length and complexity.
AIMS AND OBJECTIVES

Every penny in your pocket is governed by a complex economic and legal infrastructure meant to ensure money supply, price stability, and economic growth. The aim of this module is to introduce you to that legal regime which governs money in our society.

To that purpose, the module will initially introduce the notion of money, discussing its creation, its functions in a modern economy and what the role of the law is or should be in relation to it. In the first lectures of the module we will hence consider national and international monetary law and policy.

We will then focus our attention specifically on banks. These perform fundamental functions which include settlement of payments, lending, borrowing, and ultimately even creation of money. Such important functions require a particular attention by law and regulation, as shortcomings of the legal regime are likely to lead to adverse social and economic consequences.

We will thus focus specifically on the regulation of those banking activities addressing both the common law and the statutory provisions concerning relations between banks and customers, de-posits, lending, securities, banking crises, and shadow banking.

At the end of the module students should have developed understanding of the basics of monetary law and policy and banking law, developing skills which are useful in the legal profession, as well as in business and administration. Students are expected to mature a good understanding of the main features of banking law and to be able to recognise the connections between the substantive and theoretical issues linked to banking and monetary law. Students are encouraged to mature a critical approach to the themes discussed.

MODULE FORMAT

1.5 hour combined lectures and seminars

ASSESSMENT

4,000 word essay

READING (Additional reading materials will be provided.)

A. Arora, Banking Law (Pearson, 2014)
E.P. Ellinger, E. Lomincka, C.V.M. Hare, Ellinger’s Modern Banking Law (Oxford University Press, 2010)

Students able to read German are also encouraged to read
AIMS AND OBJECTIVES
This module offers an introduction to the emerging field of study known as border criminology, which considers the shifting nature of criminal justice under conditions of mass mobility. It examines the connections between security, migration control, criminal justice, and penalty, while paying attention to issues of race, gender, and class in how different jurisdictions respond to and govern human mobility. The module provides an overview of criminological theories and methodologies for understanding such topics as immigration detention, deportation, border policing, ‘crimmigration’ law, and the imprisonment of foreign-nationals, both in the UK and elsewhere. Students who take this module will develop foundational knowledge of the field of border criminology and the skills to explain how countries are responding to mass migration in the contemporary context.

MODULE FORMAT: 1.5 hour combined lecture and seminar

ASSESSMENT:
One essay (3000 words - Level 5 students) / (4000 words - Level 6 students)

READING LIST (INDICATIVE):


AIMS AND OBJECTIVES
Child Law follows on from the Adult Relations module and provides students with an insight into the area of Family Law.

On this course we ask ‘what is a family?’; ‘what personal relationships should the State recognise (and why?)’; ‘what is a parent?’; ‘what duties do parents owe to children?’; (and to what extent should or can the State enforce them?); and, to what extent should children have rights?

In answering these questions we will look at controversial debates about shifting definitions of marriage; how the law should treat divorcing or separating couples; access to reproductive technology; child protection mechanisms; and a wide range of familial conflicts that touch on complex and controversial moral (and often religious) issues.

In this course you will achieve not only a sound knowledge of the legal framework governing the family but also a good grasp of the sociological context in which the legal questions arise. We will focus on what happens in practice as well as what should happen in theory.

The Adult Relations course is followed on with the Child Law module. Students may take Adult Relations or Child Law independently or choose to take both of these options.

TOPICS
The following topics are generally covered:

- Children’s welfare
- Parental responsibility
- Residence and contact disputes
- Service provision
- Child abuse
- Education

MODULE FORMAT: 1.5 hour combined lecture and seminar

ASSESSMENT
Child Law is assessed by one essay of 3,000 words
AIMS AND OBJECTIVES

This module will introduce students to various types of complaints a consumer may make against suppliers of goods and services. Students will consider the civil and criminal law remedies available to consumers. The module is designed to focus on the Consumer Rights Act 2015, the Consumer Credit Act 1974 (which has now been amended by the Consumer Credit Act 2006) and Regulations in relation to online transactions. The module will also consider claims for misrepresentation and unfair terms.

- Understand key issues arising from a consumer sale and regulated credit transactions
- Undertake in-depth research using relevant statutes, case law and legal principles
- Use problem solving skills to solve disputes in relation to sale of goods and consumer credit transactions.
- Demonstrate an appreciation of the underlying policy and social context of consumer protection as applied to consumer sales and credit law.
- Promote independent research skills

LEARNING OUTCOMES:

On successful completion of this module, students will:

- Demonstrate an in depth knowledge in relation to the legal issues involved in consumer transactions
- Understand contractual law issues arising in consumer contracts
- Understand the importance of risk, legal title, description, quality and fitness in consumer contracts
- Identify the duties of buyer and seller during consumer transactions involving the sale of goods and consumer credit transactions
- Provide written advice in relation to remedies available in consumer contracts
- Understand the rights of the consumer in contracts for the sale of goods, supply of services and credit contracts
- Understand the various criminal offences available in relation to consumer transactions
- Identify the difference between criminal and civil liability
- Demonstrate legal research skills and problem analysis
- Produce appropriate presented work
**MODULE FORMAT**
The teaching will comprise of seminars. Seminars will take the form of discussion involving research and applying the relevant law in order to resolve legal issues arising from consumer transactions. Students will be expected to undertake the relevant reading before attending the seminars.

**ASSESSMENT**
100% coursework 4,000 words

The module will be assessed by one piece of coursework which will be a critical essay which has a word limit of 2,000 words and a problem based question which also has a word limit of 2,000 words. The work will test the ability to plan, carry out independent legal research, and identify relevant issues by analysing judicial reasoning and applying statutory material.
AIMS AND OBJECTIVES
This module offers an outline of classical Islamic law including an introductory overview of its origins and the historical development of the main schools of jurisprudence. The primary focus of the module is the application of Islamic law within the context of three main contemporary issues: human rights, gender and finance.

LEVEL 5
The module aims to analyse well-established legal principles of Islamic law in different fields ranging from gender, human rights to finance. The main objective of the module is to provide students with a critical overview of foundational Islamic legal principles and their contemporary application. Students will be able to critically analyse and evaluate such approaches within the context of contemporary legal issues in 'Western' (primarily UK and European) and Muslim majority societies.

LEVEL 6
The module aims to develop a systematic understanding of Islamic legal precepts and norms and how they are conceptualized within 'Western' democracies as well as in Muslim majority societies. The course analyses the practices and theories of different Islamic schools of law and legal opinions (fatwa) in relation to the core subjects of the module namely human rights, gender and finance. The course aims at providing students with critical skills to evaluate arguments, assumptions, interpretive and hermeneutical approaches as well as specific legal concepts in Islamic law and its operation in a variety of contexts.

MODULE FORMAT
1.5 hour combined lecture and seminar

ASSESSMENT
Level 5: 3000 word course work essay.
Level 6: 4000 word course work essay.

INDICATIVE READING
- Wael Hallaq, An Introduction to Islamic Law (Cambridge: Cambridge University Press, 2009)
CRIME AND SCIENCE

<table>
<thead>
<tr>
<th>Level</th>
<th>5 or 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>1 - Autumn</td>
</tr>
<tr>
<td>Convenor</td>
<td>Renata Salecl</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:r.salecl@bbk.ac.uk">r.salecl@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES
This module builds on a range of concepts introduced in Criminology and Criminal Law, and will expand the range of options available to students in the LLB/LLM (QLD). It also covers themes that are currently neglected in other courses, like neuroscience, genetics, forensics and psychiatric and psychological expertise.

This module first presents historical attempts of criminology to ground the problem of criminal subjectivity in science (like work of Lombroso). Second, it looks at the way genetics and neuroscience has been introduced into the field of criminology and criminal law. Third, it analyses how media and contemporary culture influenced the turn towards science in legal practice. And forth, it addresses the power of the experts and the form of forensic fraud.

Key Topics include:
- History of introduction of science into criminology and criminal law
- Turn to genetics in criminology and criminal law
- Introduction to neuroscience and law
- Case studies of the use of genetics in contemporary legal practice
- Case studies of the use of neuroscience in legal practice
- The power of the experts in legal practice
- Case studies of psychiatric and psychological experts
- CSI effect – the power of the media in law
- Forensic fraud
- Innocence projects and their attempts to use science in exonerating the innocent prisoners

MODULE FORMAT
The course will run on Saturdays from 10 am until 1 pm on the following dates:
- Oct 14, 28
- Nov 4, 18
- Dec 2

ASSESSMENT
One 3000 words essay for level 5 students. One 3500 word essay for level 6. Each student will also be asked to make a short class presentation.
CRIME FICTION AND THE LAW

<table>
<thead>
<tr>
<th>Level</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>1 - Autumn</td>
</tr>
<tr>
<td>Convenor</td>
<td>Fiona Macmillian</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:f.macmillian@bbk.ac.uk">f.macmillian@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES
There is a growing body of scholarly works that has sought to elucidate the relation between the law (legal principles, doctrines, institutions and processes) and literary works, including fictional works. Against this background, this module examines insights produced within crime fiction into questions surrounding the state regulation of individual violence, which takes place mainly through the criminal law.

The module does not assume knowledge of either criminal law or the discipline of law and literature. Instead, it will provide students with an introduction to many of the theoretical debates they will encounter during the study of criminal law (year two) and legal theory (year three or four). In particular, the module uses crime fiction to examine and interrogate dominant approaches concerning the relation to law and violence which asserts that the state retains the monopoly of violence through outlawing individual violence. Drawing on Italian crime fiction in particular, the module reveals how the traditional position is complicated by instances of state complicity in organised crime. The module explores how notions of due process are played out and negotiated in fictional depictions of police work and procedures. It explores how individual and group identities are formed through and against law, with particular reference to the importance of sexual identity in contemporary works of crime fiction and it reads classic British detective fiction within the frame of still dominant forms of legal argument and analysis, with its emphasis on truth, reason and closure.

The module begins with a two week introduction. The first week will examine the relevance of literature in the study of law. The second week will explore connections between crime fiction and key ideas within legal theory. Thereafter, the module will use classic works of crime fiction to examine:

- The relation between law and psychoanalysis.
- The importance of the distinction between violence committed by state or state organs and violence committed by individuals in the maintenance of law.
- The relation between dominant traditions of legal reasoning and dominant conventions of crime fiction.
- The criminal mind

MODULE FORMAT
1.5 hour combined lecture and seminar

ASSESSMENT
3,000 word essay
AIMS AND OBJECTIVES
What is Criminal Justice? One way of answering the question of what is Criminal Justice is by reconfiguring the question itself, of critically analysing the function or utility of such a question. Questions such as this require one to give an answer that does not necessarily define the parameters of an object of study, criminal justice for example here, but rather requires a description of the agencies and institutions that comprise or make up the system. In this case without any difficulty one can describe as the principal agencies and institutions of criminal justice: police, courts, penal system, and crime prevention agencies. Nevertheless a mere description of these agencies and institutions will not endow us with a ‘complete’ understanding of Criminal Justice.

We need to complicate the above question. One way of complicating the ‘what’ question is by replacing it with another questioning word, the word ‘how’. Our operative question this year will be: ‘How is Criminal Justice to be understood?’ This question endows us with the possibility of not only familiarising ourselves with the institutions and agencies within Criminal Justice but also with the possibility of critically articulating the ideological, political and social factors that underpin the Criminal Justice system in England and Wales. During this academic year you will have the opportunity to study institutions and agencies of the criminal justice system along with specific issues that are pertinent to criminal justice debates: more particularly you will be thinking critically about gender, race, sexuality, terrorism and punishment.

MODULE FORMAT
Weekly lectures/seminars.

ASSESSMENT
Assessment will be through one essay of 8,000 words or two essays of 4,000 words from a set of questions.

READING
AIMS AND OBJECTIVES
The main aim of the course is to look into the legal regime governing cyberspace and see how it copes with the breakdown of national barriers and the cross-border implications of the interlinking of computers worldwide. Critical approach to legal education will be considered involving multidisciplinary nature of cyberspace, with studies ranging from law, politics, history, science, philosophy, sociology, economy, to ethics and international relations. Moreover, we will look into cyberspace law from the national and regional perspective but also at the international dimension. It will help students describe, analyse and evaluate different issues, and to look beneath the surface of laws and regulations, to see the 'bigger picture'. The course is intended to foster pluralist ideas and opinions. Therefore, we will not look only for the most important aspects of cyberspace law but will question the information, ideas and arguments that will come across the studies, and learn with an open mind.

The course will also focus on how the recent technological developments (e.g. virtual money or artificial intelligence) influence the development of cyberspace law and policy. The various sessions address a whole host of separate cyberspace related activities from E-commerce, intellectual property, cybercrime, international security, ethical and moral issues and many others. The aim is to look into the major rules and concepts governing space activities de lege lata and de lege ferenda (the law as it exists and what the law should be). We will also look into the implications of the use of information technology, and the intended and unintended consequences of regulating that use.

On successful completion of this module a student will be expected to be able to:

- Explain how the Internet works and what is the role of law and lawyers in Cyberspace;
- Critically evaluate ongoing developments in law relating to information technologies and recognise how these developments relate to one another;
- Discuss how the information society and law function in terms of free speech, censorship, discriminatory behaviours (including cyber bullying and cyber-racism);
- Recognise what is cybercrime and how to fight it and protect yourself against it;
- Explain how electronic commerce works and what are the related issues, including contracting, electronic payments, taxation, intellectual property and many more;
- Introduce the national, regional and international approaches to cyber security, surveillance, cyber terrorism and cyber warfare;
- Recognise what is artificial intelligence (AI) and what are the social, economic, political, technological, legal, ethical and philosophical issues related to AI;
• Discuss the ethical and moral issues raised by cyberspace, including hacking, social networking, intercultural information ethics, plagiarism, online file sharing, whistleblowing and many more;

• Examine areas of doctrinal and political debate surrounding rules and theories and evaluate them in terms of internal coherence and practical outcomes;

• Identify what potential careers provides cyberspace;

Present your own ideas about issues addressed on the course

SYLLABUS:
1: An introduction to cyberspace law
2: Jurisdiction in cyberspace and dispute resolution
3: E-Commerce
4: Digitisation and society
5: Cybercrime
6: Cyberspace and human rights
7: International security and military operations in cyberspace
8: Ethical and moral issues raised by cyberspace
9: Artificial Intelligence (AI) and law
10: Future challenges for cyber law

MODULE FORMAT
1.5 hour combined lecture and seminar

ASSESSMENT:
During the course students will be asked to write a 4,000 word essay on a topic related to the aspects covered in the module. Students will be given five different topics and will be asked to select one for their assignment.
AIMS AND OBJECTIVES
The aims of this course are to enable students to:

- Develop an understanding of the principles of data protection law and online security legislation and to consider the relevance of the subject to modern day life.
- Consider the application of legislation to newer internet-specific crimes.
- Enhance students’ intellectual, transferable and interpersonal skills as well as developing other postgraduate skills including independent research, the exercise of initiative and critical awareness of current problems;
- Provide education that enhances a students’ prospects of either professional, commercial, business or academic employment
- Develop and understanding of Freedom of information law and policy.

TEACHING AND LEARNING FORMAT
The course will be run partly as a seminar and partly as a lecture. The course will stress active learning. Class participation is essential. Student feedback has indicated that participation is a learning method that adds to understanding of key concepts of the course.
To be successful, active learning demands that you make every effort to complete reading tasks set for seminars prior to the seminars and use that reading as a basis for participation in discussions. Wherever possible some of the seminar time will be spent in small group discussions.

ASSESSMENT
a) 100 % coursework
b) Students must pass all three assignments.

Assignment Details
The Coursework assessment comprises:

- Assignment 1: A 1,500 word piece of work, the question for which will be published via Moodle). This will count towards 90% of the overall mark for the module.
- Assignment 2: A 1,000 word reflective log should be submitted in which the student explores (i) their ability to work within a group context; (ii) their ability to reflect on their own, and others’, functioning; (iii) implications for their own academic development; (iv) the challenges faced through independent learning / research. This will count towards 10% of the overall mark for the module.
NOTE: Module runs across Autumn and Spring term and is for Final year students only.

AIMS AND OBJECTIVES
The Undergraduate Dissertation module is a full year module that culminates in the final production of a 12,000 to 15,000 word dissertation. This is a research-based module in which students attend seminars on research skills and work closely with an individual supervisor in the development of their dissertation. This module provides an excellent opportunity for students who wish to engage in an in-depth research project on a topic they have a strong interest in, and provides valuable experience for those who wish to pursue further academic study after the LLB or BSc Criminology and Social Justice. Admission on the module is at the discretion of the School.

TEACHING AND LEARNING FORMAT
Two Research Skills Seminars delivered in first and second academic terms.

ASSESSMENT
Dissertation (12 000 – 15 000 words including footnotes and bibliography)

Non-Assessed Compulsory Components
There are several, non-assessed compulsory components in the module. These include a Research Proposal (distinct and more involved than the Research Statement) submitted in the first term, and a draft of the dissertation submitted in the second term.

Observing courses
Dissertation students have the option to observe (without being assessed) any course in their programme which is relevant to their dissertation. Students who wish to pursue this option should contact the relevant course tutor in advance.

CONTACTS
For information on the process for admittance onto the module, or for general information, please contact the module convenor, Basak Ertur. Once on the module your supervisor should be your primary point of contact for questions relating to the research and writing of your dissertation. E: b.ertur@bbk.ac.uk

ENROLLING ON THE MODULE
Writing a Dissertation is a difficult, but potentially highly rewarding, task. You will need to be more independent than at any other stage of you studies at Birkbeck. A Dissertation is submitted
in lieu of a taught subject.  

You are expected to devote as much time to researching and writing your Dissertation as you would to a taught course. This Module is available at the discretion of the School. It is generally expected that students should be on a 2.1 trajectory for admittance on the module as demonstration of strong writing skills are essential. The support and availability of an appropriate supervisor is essential to enrolment on the module.

**IMPORTANT INFORMATION**

To be considered for enrolment on the module, you will need to submit your research statement and confirmed or proposed supervisor(s) to Basak Ertur, the module convenor. This can be done any time prior to the commence of the academic year you will be taking the module.

**THE RESEARCH STATEMENT**

The Research Statement should be approximately 500 words and include a description of the central research question you envision addressing in your research. This will need to be sent to the module convenor, Basak Ertur, before you can enrol on the module. This can be done at any time before the beginning of the academic year, 2017-18. The Research Statement is non-assessed.

**FINDING AN APPROPRIATE SUPERVISOR**

Visit faculty profiles on the School Website http://www.bbk.ac.uk/law/about/ft-academic

Contact the potential supervisor directly to discuss your project and potential supervision. Although it is advisable to already have the support of a supervisor at the time of submitting your research statement to the module convenor, you may also list three potential supervisors in order of preference. This way the module convenor (Basak Ertur) can help you in identifying appropriate members of staff to approach. Enrolment on the module cannot be confirmed until a member of the faculty has agreed to supervise the project.

---

1 The Regulations allow a law student to submit a dissertation in lieu of one full subject required by Regulation 7.1.
DRUGS, CRIME AND CRIMINAL JUSTICE

<table>
<thead>
<tr>
<th>Level</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>1 - Autumn</td>
</tr>
<tr>
<td>Convenor</td>
<td>Paul Turnbull</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:p.turnbull@bbk.ac.uk">p.turnbull@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES
This course aims to provide students with a solid grounding in the key policy and research issues relating to illicit drug use, crime and justice. Illicit drug use and the associated implications for crime and criminal justice have become central issues for criminal justice and criminology over the last fifteen years. Dependent use of illicit drugs such as heroin and crack has increased steeply. With it there have been new crime problems and new responses to these problems. The increasing popularity of drugs such as cannabis, dance drugs and - to a lesser extent - cocaine has fuelled the debate about the laws governing drug use and possession. The emergence of so-called legal highs has also posed significant challenges to the current system of control. The increasing societal acceptance of recreational drug use coupled with questions about the effectiveness of the ‘War on Drugs’ has led to successive governments being questioned about their reluctance to reform current drug policy and their unwillingness to find new ways to tackle a complex problem.

MODULE FORMAT
Weekly 1.5 hour combined lecture / seminar.

ASSESSMENT
One essay (3000 words)
AIMS AND OBJECTIVES
The course focuses on the ways that law has conceptualised and sought to remedy social inequalities. While employment law is a key focus, the course also branches out into the provision of services, immigration law, family law and policing. The core jurisdiction is English law, including the impact of both European Union law and the European Convention on Human Rights, but the course also includes comparative background material from the United States in respect to the wider debates on law, sex and race.

Topics covered in the course (indicative)
1. Introduction: Concepts of equality and inequality
   - Overview of different strands of ‘equality law’
   - Overview of legal remedies and institutions
2. Inequality as discrimination: I Sex and Gender
   - Sex discrimination law and its limitations
   - Theoretical and political analysis
3. Inequality as discrimination II: Race and Ethnicity
   - Race discrimination law and its limitations
   - Theoretical and political analysis
4. Critical use of published information (including statistics)
5. Legal perceptions of sexual orientation and religious affiliation
6. Critical approaches to identity and the role of law
7. Law beyond discrimination law I: Policing and immigration
8. Law beyond discrimination law II: Debates about human rights
9. Legal visions of citizenship - Including age and disability law
10. Law, policy and practice: what role can you play?

MODULE FORMAT
Weekly 1.5 hour combined lecture / seminar.

ASSESSMENT
One Essay (3000 words)
Background Reading and Useful websites:

- Equality Act 2010 Explanatory Notes [official government notes]

- Government Equalities Office, Equality Act 2010: What do I need to know?

- Spencer Keen’s Guide to the Equality Act June 2010

- Incomes Data Services has published the first authoritative, in-depth analysis of the
EVIDENCE

<table>
<thead>
<tr>
<th>Level</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>30</td>
</tr>
<tr>
<td>Term</td>
<td>1 – Autumn AND 2 - Spring</td>
</tr>
<tr>
<td>Convenor</td>
<td>Piyel Haldar</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:p.haldar@bbk.ac.uk">p.haldar@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES

This module enables students to explore the framework of regulation (domestic, European, and international) and to examine critically the diversity of rules and doctrine that compose the law of evidence and determine the presentation of facts in the modern common law trial. Moreover, the course aims to examine some of the given reasons for the development of the adversarial and exclusionary system of fact finding and to examine the effect of these developments on the manner in which decisions are reached in court.

The first part of the course centres on the theoretical assumptions made by common lawyers and evidence scholars between facts and truth. This involves a brief examination of the way in which broader influences such as utilitarianism, pragmatism, and the emergence of the legal profession have shaped the development of the adversarial trial. We shall also discuss the exclusion or denigration of rhetoric as key to an understanding of modern attitudes towards fact finding.

The course then moves on to focus on the forensic sciences and their place within the rules of evidence. Time will be spent examining the use of documents, photography, and surveillance records. The history and development of photography, in particular, will be used as a means to debate the relationship between facts and truth. This examination will then be contrasted with the reliance that has traditionally been placed on oral testimony. Here, we shall provide a critical appraisal of the rules regarding the competency, compellability, and character of the witness. Certain classes of testimony, such as corroboration and confessions, will also be examined.

The final part of the course looks more specifically at the exclusionary rules of evidence. We will concentrate largely on certain categories of evidence that have been denied probative value. These include circumstantial evidence, opinion evidence and the sub-category of expert opinion, as well as upon the complex rules relating to hearsay and confession evidence.

MODULE FORMAT

1 lecture/seminar per week (1.5 hours)

ASSESSMENT

| Coursework | 50 | Essay - 5000 words |
| Examination | 50 | Unseen Exam - 3 hours and 15 minutes reading time |
| Coursework | 100 | Group Essay - 7000 words |
FOOD AND THE LAW

<table>
<thead>
<tr>
<th>Level</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>2 - Spring</td>
</tr>
<tr>
<td>Convenor</td>
<td>Gaile Walters</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:gaile.walters@gmail.com">gaile.walters@gmail.com</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES
This module enables students to explore the framework of regulation (domestic, European, International), governing the production, circulation and consumption of Food. It examines the emergence of Food Law as a field of practice and as a nascent academic discipline. Students will be able to explore how regulatory bodies, such as the Food Standards Agency, produce and apply the law.

On successful completion of this module a student will be expected to be able to:

1. Understand the history of food law and regulation
2. Understand the current state of food law in the chosen jurisdiction
3. Understand the impact of European Union law on the regulation of food
4. Explore the intersections between law and culture in food production and consumption
5. Understand the trade and development dimensions to food production and consumption
6. Critically examine the contribution of consumers to the development of food law.
7. Understand the main themes and issues in food law; from labelling to nutrition

SYLLABUS:

- Introduction to Food Law (Origins, History, Theory & Sources)
- The Impact of International & Regional Trade on Food Law
- UK Food Law & The European Union
- Food Law Regulation: From Command & Control to Self-Regulation
- Food Crime & Punishment
- Tort & Food Law
- The Impact of Consumer Advocacy on Modern Food Law
- The Value of Consumer Information: From Labelling to Advertising
- UK Food Law Post Brexit
- Review and assessment guidance

MODULE FORMAT
1 lecture/seminar per week (1.5 hours)
ASSESSMENT:

This module is assessed by a three thousand (3,000) word essay (bibliography and footnotes not included. The essay is weighted at 100%. Students are expected to critically analyse the chosen topic and explore sources outside core reading while presenting a clear reasoned proposition.

A list of essay questions will be provided in the last seminar before reading week or students may devise a question of their own which must be pre-approved by the lecturer.
AIMS AND OBJECTIVES:

- To introduce students to the foundational concepts of company law
- To develop a knowledge of key domestic and European Union statutory materials and case law relating to business corporations
- To develop an understanding of company law and its economic, business and social context
- To develop transferable skills particularly research skills, and communication skills relating to written presentations
- To develop analytical, critical and rhetorical skills to reflect upon the way in which these skills have been acquired.

COURSE STRUCTURE AND CONTENT:

This course is designed to provide you with the basic building blocks, the knowledge and skills, to deal confidently with company law. It is an area of law that many students expect to be dry, technical and difficult. It is certainly challenging and as a largely statute based area of law, potentially dry. But the reality of company law is very different. The course does not slavishly follow the structure of the Companies Act 2006 – the largest piece of legislation ever produced by Parliament. That would be an impossible project and an ineffective way of studying company law. Focusing upon underlying fundamentals, contemporary debates and transferable skills this course is designed to enable you to explore the basic principles and concepts central to company law in their contemporary social setting.

The following is an indicative list of topics that will be covered in this half option.

1. Introduction to the social, historical and economic context of Company Law.
2. The role of Company Law in the regulation of business organisations
3. Introduction to legal forms of business organisation
4. Incorporation
5. Separation of ownership and control
6. Corporate governance
7. Directors’ Duties
8. Remedies

MODULE FORMAT

Teaching and learning format: The course will be run as a seminar. While the seminar does include an element of presentation the course stresses active learning. Participation is
essential. Some students find this approach challenging. Overall student feedback has suggests active participation is closely associated with a positive learning experience.

To be successful, active learning demands you make every effort to complete reading tasks set for seminars prior to the seminars and use that reading as a basis for participation in discussions.

On occasions some of the seminar time is spent in small group discussions.

**ASSESSMENT**

1. An essay of 2000 words maximum (65% of the total marks)
2. A workbook 1000 words maximum (35% of the total marks)

The assessment for this module requires that you MUST obtain a pass mark in BOTH assessments.

In combination the assessment is challenging and wide-ranging. These two modes of assessment focus on different skills and seek to assess your knowledge of both the course as a whole and a particular area of study. Student feedback suggests that many students find the workbook particularly challenging. It requires you to develop and demonstrate good summarising skills. It also demands skills of critical reflection and evaluation.

**COURSE MATERIALS**

Core reading will be provided. You will be expected to supplement this with readings from the recommended textbooks and other scholarly sources. The general reading list and recommended seminar reading lists provide a wide range of materials of varying length and complexity.

If you are planning to do this option and don’t already read the business pages of a quality newspaper you should start today. Newspaper reports bring this course alive and greatly assist your learning.

**RECOMMENDED BOOKS:**

**Text books**


**Cases and materials**

AIMS AND OBJECTIVES
This course will examine the theoretical and legal justifications for freedom of expression. These theoretical assumptions and justifications will be tested against the laws of a number of jurisdictions which resolve conflicts between freedom of expression and other interests. The course combines legal analysis of specific regulations with a philosophical search for general principles and conceptual frameworks that illuminate our understanding of the role and functions of the principle of freedom of expression.

The main topics likely to be covered are:

- Theoretical justifications for freedom of expression
- History of the right to free speech
- Freedom of expression in English law
- Freedom of expression and the European Convention on Human Rights
- Hate speech, incitement to hatred and group defamation
- Free speech and the problem of pornography
- Media freedom
- Freedom of artistic expression
- Intellectual property, ownership and consumption of the image

MODULE FORMAT
Weekly lecture/seminar.

ASSESSMENT
One essay of 3,000 words.
HUMAN RIGHTS

<table>
<thead>
<tr>
<th>Level</th>
<th>5 and 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>30</td>
</tr>
<tr>
<td>Term</td>
<td>1 Autumn &amp; 2 Spring</td>
</tr>
<tr>
<td>Convenor</td>
<td>Fred Cowell</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:f.cowell@bbk.ac.uk">f.cowell@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

PLEASE NOTE THIS MODULE RUNS OVER AUTUMN AND SPRING TERMS.

AIMS AND OBJECTIVES
A great paradox lies at the heart of human rights. Human rights have become a dominant discourse after the end of the cold war; but at the same time more human rights violations are committed today than ever before. This course aims to examine the contemporary significance of human rights in the United Kingdom and internationally.

In the first term a leading human rights barrister will lead a seminar examining the significance and impact of human rights law in the UK, drawing from his experience in extradition and other cases. Students will engage with the ongoing debates concerning a possible Bill of Rights for Britain, repeal of the Human Rights Act 1998, and the uneasy relationship between the UK and the Council of Europe, European Convention on Human Rights, and European Court of Human Rights.

In the second term students will learn about the complex contemporary systems of human rights instruments (UN and regional treaties, conventions and covenants) and mechanisms (UN treaty bodies, regional human rights courts. We will focus on specific rights issues, such as women’s rights and social and economic rights, as well as examining the issues of cultural relativism and satte compliance with human rights.

This course will be of interest to anyone intending to practice law, anyone with an interest in the protection of human rights and anyone with an interest in working for an NGO. This course compliments more specialized modules in the area and can be done in the second, third or fourth year of a degree.

TEACHING FORMAT
The course will be conducted through weekly seminars. Participation by all students will be mandatory. Students from Criminology and Politcs are more than welcome and whilst this class is a law class it is deisgned to be understood by students from all disciplines.

A full Course Outline will be sent to all students at the start of the course. Seminar materials and lists of further readings, other than those already included in the Course Outline, will be issued from week to week. Extensive materials are placed on Moodle.

ASSESSMENT
The assessment takes place in three stages spread out, this enables students to develop by obtaining feed back on their assessments over the course and obtain practical and academic skills:
<table>
<thead>
<tr>
<th>Assessment Type</th>
<th>Date</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1500 word question on a scenario involving the application of Human Rights Law</td>
<td>January</td>
<td>30%</td>
</tr>
<tr>
<td>in the UK. Students will receive specialized teaching on how to deal with this</td>
<td></td>
<td></td>
</tr>
<tr>
<td>assignment which will test your analytical skills and give you transferable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>legal problem solving skills.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15000 word blog post on a recent development in international human rights</td>
<td>April</td>
<td>30%</td>
</tr>
<tr>
<td>law. Students will receive specialized teaching on how to deal with this</td>
<td></td>
<td></td>
</tr>
<tr>
<td>assignment which will test your research skills and give you transferable IT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>and legal research skills.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two hour exam – Students will answer two essay questions from a choice of eight</td>
<td>May</td>
<td>40%</td>
</tr>
<tr>
<td>questions. You will be allowed to take a designated unnotated statute book into</td>
<td></td>
<td></td>
</tr>
<tr>
<td>this exam.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INDICATIVE READING**

**Term 1**

- Amos, M *Human Rights Law* (Hart, 2nd edition, 2014) – you should purchase this if possible

**Term 2**

You must purchase a copy of
- Alston, P and Goodman, R *International Human Rights* (OUP, 2012)

Other useful texts
- Bantekas, I, and Oette *International Human Rights Law and Practice* (CUP, 2014) – contains an interview with Prof Bowring
AIMS AND OBJECTIVES
Punishment through imprisonment arguably serves as the lynchpin of contemporary criminal justice systems. The threat of imprisonment underpins logics of deterrence, incapacitation and ‘just desserts’, as well as rehabilitative aims. Yet the success of imprisonment—both as a crime control measure and as an institution of rehabilitation—remains limited. So while the prison is a core feature of western liberal democracies, it is also a source of much controversy and debate. Particularly as prison populations in England, Wales and elsewhere continue to grow at unprecedented levels, and as technologies of punishment extend well beyond the physical boundaries of the prison walls, the stakes of these debates are high. The expansion of imprisonment also raises broader questions about the relationship between imprisonment, law, democracy, and justice.

This module provides students with a critical introduction to the meaning, purpose, and limits of imprisonment within western liberal democracies. Situating the modern prison within its broader social, historical, political and economic context, the module will examine current trends, theories and debates on prison policy in Britain and other liberal democracies. The module will explore key social and legal issues arising from imprisonment by: assessing the theoretical, philosophical and empirical justifications for imprisonment; examining key legal policy debates; evaluating challenges of prison reform; and exploring alternatives to incarceration.

Weekly Topics Include

1. Introduction: Mass Incarceration and the Contemporary Prisons Crisis
2. The Penal Subject: Inequality, Discrimination and Criminalisation
3. Putting the Penal Crisis in Perspective: Historical Overview of Imprisonment
5. Explaining Imprisonment: Divergent Perspectives on Role of Prison in Society
6. Neoliberalism, Punishment and the Prison Industrial Complex
7. Beyond the Walls: Impacts of Imprisonment on Communities
8. Prisoners Rights and Resistance Inside
9. Alternatives to Imprisonment & the Reform versus Abolition Debate

MODULE FORMAT
Weekly 1.5 hour combined lecture / seminar.
ASSESSMENT

- “Critical reflection” reading journal comprised of three 500-600 word entries (worth 30%)
- One 2,500-3,000 word essay (worth 70%).

CORE TEXTBOOK


SUGGESTED PRE-READING

For students who would like to do preparation readings over the summer, any of the following books are recommended:

AIMS AND OBJECTIVES
This course comprises an introduction to Intellectual Property Law, focusing primarily on copyright, with some consideration of selected issues in patent law, breach of confidence and the law of trade marks.

Guest lecturers: Fiona Macmillan (Birkbeck); Paola Kovacz (IP Barrister, Middle Temple); Alastair Wilson (IP Barrister, QC. Hogarth Chambers); Simon Malynicz (IP Barrister, QC. Inner Temple. 3 New Square Chamber).

Intellectual property deals with objects which are intangible. How can objects which cannot be touched enter the productive life of societies? How did we get to a world where we are constantly surrounded by objects protected by intellectual property? Are there any good reasons to offer legal protection to the exploitation of such objects?

This module is designed to provide tools and knowledge to facilitate the reading and understanding of cases, statutes and legal documents dealing with intellectual property issues as well as engagement with current debates regarding intellectual property law and policy.

COURSE STRUCTURE AND CONTENT
This course comprises an introduction to Intellectual Property Law, focusing primarily on copyright, with some consideration of selected issues in breach of confidence, patent law and the law of trade marks and passing off.

The course will cover the following matters:
1. The history and theoretical foundations of intellectual property law.
2. The role of intellectual property in international trade, including trends towards the global harmonisation of intellectual property law, and the impact of these trends upon the trajectory of UK law.
3. Copyright, including: the subject matter of copyright protection; the nature of copyright protection; duration of copyright; criteria for determining ownership of copyright; the rights of the owner; the criteria for infringement of the copyright work; and defences to a claim of infringement.
4. Breach of confidence: information as property?
5. Patents, including: patentable subject matter; ownership and scope of patents in the UK; patents and biotechnology.
6. Registered trade marks, including: the definition of "trade mark" and challenges posed by non-traditional trade marks such as scents, sounds, shapes or colours; distinctiveness; absolute and relative grounds for refusing registration; infringement.
7. Passing off, including: the definition of “goodwill”, traditional and extended passing off actions; character and personality merchandising.

MODULE FORMAT
The course will meet for 1.5 hours each week. Students will be provided with a combined reading guide and a lecture outline for each subject dealt with in the course. Teaching on the course will be a mixture of lectures and class discussion.

ASSESSMENT
The course will be assessed by way of a research essay task (accounting for 50% of final grade); and a three-hour open book exam (accounting for the other 50%).

The research essay task is divided into several components:

- Students will be required to submit a 1,000 word essay plan by the beginning of the Spring term.
- Students will receive formative feedback on their essay plans by Reading Week.
- Students will be required to submit your final 3,500 word essay and a 500 word report in which they will be asked to reflect on their learning process after the end of the Spring term.

SUGGESTED INTRODUCTORY READING
The recommended textbook will be:

- Students will also be required to purchase one of the available edited collections of statutes.
- The full reading list will be issued at the beginning of the year, but the following is a selection of what may be relevant to the course:
AIMS AND OBJECTIVES
International Refugee and Asylum Law is a body of rules and procedures that aims to protect asylum seekers and refugees. An asylum seeker is a person who, due to fears in his/her own country, has crossed international borders into another State with the hope of being granted refugee status. International protection depends on an asylum seeker meeting the criteria for refugee status under the 1951 Convention relating to the Status of Refugees. This is the principle international treaty, but, alongside this, some European states, in seeking to achieve consistency and a common legal framework in the application of the refugee definition, apply the Council Directive 2004/83/EC (also known as the Qualification Directive) to determine who is a refugee. Claims for protection may also include rights invoked under the European Convention of Human Rights.

This course will present an outline of the legal framework for refugee and asylum issues of the United Kingdom and assess its evolution as a legal means of categorisation and protection. The course will provide an overview of the commonalities and conflicts within what can be perceived as a system of refugee protection or failure of protection.

In the first two weeks, we will examine the historical background and sources of refugee law in the United Kingdom, by way of a backdrop, and explore the underlying political, social and economic factors, which shape the government policy and influence the approach towards foreigners. The course will build on this historical analysis to examine the development of the non-refoulement principle, the basic criteria for the attainment, denial, exclusion, cessation and withdrawal of refugee status. This course will ultimately lead to an initial analysis of the alternative forms of protection, e.g. humanitarian protection and subsidiary protection. A basic review of cases from national courts will provide a preliminary understanding of how refugee and asylum law is interpreted and implemented in the United Kingdom. There will be a basic introduction to core principles of the Human Rights Act 1998 and the European Convention of Human Rights followed by a closer examination of examples of how human rights might be invoked by asylum seekers. The course concludes with an overview of the United Kingdom asylum application and appeals process. This includes an analysis of the procedural barriers to claiming asylum through concepts such as safe country of origin and safe third country rules under the Dublin Convention.

By the end of this course you should be able to:

- Demonstrate knowledge of knowledge of the 1951 Convention on the Status of Refugees and its Protocol, and Article 1 (refugee definition, inclusion, exclusion and cessation) and Article 33 (non-refoulement)
- Demonstrate knowledge of the expanded definitions of refugee and conditions for...

- Demonstrate knowledge of the applicable guarantees within human rights under the European Convention for the Protection of Human Rights and Fundamental Freedoms 1950
- Demonstrate a good understanding of protection theory developed in the literature.
- Identify key cases from national tribunals and the European courts, and critically analyse and communicate their principle.
- Critically evaluate important principles and concepts of international asylum and refugee law and related human rights law.
- Understand the procedural restrictions for the asylum seekers in accessing and gaining protection prior to, during, and the application and appeals process.
- Communicate effectively in written form in the context of the assessment.

**COURSE STRUCTURE AND CONTENT**

By way of background and introduction, the first two seminars cover:

**Week 1:** History of UK Refugee Law
**Week 2:** Sources of UK Refugee Law

The refugee definition, and topics explored include:

**Week 3:** Meaning of well-founded fear of persecution
**Week 4:** Convention reasons
**Week 5:** Convention reasons
**Week 6:** Cessation and exclusion of refugees/non-refoulement

Focus on the impact of human rights:

**Week 7:** Human Rights (Introduction to the ECHR)
**Week 8:** Human Rights (Article 3 and 8 ECHR)

We review how it works in practice for asylum seekers:

**Week 9:** Asylum appeals, procedure and process

**MODULE FORMAT**

This course is taught through weekly seminars followed by a group discussion and analysis on a related topic. Students will be required to come prepared at each seminar. Students will be required at times to come prepared to perform a mini-presentation on particular assigned topics in class.

**ASSESSMENT**

This course is assessed by a 100% written essay of 4,500-5,000 words. Students can choose from a list of set questions or work on a topic/question of their choice (upon approval by the convenor).
READING

If you would like to purchase a definitive textbook, then buy Gina Clayton, ‘Immigration and Asylum Law’, Oxford University Press, 2016 (7th edition). Copies of the readings for discussion will be provided in the form of reader packs throughout the course and may be provided online via Moodle. Where there are references to cases in the Seminars, you will be expected to obtain your own copy.

Other useful books include:

- MacDonald and Ronan Toal, MacDonald’s Immigration Law and Practice: 2-Volumes, LexisNexis, (9th edition)
- Mark Symes and Peter Jorro, Asylum Law and Practise’, Bloomsbury, 2010

A variety of useful books are held in the Birkbeck Library as well. The library is subscribing to the Electronic Immigration Network (www.ein.org.uk) where you can access the Immigration Rules, relevant legislation, international instruments, country information, and research U.K case law and European case law. You can also search cases on www.bailli.org.

Other useful websites include:

- Tolley: http://www.tolley.co.uk
- JCWI: www.jcwi.org.uk
- Free Movement: http://www.freemovement.org.uk/
INTERNATIONAL LAW OF ARMED CONFLICT

<table>
<thead>
<tr>
<th>Level</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>2 - Spring</td>
</tr>
<tr>
<td>Convenor</td>
<td>Ali Raiss-Tousi</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:a.raiss-tousi@bbk.ac.uk">a.raiss-tousi@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES
The Law of Armed Conflict (also known as International Humanitarian Law) governs the way in which states conduct warfare. It comprises a set of rules that seek to protect persons and objects that are affected by war, and to limit the rights of conflicting parties to use the methods of warfare of their choice.

This module will introduce students to the legal rules surrounding armed conflict as well as the relevant international treaties. It will demonstrate the practical problems of applying and enforcing the law by evaluating recent armed conflicts. Successful completion of the module will enable students to engage in a critical appraisal of the current state of the law.

The emphasis throughout this module is practical. Examples are taken from real conflict situations and since the law reflects political and military necessities as well as humanitarian concerns, we will examine how respect for the rules could be improved.

This module helps to fill a gap existing for LL.B. students interested in choosing their options with a focus on international law and/or international human rights issues. It also offers students on the BA Language and International Law programme a further international law option in year 3/4 of their study.

COURSE STRUCTURE AND CONTENT
Week 1: Historical development of the Law of Armed Conflict, its contemporary legal basis and fundamental principles
Week 2: Types of armed conflict
Week 3: Individual status in armed conflict – combatants, participation in hostilities and Prisoners of War
Week 4: Protection of the wounded, sick and shipwrecked
Week 5: The law of belligerent occupation and the protection of civilians
Week 6: Protection of the environment and cultural heritage
Week 7: Targeting
Week 8: Means and methods of warfare
Week 9: Implementation, enforcement and accountability
MODULE FORMAT
This module will be taught in the spring term (January – March, 2018). There will be nine lecture/seminar sessions of one-and-a-half hour’s duration.

ASSESSMENT
One essay of 3,500 word (max.)

READING
The textbook set for this course is:

Also recommended:

Further recommendations are available in the module guide and materials and webpage links for readings in each of the subject areas will be provided through Moodle.
**INTRODUCTION TO COMPARATIVE LAW**

<table>
<thead>
<tr>
<th>Level</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>2 - Spring</td>
</tr>
<tr>
<td>Convenor</td>
<td>Daniele D'Alvia</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:d.dalvia@bbk.ac.uk">d.dalvia@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

**AIMS AND OBJECTIVES**

The focus of this course is to provide tools and knowledge to read and to understand cases, statutes and legal documents from other jurisdictions. The course will begin by looking at different legal systems (Civil Law countries such as Italy, France, Germany, and Islamic Legal Systems) and then it will move to compare them to UK legislative structures. In so doing, the course is broken down into ten different introductory topics (comparative concepts/foundations, legal disciplines, procedural distinctions, etc) devoted to exploring different legal systems. The course will also take into account International law as well as the interconnections between comparative law and private international law.

**COURSE STRUCTURE AND CONTENT**

The following is an indicative list of topics that will be covered in this half option.

1. Public and Private Law in Comparative Legal Systems
2. Legal Transplants and legal Formants
3. Procedural Comparative Law
4. Islamic Finance and West Countries Financial Law
5. Comparing Contract Law
7. Comparing Company Law and Listing Rules
8. Reading different constitutions
9. Constitutional Rights and Judicial review in comparison
10. Comparing Judicial Reasoning

**MODULE FORMAT**

1 lecture/seminar per week (1.5 hours)

**ASSESSMENT**

5,000 word essay

**READING:**
Orucu The Enigma of Comparative Law (Brill, 2004)

**SUGGESTED PRE-READING:**
Mathias Siems, Comparative Law (Cambridge University Press, August 2014)
Andras Cahn, David C. Donald, Comparative company law, text and cases on the laws governing corporations in Germany, the UK and the USA (Cambridge University Press, September 2010)
JUDICIAL STUDIES

<table>
<thead>
<tr>
<th>Level</th>
<th>5 &amp; 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>1 - Autumn</td>
</tr>
<tr>
<td>Convenor</td>
<td>Leslie Moran</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:l.moran@bbk.ac.uk">l.moran@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES

The judiciary are important political actors whose decisions not only have an immediate impact on those who come to courts for justice but also on the wider population. Despite their importance the judiciary are an under researched and under studied legal institution. This may be something of a surprise as much time in legal education is spent studying the writings of the senior judiciary. In criminological studies, despite the fact that judges play a key role supervising the operation of the criminal justice process, they are almost invisible in that scholarship.

This course provides an opportunity to break with these traditions opening up a new agenda of study on the institution of the judiciary and the work performed by the judiciary. It also brings new perspectives to the study of the judiciary and the roles judges play in society. The materials we will engage with draw on a variety of disciplines; art history, cultural studies, anthropology, media studies as well as legal scholarship and criminology. We will also examine a range of perspectives; from popular representations of the judiciary, such as the reality TV judge, Rinder, to examining the different approaches judges adopt to the art of judgment writing. Our studies will range from an examination of the role and nature of contemporary forms of ritual and ceremony to reflections on the emotional dimensions of judicial practice in the court.

In 2015-16 The Chancellor, Sir Terence Etherton, one of the School’s visiting professors, and district Judge, Tan Ikram were visiting speakers. They provided an opportunity to hear judges talk about their work and to meet with them. These and other judges will be invited to participate in the 2016-17 seminar.

The course will integrate perspectives from other jurisdictions and different legal traditions. There will also be an opportunity to include court visits in the programme of study.

COURSE STRUCTURE AND CONTENT

The following is indicative of themes and topics that will be considered on this 15 credit option.

1. The making and management of the judicial image
2. The art of judgment writing
3. Feminist judgments
4. Judicial performance in the courtroom
5. The changing judicial role; from the adversarial to managerial judge
6. Judicial emotions
7. Judicial appointments and the judicial diversity debates
TEACHING AND LEARNING FORMAT
The course will be run as a seminar. The course will stress active learning. Participation is essential. Student feedback has indicated that participation is a learning method that adds to understanding.

To be successful, active learning demands that you make every effort to complete reading tasks set for seminars prior to the seminars and use that reading as a basis for participation in discussions.

Wherever possible some of the seminar time will be spent in small group discussions.

ASSESSMENT
Level 5
1. An essay of 2000 words maximum (70% of the total marks)
2. A learning log 1000 words maximum (30% of the total marks)

Level 6
1. An essay of 3000 words maximum (70% of the total marks)
2. A learning log 1500 words maximum (30% of the total marks)

NB: to pass the course you must gain a pass mark in each component of the assessment.

In combination the assessment is challenging and wide-ranging. These two modes of assessment focus on different skills and seek to assess your knowledge of both the course as a whole and a particular area of study. Student feedback suggests that many students find the workbook particularly challenging. It requires you to develop and demonstrate good summarising skills. It also demands skills of critical reflection and evaluation.

COURSE MATERIALS
The core readings for the Judicial Studies module will be provided. There is no text book for this course. You will be expected to supplement the core readings with additional scholarly articles, commentaries and cases. The general reading list and recommended seminar reading lists provide a wide range of materials of varying length and complexity.
AIMS AND OBJECTIVES
Labour law is a challenging and rapidly changing discipline. It is particularly relevant during these times of changing economic circumstances and the areas taught on the course continue to be those that attract the highest number of claims at Employment Tribunal such as unfair dismissal and discrimination.

Labour Law is, at the same time, a branch of the general law of contract and a discrete discipline and specialist area. This is as a result on the one hand of the historical development of the employment contract in the context of the general 19th century development of contract theory generally, and on the other, the peculiar statutory jurisdiction of Employment Tribunals in conjunction with the development of ordinary contractual principles in light of the modern employment practice (note particularly implied terms).

So, while often considered a specialist area, it is also an area of law closely connected to a wide range of other areas of law such as contract law, public law, tort, and company law.

The course is very broadly broken into four major areas of enquiry: 1) the contractual nature of Labour Law; 2) unfair dismissal and other statutory remedies; 3) human rights and trade union law; and 4) discrimination law.

The focus of the Birkbeck course is on the contractual nature of the subject with an emphasis on a critical approach to the policy motives that underpin recent development. This is predominately tested in the essay that the student will write as part of their assessment.

However, there is also an emphasis on developing skills to enable basic Employment Tribunal issues to be addressed and to give advice on core employment issues such as discrimination, unfair dismissal, redundancy, TUPE or breach of contract.

Another exciting area is the recent changes in the area of discrimination and the expansion of anti-discrimination provisions relating to religion and sexual orientation. New legislation has recently been introduced regulating employers’ internal procedures in areas as diverse as flexible working and dismissal. Two important influences on current Labour Law are European Law and the Human Rights Act.

Part of the course is designed to address the inter-relation of Labour Law and Human Rights law interrogating why work is such an important aspect of people’s lives and yet the scope for Human Rights arguments appear to be strictly circumscribed.
Another important aspect of the course is case analysis and the group teaching will focus on relevant recent cases in order to highlight key principles and issues in the area.

**MODULE FORMAT**
The course will be conducted by means of weekly seminars, in which discussion will be an important feature.

**ASSESSMENT**
- Main essay 50%
- Problem Question 40%
- Short Essay 10% respectively

**READING**
The full reading list will be published later in the year, but the following texts provide useful background reading for the course:


AIMS AND OBJECTIVES

This module introduces students to some of the major legal, political and theoretical issues associated with land law, racism and dispossession in England and in former British colonies. It aims to give students a historical and theoretical understanding of how and why land was enclosed and commodified, with an emphasis on the role of legal mechanisms used in the enclosure and commodification process. The module will outline different theories of the origins of land markets, and critically consider how these theories account for those who are dispossessed through the marketisation of land. Students will engage with methods from legal geography to analyse the relationship between land and colonialism, the role of land law reform in ‘developing’ countries, and the relationship between gentrification and homelessness. In each area of study, students will consider how race and racism are reproduced through land markets and dispossession.

COURSE STRUCTURE AND CONTENT

1. The Idea of Property in Land and ‘so-called primitive accumulation’
2. Accumulation by Dispossession? The Origins of Land Markets
3. ‘Discovery’ and terra nullius
4. Settler Colonialism: Invasion as Structure?
5. The Northern Territory Intervention and Dispossession through Leasehold
6. Law’s Technologies of Dispossession: Registration, Privatisation and the Production of Hostile Space
7. Hernando de Soto’s Mystery and Formalisation of Land Rights in ‘Developing’ Countries
8. Land Grabbing
9. The US Sub-Prime Mortgage Crisis
10. Gentrification, Squatting and Homelessness in London

TEACHING AND LEARNING FORMAT

The course will be run as a weekly 1.5 hour seminar. The course will stress active learning, with students expected to have done the reading in advance of the class. Participation in class discussion is essential.

Wherever possible some of the seminar time will be spent in small group discussions.

ASSESSMENT

4,000 word essay
INDICATIVE READING

LAW & DISORDER: THE CRIMINAL LAW & PROTEST

Level 6
Credits 15
Term 2 - SPRING
Convenor Nadine El-Enany
Email n.el-enany@bbk.ac.uk

AIMS AND OBJECTIVES
This module explores the relationship between the criminal law and protest activity in a number of jurisdictions, including Britain, Greece, Egypt, Canada and Russia. The idea of protest today potentially includes a wide range of activities, such as marches, occupations and direct action as well as riots.

The legal foundations of the right to protest are narrower than what we may conceptualise more broadly as protest, and are considered to lie in human rights law. In Britain, and in Europe more widely, the right to protest is protected by the European Convention on Human Rights 1950 (ECHR), which is incorporated in the UK Human Rights Act of 1998 in Article 10 on freedom of speech and Article 11 on the freedom of assembly and association. These provisions, taken together, provide the foundation, in legal terms, of what is known as the right to protest.

In the course of this module we will consider both the way in which the criminal law is used to limit protest activity in a number of jurisdictions, but also surrounding state practices which contribute to the criminalisation of dissent. The scope of the freedom to protest depends not only on the way in which it is legislated, in Britain for instance, this includes the 1986 Public Order Act, which has had the effect of depoliticising protest through its creation of serious and flexible offences, such as violent disorder, but also on the manner in which protest is policed, such as through the use of batons, horse charges, undercover officers and agents provocateurs.

TEACHING AND LEARNING FORMAT
1 lecture/seminar per week (1.5 hours)

ASSESSMENT
The coursework will be assessed by a single 4,000 word essay

INDICATIVE READING
AIMS AND OBJECTIVES

This module will explore the spatial dimension of law and power. Law has always been concerned with space, being administered as part of the fabric of the city, and extending to the boundaries of its jurisdiction. To understand the implications of this, we will consider how law manifests in the relationship between city and citizen, with a particular emphasis on the distinction between private and public space. This in turn will be explored in two, connected registers: the militarisation of space (understood as the need for defensible space) and governmentality (as the construction of spaces that prioritise economic efficiency and conditioning). These theoretical explorations will be grounded in contemporary issues concerned with surveillance and anti-social behaviour.

We will draw on a range of materials in this module, and those interested in reading in preparation are recommended to look at any of the following:

Henri Lefebvre – Chapter 1 of The Production of Space
Michel Foucault – ‘Governmentality’ (available in collections such as The Foucault Effect and The Essential Foucault: Power)
Michel Foucault – ‘Panopticon’ in Discipline and Punish
Oscar Newman – chapter 1 of Defensible Spaces

This module would suit student’s who have a theoretical interest in law and its administration. Given the specialism involved, it is not recommended for students with only a passing interest in these issues, nor for those who might take it because they were not able to get onto another option module.

MODULE FORMAT

The course will be conducted by means of weekly seminars, in which discussion will be an important feature.

ASSESSMENT

The coursework will be assessed by a single 3,500 word essay on a topic to be agreed between the tutor and student.
AIMS AND OBJECTIVES
Some argue that histories of violence, genocide, trauma, slavery, colonial appropriation should be left in the past. This would free future generations, they say, from acts and omissions that are not their own. But historical violence has a stubborn grip on the present—manifesting itself through injuries that cannot be compensated, violence for which there is no reparation, and benefits that are not being disgorged. In what ways, then, are historical injustices and memories of these events addressed by law? What is the relationship between history, law, and justice?

What does it mean to do justice to the past? Is justice a question of putting things right, compensation, finding the truth, or punishing perpetrators? How is law constitutively tied to the (in)justices of the past? This module will consider these questions.

Drawing on case-studies related to how law structures and reflects memorial practices across the world, this module introduces a range of strategies and devices through which law responds to the problem of justice. It explores multiple mechanisms that attempt to address violence, trauma, and justice in post-conflict and post-colonial societies, as well as the memorial aspect of the law.

The module will introduce students to:
- the legacies of slavery, colonialism, and genocide
- the legal case as ‘archive of the present’
- truth commissions, inquiries, and political trials
- case law and political theory in relation to transitional justice
- archival and psycho-social aspects of the law
- multiple genres for critical engagement with the law (e.g. case law, social theory, film, and the novel as modes of addressing the relationship between violence and law)

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

- Draw on interdisciplinary materials to examine cases and other legal texts
- Read complex cases and link them to debates and discussions in the humanities
- Examine juridical problems through various texts drawn from outside law
- Examine social relations as a problem of doing justice to the past
**MODULE FORMAT**
The course will be conducted by means of weekly seminars, in which discussion will be an important feature.

**ASSESSMENT**
Essay - 2,500 words (Level 5 & 6)
Level Six students must also complete an additional book review of 1,500 words.

**INDICATIVE READINGS**

- Christina Sharpe, *In the Wake: On Blackness and Being* (2016)
- Ralph Ellison, *The Invisible Man* (1947)
- Franz Fanon, *Black Skin, White Mask* (1952)

You are not required to buy any or all of these books. Reading one or two of these can serve as preparatory reading; and Level 6 students may choose one of these books for the book review assessment.
LAW, PSYCHOANALYSIS & CULTURE

<table>
<thead>
<tr>
<th>Level</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>1 - Autumn</td>
</tr>
<tr>
<td>Convenor</td>
<td>Maria Aristodemou</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:m.aristodemou@bbk.ac.uk">m.aristodemou@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES
This course will introduce students to central concepts of psychoanalytic theory in order to address how they may help us understand, analyse and critique legal discourse. The different conceptions of the human subject in law and in psychoanalysis come in for special attention by pitting terms from legal and political theory against their psychoanalytic counterparts and interrogating them through the awry lens of desire, repression, and above all, enjoyment.

- The student will gain an understanding of central psychoanalytic concepts, in particular: the unconscious; the (metaphorical) notion of castration; Freud’s first and second topologies (Id, ego, superego)

- The importance and implication of these concepts for our understanding of the human subject by the legal system. In particular the legal system’s version of the meaning of concepts such as truth, guilt, justice, freedom, evidence, responsibility.

- An understanding of the concept and importance of ideology for the maintenance of existing legal and cultural order, and the different responses of law and psychoanalysis to the pervasiveness of ideology.

- The student will develop a view as to whether psychoanalysis’ understanding of the human subject supports or undermines central tenets of legal theory or whether, as Freud concluded in his Dostoevsky and Parricide, “it is not psychology that deserves the mockery but the procedure of judicial enquiry”.

COURSE STRUCTURE
The first part of the course (weeks 1-5) will focus on learning and understanding basic psychoanalytic concepts, comparing them to concepts already familiar from legal discourse. We will focus in particular on Freud with a sprinkling of Jacques Lacan and a generous sprinkling of the work of Slavoj Žižek.

For the second part of the course (weeks 6-10) we will focus on particular texts, chosen jointly by lecturer and students. These will vary from legal cases to cultural texts from films, TV series or media stories. We will use these texts to address issues and concepts we learned in the first part of the course, and can also be used as the basis for students’ essays at the end of the course. The students will be invited to present their chosen text to their peers.
ASSESSMENT
One essay (4000 words)

COURSE MATERIALS

- Freud, *Outline of Psychoanalysis*, 1938
AIMS AND OBJECTIVES

The objective of this module is to equip you with both skills and knowledge that are at the core of effectively representing a client. A society expects its justice system and legal professionals to be reliable and trustworthy. A legal system should provide a framework within which people can be secure in the knowledge that their rights will be respected, vindicated and enforced. This is not simply a matter of understanding the content of the law but also how to use and apply it effectively and the processes by which that can be achieved.

The aims of this Module are to help you develop and improve a range of practical legal skills. Amongst those covered on this course will be:

- Creating coherent, readable, precise and concise letters and documents;
- Using effective interviewing techniques to obtain instructions and provide preliminary advice;
- Undertaking effective problem solving of client issues;
- Using effective techniques when negotiating on a client’s behalf;
- Drafting court documents that are effective for their purpose;
- Using effective techniques to analyse and evaluate mixed issues of law and fact;
- Effective advocacy and mediation skills; and
- Planning, communication, and other interpersonal skills required for legal practice.

On this course you will have the opportunity to build your ability at using a range of these legal skills in the context of hypothetical fact scenarios. You will be involved in a variety of skills-based activities through a case study that involves public interest issues, which will provide the basis for you to engage with what it means to be an effective lawyer. Relevant practitioners will be invited to provide you with a good sense of how these skills are used and the implications they have in real life contexts.

Legal systems are fundamental to the way in which societies and their scarce resources are organised, owned and used by businesses. This module will provide opportunities to critically explore the extent to which legal skills, processes and procedures are able to provide society with the certainty and flexibility sought from the law. This will involve engaging with the way the mediation of this tension by lawyers may lead to social imbalances but also create opportunities for justice.

MODULE FORMAT
Weekly Lectures/Seminars
ASSESSMENT

1) STRUCTURED INTERVIEW PLAN An individually prepared interview plan designed to elicit specified information based on a given case scenario (500 words) worth 10%

2) INVESTIGATION REPORT - An individually prepared summary for an investigation report identifying the strengths and weaknesses of the case in the fact scenario and making relevant case recommendations (1000 words).

3) LEARNING LOG - TBC
AIMS AND OBJECTIVES
There is more to life than money. When you think about being a professional do you simply think of the material rewards that you receive for your work? What does it mean to ‘be a lawyer’ What is work?

This course examines some fundamental themes that relate lawyering and work to understandings of ethical behavior, jurisprudence and the critique of political economy. This, of course, also raises questions about the nature of the work that lawyers do. It also raises questions of ethics- which will be explored from existentialist and Marxist perspectives.

Particular foci of study will be around poverty law, notions of craft, just work, surplus value, sociological studies of professionalism, waste populations, alienation, aesthetic labour, the meaning of social activity, unemployment and under-employment.

Be aware that this is a critical approach to the subject. You need to be interested in the issues that the course raises and willing to engage in some difficult reading and thinking.

There is more to life than the books you know. But not much more.

FORMAT
1 lecture/seminar per week (1.5 hours)

ASSESSMENT
Forms of Assessment will vary depending on your year of study when you take the course. Different levels of assessment will engage with different core readings, with level 6 assessments involving more core readings than level 5.

READING
William Stringfellow, *My People is the Enemy* (Wipf and Stock, New York, 2005.)
**AIMS AND OBJECTIVES**

The aim of this option is to equip students with substantive knowledge, legal skills and strategies necessary for the preparation and presentation of a case. In the course of the year students will explore the impact of critical theory on the practice of law and will critically review the provision of legal services in the UK. The course will also explore the ethical dimensions of legal practice, engage in a critical interrogation of the legal profession and will introduce students to a range of career options. The option allows students to engage in supervised legal research and practice over an extended period of time.

By the end of this option students should be able to:

- Demonstrate understanding of the influence of critical theory on the development of legal skills and on legal practice
- Demonstrate a critical understanding of legal provision in the UK
- Critically evaluate the legal profession from a range of theoretical perspectives
- Demonstrate appropriate levels of knowledge of at least one substantive area of law and of the procedural rules relevant to that area of law, and demonstrate an ability to apply this knowledge in solving problems arising during the conduct of a case
- Demonstrate understanding of ethical issues relating to the practice of law
- Write a clear and accurate legal opinion
- Present clear and cogent legal arguments
- Draft particulars of claim
- Keep a well-maintained case file
- Obtain relevant information in an interview setting
- Demonstrate understanding of the role of community organisations in the provision of legal services and in widening access to law
- Critically reflect on their role in the provision of legal services
- Handle a small budget and maintain a proper record of disbursements
- Demonstrate appropriate levels of client care
- Demonstrate an ability to work independently over an extended period of time
- Demonstrate an appropriate level of knowledge and understanding of a range of literature relating to the legal profession, legal skills and legal methods, the provision of legal services; and access to law and of one substantive area of law and procedure.
- Demonstrate a basic level of understanding of codes of professional conduct
MODULE FORMAT
This is an independent study module. Attendance will be required for approximately 5 seminars during the year. These will take place on Friday evenings between 1800-2100.

ASSESSMENT

1. 1,000-word essay on a contemporary feature of legal practice (progression requirement only)
2. Case file worth 50% of total marks (to contain at least one set of interview notes and a recorded interview tape, draft particulars of claim, letter of advice, letter(s) to client, record of contact with client, record of disbursements, research notes, note on plan of action/legal strategy).
3. Critical review essay: 20% of marks
4. Client-care evaluation: 15% of marks
5. Advocacy assessment 15% of marks
LEGAL WRITING AND ADVOCACY

<table>
<thead>
<tr>
<th>Level</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credits</td>
<td>15</td>
</tr>
<tr>
<td>Term</td>
<td>1 - Autumn</td>
</tr>
<tr>
<td>Convenor</td>
<td>Robert James</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:r.james@bbk.ac.uk">r.james@bbk.ac.uk</a></td>
</tr>
</tbody>
</table>

AIMS AND OBJECTIVES

The emphasis in this Module is the development and improvement of skills that will be beneficial to you in your study on the LLB Programme and more generally.

The aims of the Module are to develop and improve your skills in the following areas:

- Reading legal, medical and social science materials
- Researching legal, medico-legal and socio-legal materials
- Legal and academic writing
- Listening and comprehension
- Written and oral argumentation

Because the focus of this Module is the acquisition and improvement of skills, it has a rather different focus, structure and assessment regime, and you should be aware of this before you decide to take it.

To enable you to develop the skills set out above, the Module takes one topic and uses it as a focus for all the learning and tasks you will undertake. That subject is the criminalisation of disease transmission, a particular research interest of mine. This topic is one that divides opinion, and one that has been subject to a great deal of discussion in recent years. The question that informs the Module, from different perspectives and using different materials, is as follows:

“Should it be a criminal offence to transmit an STI through consensual sex?”

The Module does not assume the answer to be a simple yes or no. Rather, it assumes that this is a question which provides an opportunity for students to explore their own views, and to be challenged by opposing views about the reasons and justifications for holding the position that they do (whether they are in favour of criminalisation or not).

Because it is a topic about which people may well feel strongly, the Module is one that requires tolerance of, and respect for, the views of others. The Module is intended as an opportunity for learners to recognise the value and importance of evidence-based argumentation, and to develop skills of constructive and critical engagement based on careful and thorough research into the issues that are involved.

It is recognised that some learners may have a strong moral, religious or ethical position on the topic. While the importance and significance of this is acknowledged, it is emphasised that this is a Module intended to develop legal and law-related research, writing and oral communication skills. As such, it will not be acceptable for learners – whatever their
personal views may be – simply to assert those views and expect them to be respected as a proxy for rational argumentation.

Organisation of the module
In order that the skills set out above can be developed, students will be allocated at the beginning of the Module to one of two groups:

- In favour of criminalisation
- Against criminalisation

This allocation will be done randomly but balanced to ensure an even split in the classes. Irrespective of the position a student holds personally, she or he will be required to adopt the position to which they have been assigned.

MODULE FORMAT
Weekly lectures/seminars. Students will be expected to practice the outlined above skills in the seminars.

ASSESSMENT
The assessment consists of a 2,500 word written submission supporting or opposing the criminalisation of reckless STI transmission (50%) and an oral presentation on the topic (50%).

READING
There is no textbook for this Module. You need to research the subject and be familiar with current legal, medical and social scientific knowledge on the topic. Each seminar has a further list of articles, cases or reports on the topic of the seminar.

There are different types of writing here – legal, scholarly, policy-oriented, empirical, social scientific, medical, polemical, and journalistic - and you should look for the similarities and differences between the styles.

  http://www.sigmaresearch.org.uk/files/RHM34_Dodds_Criminalisation.pdf
- Dolan, A 'Man who gave his girlfriend herpes while they were going out is JAILED for 14 months after she went to police when they broke up’ Daily Mail, 17 August 2011

AIMS AND OBJECTIVES

This module may appeal to students with an interest in the legal aspects of the media industry (including print, broadcasting and new media), and also students with a possible interest in future work or research in this field.

The module covers the importance of media freedom, the regulation of the press and broadcast content as well as the laws on defamation, privacy, and contempt of court in their application to the media. Issues such as the protection of children and vulnerable adults through restrictions on court reporting will also be explored. Although UK law is primarily considered, relevant European law will also be discussed as and where appropriate.

On successful completion of this module students will be able to discuss and evaluate the contentious issues around ownership of the press and also accountability within the media industry; assess the impact of regulatory mechanisms on the activities of print and broadcast media; understand the main statutes and case law that affect the media industry and understand the specific legal restrictions when covering court cases. Students will not be expected to have any prior knowledge of legal regulation of the media and there are no prerequisites for this course.

COURSE STRUCTURE AND CONTENT

Week 1. Principles of media law and regulation of the press

Week 2. Broadcasting structure and regulation

Week 3. Media ownership and plurality

Week 4. Advertising regulation and competition law

Week 5. Defamation

Week 6. Privacy and breach of confidence

Week 7. Contempt of court

Week 8. Reporting legal proceedings
Week 9. Investigative journalism: the Freedom of Information Act and the privilege not to disclose sources

**MODULE FORMAT**
This module will be taught in the autumn term (October – December, 2017). There will be nine lecture/seminar sessions of one-and-a-half hour’s duration.

**ASSESSMENT**
One essay of 3,000 words (max.)

**READING**
U. Smartt, Media and Entertainment Law (3rd ed.) Routledge, 2017

Further recommendations are available in the module guide and materials and webpage links for readings in each of the subject areas will be provided through Moodle.
AIMS AND OBJECTIVES

The 1990s was the decade of general recognition of medical law as a distinct subject of English Law and there are now lawyers who practice exclusively in the area of medical law. In terms of its subject matter medical law is concerned with the relationship between health care professionals and patients; with the regulation of new technologies of reproduction and life-preservation; and with the interference, by the state, in medically assisted lifestyle choices by individuals. The aim of the course is to introduce students to this area of the law alongside selected moral, philosophical and historical commentary.

Teaching consists of two parts. Part I of the course will examine philosophical and legal principles concerning consent to research and medical treatment, resource allocation within the NHS, medical negligence, management of epidemics, and the ending of life. The aim of the seminars is to provide students with a framework for understanding the issues that arise in these topics and the competing tensions between ethical approaches, legal rights, limited resources, professional obligations and the political structures that govern the NHS. The course will focus on cases, statutes, health policy and medical dilemmas using them to identify ethical and legal issues relevant to the topics of each seminar.

Part II will examine the legal and ethical issues posed by assisted reproductive technologies and genetic technologies. The seminars will examine how such technologies are governed both at a national and international level. The aim of the seminars is to provide students with an analytical framework for understanding opportunities and problems associated with such technologies and the political frameworks used to regulate them. Students will be able to examine and analyse the ever-expanding legal regulatory framework that governs this area as well as the ethical and social questions which issues such as, for example, assisted reproduction, abortion, and genetic technology raise. Topics will include regulatory strategies in the area of human fertilisation and embryology, the human genome project; human gene therapy, human cloning and embryo stem cell research. In each instance we will examine the legal and ethical challenges posed, critique current law and ethics, and explore alternative recommendations.

MODULE FORMAT

Weekly lectures/seminars. Lectures are followed by discussion whilst there may also be some short presentations by students.

ASSESSMENT

Assessment is one essay of approximately 5,000 words to be submitted at the beginning of Summer Term, and a written examination, each accounting for 50% of the final mark.

INDICATIVE READING MATERIALS
PART 1:

- General Medical Council Good Medical Practice
- Nursing and Midwifery Council Code of Conduct

CASES:

- Bolam v Friern Hospital Management Committee [1957] WLR 582
- Bolitho v City and Hackney HA [1997] UKHL 46
- Gillick v West Norfolk and Wisbech AHA [1985] 2WLR 413Purdy v DPP EWCA Civ 92
- R v North West Lancashire Health Authority, ex parte A and Others [1999] EWCA Civ 2022
- R (on the application of Watts) v Bedford Primary Care Trust [2003] EWHC 2228 Admin
- R v Dica [2004] EWCA Crim 1103
- Re A (Children), [2000] EWCA Civ 254 (22 September 2000)
- Rogers, R (on the application of) v Swindon NHS Primary Care Trust & Anor [2006] EWCA Civ 392 (12 April 2006)

PART 2

- Burley, J. (1999), The Genetic Revolution and Human Rights (OUP)
- Hubbard and Wald, (1999), Exploding the Gene Myth (Beacon Press)
- Wilkie, (1993), Perilous Knowledge: The Human Genome Project and its Implications (Faber).
- Habermas, J. (2003), The Future of Human Nature (Polity)
- M. Warnock, (2002), Making babies: is there a right to have children? (OUP)
- E. Jackson, (2001) Regulating Reproduction (Hart)
- J. Gunning (ed) Assisted Conception: research, ethics and law (Ashgate)
technologies, (Princeton University Press)

- J. Harris, The Value of Life (Routledge)
- C. Overall, Ethics and Human Reproduction, (Unwin Hyman)
- J.K. Mason, (1998), Medico-legal aspects of reproduction and parenthood (Ashgate)
  - Dyson and J. Harris, (eds) Experiments on embryos (Routledge)
  (Cavendish)
- Sheldon and Thomson, Feminist Perspectives on Health Care Law (Cavendish).

Internet Resources
The following websites will be of relevance:

- Council of Europe-Law and Bioethics
- Human Fertilisation and Embryology Authority
- Human Genetics Commission
- Human Genome Project Information
- Nuffield Council on Bioethics
- Welcome Trust
- World Health Organisation - Genomics
- United Nations - International
Over the past several decades, organized crime has become an acute problem for contemporary societies. Governments throughout the world now continuously look for new ways of confronting its diverse forms, and mitigating its various harms. Across Europe and in the United Kingdom, as well as in North America and other Western jurisdictions, the problem of organized crime has moved steadily upwards on the national security agenda, such that it is no longer seen as merely a problem of domestic ‘law and order’ but rather one which threatens the very existence of modern liberal states. As a consequence, increasing government and scholarly attention has focused upon trying to understand the nature, extent and forms that organized crime takes in contemporary Europe, as well as the different sorts of harms it generates. This module will provide you with an opportunity to learn about and critically explore one of the most pressing national security concerns of the 21st century, including the complex criminal groups that engage in organized crime, the effects that such activities have upon different individuals, communities, and societies, and the ways in which the United Kingdom and her allies seek to address them.

The module aims to provide students with a comprehensive introduction to organized crime in the contemporary world, including what we know about it, how we study it, and what is being done to counter it. Students will be led through a series of topics set out in a logical sequence that will provide them with a critical understanding of organized crime and its diverse contemporary manifestations. This will include: the different academic approaches to understanding and studying organized crime; the key characteristics of organized crime groups and the types of crimes they typically engage in; the nature and extent of current research on organized crime in Britain, Europe and beyond; several well-known theories of organized criminal behaviour; how we police and prosecute organized crime in Britain and in Europe more widely; and the nascent problem of ‘transnational organized crime’.

Main topics:

(1) Introduction & Overview of Module
(i) Understanding Organized Crime – Complex Criminal Organisations or Crimes with an Organizational Component?
(ii) Characteristic Organized Crimes
(iii) Contemporary Organized Crime Groups

(2) Models & Typologies of Organized Crime
(i) Albanese’s 3 Part Typology of Organized Crime
(ii) The Rise of the Criminal ‘Network’
(iii) Case Study I – To Be Determined by Student Vote
(iv) Case Study II – To Be Determined by Student Vote

(3) Policing Organized Crime
(i) Her Majesty’s Serious and Organised Crime Strategy
(ii) Intelligence, Surveillance and the National Crime Agency

(4) Prosecuting Organized Crime
(i) Targeting the Take: Proceeds of Crime Laws and Anti-Money Laundering Initiatives
(ii) Finance-Oriented Crime Control
(iii) The Admissibility of Evidence and Threats to Jurors and Witnesses

(5) Transnational Organised Crime
(i) Understanding and Confronting Transnational Organized Crime
(ii) Policing Transnational Organized Crime

MODULE FORMAT
Weekly 1.5 hour seminars.

ASSESSMENT
Level 5 Students: One 3000-word essay
Level 6 Students: One 4000-word essay

INDICATIVE READING LIST


AIMS AND OBJECTIVES
This module aims to provide a critical introduction to the complex interface between policing and society in contemporary Britain. In the course of the term, we will identify key issues and major debates surrounding contemporary policing policy and practice. Offering a general overview of the history, cultural norms and legal-institutional framework of modern policing in Britain, the course aims to enable students to grapple with various social, legal and political dimensions of policing work. Specific areas of focus include police legitimacy, police accountability, cop culture, institutional racism, and the social implications of new policing trends and strategies. Integrating a range of subject-specific and transferable skills, the course aims to provide students with a solid methodological and theoretical basis from which to pursue their own independent learning in the specific field of policing studies, as well as within the criminology and criminal justice field more broadly.

History and Context of Policing:
1. What is Policing? Introduction to Key Concepts
2. The Emergence of Modern Policing: Historical Origins

Policing Today
3. Pluralisation and Privatisation: Effects of Neoliberalism on Public Policing
5. Cop Culture: The Organisational Culture of Policing

Policing, Race and Accountability
6. Institutional Racism: The Stephen Lawrence Inquiry, its context & aftermath
7. Policing “Gangs”: Discourses and Practices of Racialisation
8. The War on Terror and the Militarisation of Policing

Policing by Consent?
9. Policing and News Media
10. The Future of Policing

MODULE FORMAT
Weekly 1.5 hour seminars.

ASSESSMENT
3000-word essay
INDICATIVE READING LIST
The textbook for this module is:

OTHER SELECT TEXTS INCLUDE:

AIMS AND OBJECTIVES
The phrase ‘political violence’ can evoke an enormous range of actions and dynamics including war, genocide, police brutality, politically-motivated assassinations, suicide attacks, hunger strikes, riots and so on. In some analyses, institutionalised discrimination, labour exploitation, poverty, lack of infrastructure, environmental devastation, the absence or withdrawal of welfare systems, austerity measures and the like are also considered forms of political violence (i.e., ‘structural’ or ‘infrastructural’ violence). In this course, we work with a relatively limited, albeit common, understanding of ‘political violence’ as the politically motivated recourse to violence by non-state actors, and we focus on terrorism as a specific form of such political violence. However, we consider this sense of political violence and terrorism always against the background of wider contexts of violence, namely, structural, infrastructural and state violence.

As an urgently topical issue, terrorism has played a key role in global politics in the 21st century. However, rather than taking a short-sighted view of the matter and pivoting our examination on the 9/11 attacks and their aftermath, we take a longer view and try to place contemporary dynamics and discourses of terrorism within wider histories of violence. What are the different ways in which violence has been conceptualised? How have the influential 20th century political movements, such as the suffragette, anti-colonial, civil rights, communist, black power and anti-apartheid movements, defined their relationship to violence? How have states framed, responded to and governed violent acts coming from within their boundaries and arising from the populations that they govern?

This module has a strong theoretical focus, and will primarily be of interest to students who have so far enjoyed studying social, critical and political theory.

Topics covered in this module include:

**Key Concepts and Definitions**
1. What is Political Violence?
2. What is Terrorism?
3. Terrorism Discourse

**Violence and Politics**
4. Violence as Political Strategy: The Question of Instrumentality
5. Violence and Critical Thought
6. Suicide as Political Violence: Critical Perspectives

**Terrorism and State Power**
7. The Legal Domain: Exception, Dual Laws, Hyperlegality
8. Mirroring Violence: Counterterrorism and Imitative Violence
9. Radicalisation Discourse and the Creation of Suspect Communities
MODULE FORMAT
Weekly 1.5 hour seminars.

ASSESSMENT
4000 words written essay (100%)

INDICATIVE READING LIST

AIMS AND OBJECTIVES
Private International Law (or Conflict of laws, as it is alternatively known) deals with the problems that can be faced by a court when considering a case which has a foreign element. This subject is of increasing importance in the context of the processes of economic globalisation.

When Betty from Barbados and Iqpal from Exeter make a contract in London, or are involved in an accident caused by negligence in Venezuela, any litigation arising from their behaviour will involve the application of private international law. If Betty and Iqpal ask you for advice after you have completed this course, you should be able to answer the following questions for them:

- Which courts can hear their case?
- Which national law will the court apply to the case?
- Where, and to what extent, can they rely upon and enforce the judgment in their case?
- What are the practical implications of these answers for Betty and Iqpal?

Private international law rules differ between nation states. We will concentrate on those used in England.

TOPICS WILL INCLUDE THE FOLLOWING:
Domicile and other personal connecting factors:
How Private International Law rules seeks to link or allocate individuals to jurisdictions and laws.

Renvoi and the exclusion of foreign law
The extent to which the applicable law pointed to by private international law rules will actually be applied by the English courts.

Establishing jurisdiction under the common law and the Brussels regime:
The rules for determining which court has jurisdiction to hear a case under the common law and the Brussels regime, and the Brussels Recast Regulation in particular.

Staying and restraining proceedings:
How parties can escape from otherwise good jurisdiction (by asking for English proceedings to be stayed, or foreign proceedings to be restrained) under the common law and the Brussels regime.

Forum shopping, forum non conveniens and globalisation:
Why and how the practice of forum shopping, and the principle of forum non conveniens
in particular, can be used and abused.

**Foreign judgments under the common law and the Brussels Regime:**
How and to what extent a foreign judgment will be recognised and enforced under the common law and the Recast Regulation rules.

**Choice of law in contracts:**
How the English courts determine what law is applicable to a contract under the Rome I Regulation rules.

**Choice of law in torts:**
How the English courts determine what law is applicable to torts under the Rome II Regulation

**MODULE FORMAT**
The course will be taught by weekly seminars.

**ASSESSMENT**
One piece of coursework of 3,000 words.

**SELECTED RECOMMENDED READING**
AIMS AND OBJECTIVES
The Twentieth Century saw a fundamental shift in the conceptualization in Land law, from possession to registration. This shift has proven crucial for the development of land as a site of investment, rather than inhabitation. With this in mind, this module offers a critique of property against the backdrop of finance and value, and traces how property is connected to both the inhabitation of spaces and to the generation of investment opportunities and value security. As part of this investigation, it will also consider how property is used as a technique for conditioning and regulating the population. The module will build upon the foundation provided by the core Property 1 QLD module, to show the practical consequence of the re-conceptualisation of land as registered, rather than possessed; contextualise the idea of land as an investment beyond the 1925 trust for sale/of land and the subsequent rise of domestic owner-occupation; and by developing an appreciation for the historical crafting and specificity of abstract/concrete ‘titles’, and their impact upon notions of the public and private.

Given the specificity of this module, it is recommended for those with an interest in the theoretical and historical aspects of property law.

MODULE FORMAT
The course will be conducted by means of weekly seminars, in which discussion will be an important feature.

ASSESSMENT
The coursework will be assessed by a single 3,500 word essay on a topic to be agreed between the tutor and student.

ADVANCED READING
David Harvey, The Right to the City”, (New Left Review, 2008)
AIMS AND OBJECTIVES
This course is a critical, case-study based introduction to the international law applicable to the use of armed force. Following a discussion whether international law is in fact ‘law’, students will be introduced to some basic principles of international law, especially the sources of law. We will engage with the notion of ‘just war’. A study of the relevant UN principles will include self-defence, and especially ‘pre-emptive self-defence’. This will lead to consideration of case studies, which will include Kosovo, Israel/Palestine, and the invasion of Iraq in 2003 – and more recent conflicts. Does it matter that the war was ‘illegal’?

Students will also engage with the highly controversial topic of “humanitarian intervention” – and the so-called “Responsibility To Protect”.

MODULE FORMAT
The course will be conducted through weekly seminars and occasional lectures. Visiting lecturers will be invited to bring in their own expertise.

Each seminar will begin with a short introduction to the topic under consideration and its key issues and problems; students will be encouraged to make short presentations. Participation by all students will be mandatory. A full Course Outline will be sent to all students at the start of the course. Seminar materials and lists of further readings, other than those already included in the Course Outline, will be issued from week to week. Extensive materials are placed on Moodle.

A typical outline is:

<table>
<thead>
<tr>
<th>Introduction: Law and force in international relations</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is international law? The sources of international law, with special reference to &quot;customary international law&quot; and <em>jus cogens</em></td>
</tr>
<tr>
<td>The concept of “Just War”; humanitarian intervention, and “responsibility to protect” (R2P)</td>
</tr>
<tr>
<td>The UN Charter and the principle of non-use of force and threat of force: Article 2(4)</td>
</tr>
<tr>
<td>Reading Week – no class</td>
</tr>
<tr>
<td>Self-defence and “anticipatory self-defence” – the Bush doctrine</td>
</tr>
</tbody>
</table>
Self-Determination – the right of peoples to self-determination and the decolonisation struggles

Case study: Israel and Palestine

Case Study: Iraq

Case study: Eastern Ukraine and Crimea

**ASSESSMENT**
The assessment of the course will consist of one 4,000-word essay, on a title chosen by each student with the approval of the Course Tutor.

**INDICATIVE READING**
The course textbook is:


**HIGHLY RECOMMENDED**

- Gray, C *International Law and the Use of Force* (3rd ed, OUP, 2008) – you can acquire this cheaply second-hand
  
  The collection edited by Evans is an excellent resource for Public International Law
- Bowring, B *The Degradation of the International Legal Order? The Rehabilitation of Law and the Possibility of Politics* (Routledge, 2008)
  
  The texts by the prolific Yoram Dinstein are also an important resource
- Dinstein, Y *Non-International Armed Conflicts in International Law* (CUP, 2014)
- Dinstein, Y *War, Aggression and Self-Defence* (5th edition, CUP, 2011)
- Dinstein, Y *The International Law of Belligerent Occupation* (2009)

Students should sign up to these blogs, both of which are free of charge and send an invaluable daily update:

International Law Reporter - [http://ilreports.blogspot.co.uk/](http://ilreports.blogspot.co.uk/)

AIMS AND OBJECTIVES
Public Legal Education (PLE) is an approach to educating the community at large as to the state of the law and equipping them with the capabilities to deal with everyday law-related issues. This module will be run in conjunction with Law for Life (www.lawforlife.org.uk), a budding, successful charity, directed by an affiliate of Birkbeck. PLE “covers a wide range of activities aimed at increasing legal capability. From community based courses, theatre performances, websites, step by step guides, to law reform campaigns.” This approach has been carried out in conjunction with clinical education at law schools in North America as a way to encourage open dialogue between law students, law professionals and the wider community.

In particular, community groups facing challenges may be in need of accessible education seminars on areas of law, especially in the context of reduced public funding for legal aid. The module aims to address fundamental legal need arising from lack of awareness of the legal system and sources of assistance, rather than offering case- or individual-specific advice.

Clinical programming is becoming a significant part of legal education in various ways across the United Kingdom. Now more than ever, there is an expectation on the part of students and potential employers that students have, at the very least, access to legal practical training while at law school. This module aims to meet the challenges of a changing legal sector, in which public legal education is an emerging discipline. Unlike other clinical options at the School of Law, this module focuses on developing facilitation skills in an educational context and translating legal ideas into accessible, sensitive language. The module gives students the opportunity to co-facilitate community outreach, education and empowerment seminars under the supervision of legal practitioners and community educators from the UK charity Law for Life.

MODULE FORMAT

ASSESSMENT
Students will be assessed on the basis of their work with the organisation, including the standard of their research, the standard of the delivery of their presentations to the community groups, and their improvement over the course of the module. Additionally, students will write a critical essay reflecting on their clinical practice and the learning.
IMPORTANT NOTE: Submission of an application is required for participation in this module. Students must have completed the first two years of the LLB (PT or FT) to apply. Eligible students will be invited to apply later in the summer. Acceptance on the module will be based on academic progression, CV and an interview. **Applications will be submitted and interviews held in October 2017.**
AIMS AND OBJECTIVES
The course aims to aid students in developing research and academic writing skills by examining the broad contexts in which academic research is produced within the legal academy, with particular emphasis on the conventions and criteria against which academic work is assessed and the conditions under which it is created. It provides students who are contemplating study for the Dissertation Option or who wish to embark on postgraduate study with the opportunity to engage in a critical evaluation of the ideologies and practices against which legal research is evaluated.

COURSE CONTENT
The course begins with a lecture overview of the module. The lecture aims to establish a framework for the reading and writing exercises of which the module is mainly comprised by situating the academy within the broader political community. Thereafter the module is divided into two parts. Part one explores the nature of legal scholarship and examines the contribution to the development of a legal scholarship of critical legal studies and Socio legal studies against a still dominant doctrinal tradition. Part two focuses on the principles against which legal research is evaluated, exploring the question of what constitutes ‘original’ research in law from a number of perspectives, including debates around plagiarism. It examines the practices and principles according to which legal scholarship is evaluated through practices internal as well as external to the academy, with particular emphasis on the academic book or article review.

MODULE FORMAT
Weekly seminars

ASSESSMENT
3,000-word review of a published monograph, edited collection or extended article.

READING
Students will be provided with a reading pack containing all materials required for the module.
AIMS AND OBJECTIVES
The course aims to aid students in developing research and academic writing skills by examining the broad contexts in which academic research is produced within the legal academy, with particular emphasis on the conventions and criteria against which academic work is assessed and the conditions under which it is created. It provides students who are contemplating study for the Dissertation Option or who wish to embark on postgraduate study with the opportunity to engage in a critical evaluation of the ideologies and practices against which legal research is evaluated.

COURSE CONTENT
The course begins with a lecture overview of the module. The lecture aims to establish a framework for the reading and writing exercises of which the module is mainly comprised by situating the academy within the broader political community. Thereafter the module is divided into two parts. Part one explores the nature of legal scholarship and examines the contribution to the development of a legal scholarship of critical legal studies and Socio legal studies against a still dominant doctrinal tradition. Part two focuses on the principles against which legal research is evaluated, exploring the question of what constitutes ‘original’ research in law from a number of perspectives, including debates around plagiarism. It examines the practices and principles according to which legal scholarship is evaluated through practices internal as well as external to the academy, with particular emphasis on the academic book or article review.

MODULE FORMAT
Weekly seminars

ASSESSMENT
3,000-word review of a published monograph, edited collection or extended article.

READING
Students will be provided with a reading pack containing all materials required for the module
AIMS AND OBJECTIVES
In this module we will look into the legal regime governing outer space and its implications on scientific and technological developments. The course will also focus on how the recent technological developments influence the development of space law and policy. The course will start with the analysis of development of space law and fundamental principles applicable to outer space, and then goes on to look into the legality of some of the recent developments like the claim of sovereignty and property rights over the outer space and celestial bodies, sale or leasing of orbits and spectrums, human habitation in outer space, militarisation and weaponisation of space, plans to conduct inventions in outer space and increasing private space activities, including space tourism. Apart from the legal developments on the international level, the module will also cover the developments of space law at national level by analysing the laws passed by some of the space-faring nations. There are no pre-requisites, although interest in space exploration will be useful.

MAIN TOPICS OF STUDY

1) An Introduction to Space Law (historical background, basic definitions, major treaties, documents and bodies governing space activities, information on career in the space sector - space law jobs)

2) National space legislations and policies and the European Space Program.

3) Space Colonisation

4) Data Applications (satellite telecommunications fundamentals, remote sensing and direct-broadcast satellite television)

5) Contracting for Space (typology of contracts in the space sector)

6) Space, Industry and Society (astrobiology, space tourism, space weddings and hotels, crowdfunding of space activities)

7) Legal Aspects of Militarisation and Weaponisation of Space

8) Environmental Aspects of Space Activities (space debris, planetary protection)

9) Science fiction, space and law

10) International collaboration and Space Activities (case studies, International Space Station, miniaturised satellites, dispute settlement)
MODULE FORMAT
Once a week (90 min per session). During the lecture we will also have a group discussion and an analysis of specific aspects of the discussed topics.

ASSESSMENT
Assessment will be done through individual essay on one of five topics related to the aspects covered in the module.
AIMS AND OBJECTIVES

Taxation drives a number of transactions and arrangements. It is a key consideration in a number of corporate transactions. An understanding of tax principles is essential for any prospective City lawyer. Further, from the day we are born until we die, whether we are employed or not, we pay taxes and enjoy the social benefits from taxation. Therefore, whether you are interested in a career in the City or an accounting firm, you will find this course beneficial as you are a taxpayer (whether you realise it or not).

Against this backdrop, this module seeks to achieve three overarching learning objectives. Firstly, students will obtain a basic understanding of the law and policy issues pertaining to the taxation of multinational enterprises in the modern globalised economy. Students will understand the deficiencies of domestic tax systems and international tax law in addressing the cross-border nature of business. Secondly, students will explore some fundamental tenets of tax law in the UK. This will enable students to understand the basic “building blocks” of taxation. Finally, we shall conclude by considering the way in which UK employment income is taxed. This will be useful for students who are employed, as they will be able to understand the manner in which income tax deductions are computed.

WEEKLY TOPICS

Part I – International Tax Law & Policy – Key Concepts

1. Introduction: What is Tax?
   - Conceptualising tax
   - Evolution of Tax
   - Anatomy of a tax provision
   - Why is tax indispensable to the modern state?

2. What is International Tax Law?
   - Divergences between international tax law and other areas of international law (contrast with international criminal law, arbitration in the international context)
   - Major players in international tax policy – OECD & UN

3. Jurisdiction to Tax (1) – Basis of Taxation
   - The ways in which tax systems operate – residence taxation vs source taxation

4. Jurisdiction to Tax (2) – Double Taxation
• Double Taxation – how does it arise?
• How to avoid double taxation – double taxation treaties & unilateral relief

5. Contemporary Issues in International Tax Law - BEPS
   • Aggressive Tax Planning & OECD BEPS Action Plan

Part II – Domestic Tax Principles, Taxation of Individual Income (Trading & Employment Income)

6. Taxation & Accountancy
   • The role of the accountant in computing taxation
   • The interplay between tax law and accountancy rules

7. Taxation of Trading Income (1) – What is a trade?
   • Case law on what constitutes a “trade”
   • Badges of Trade

8. Taxation of Trading Income (2) – Expenses – Revenue vs Capital
   • Case law rules on the distinction between Revenue and Capital

9. Taxation of Trading Income (3) – Expenses – Wholly & Exclusively Test

10. Taxation of Employment Income (4) – Introduction
    • Review of charging section of ITEPA 2003
    • Review of specific basic allowances – personal allowance

MODULE FORMAT
Once a week (90 min per session). During the lecture we will also have a group discussion and an analysis of specific aspects of the discussed topics.

ASSESSMENT
Seen in class examination - 3 X 1, 500 words essays from (eight options)
AIMS AND OBJECTIVES
The primary objective of this module is to provide students with a greater understanding of the sources of international law and their inter-relation. Students will be able to use double taxation treaties when presented with practical problems that corporate tax lawyers face on a daily basis. Students will be examine policies informing international tax law.

On successful completion of this module a student will be expected to be able to:

- Interpret and apply double taxation treaties to cross-border trade situations where double taxation arises;
- Understand and discuss controversial contemporary issues pertaining to taxation;
- Appreciate international tax policies - the OECD and the UN tax policies;
- Discuss tax avoidance and the mechanisms to tackle it by UK, EU and other prominent jurisdictions; and
- Explain the impact of EU law on the tax law Member States

<table>
<thead>
<tr>
<th>1. Introduction of Advanced International Tax &amp; recap of Tax Law 1</th>
<th>How double taxation arises; threat posed by double taxation on cross-border activities; and the need for double taxation treaties.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. History of double taxation treaties</td>
<td>- UN Model Treaty vs OECD Model treaty - Impact of political considerations on the international taxation framework</td>
</tr>
<tr>
<td>3. Sources of International Tax Law</td>
<td>- OECD Commentary - Features of DTTs</td>
</tr>
<tr>
<td>4. Operation of double taxation treaties 1: business profits</td>
<td>- Definition of PE - OECD BEPS action plan recommendations</td>
</tr>
<tr>
<td>5. Operation of double taxation treaties 2: Business profits</td>
<td>- Application of DTT - Relief from double taxation</td>
</tr>
<tr>
<td>6. Relief from double taxation</td>
<td>- Unilateral relief - Exemption vs credit method</td>
</tr>
<tr>
<td>Chapter</td>
<td>Topics</td>
</tr>
<tr>
<td>---------</td>
<td>--------</td>
</tr>
</tbody>
</table>
| 7. Tax avoidance vs Tax Evasion | - The difference between tax avoidance and tax evasion  
- Decrypting the Panama Papers scandal and HSBC tax scandal  
- Ethical and legal considerations  
- Reputational risks of aggressive tax avoidance |
| 8. Tax information exchange | - Political challenges;  
- Developed countries vs developing countries perspectives |
| 9. Taxation in the EU | - Impact of EU law on UK tax law  
- Case study: EU law impact on UK in credit tax benefits for migrant workers  
- Should EU workers be entitled to the same tax benefits as UK workers? |
| 10. Revision | |

**MODULE FORMAT**
Course is taught on Saturday 9.30-1pm

**ASSESSMENT**
Coursework essay – 1,500 words

Take home exams - 3 x 1500 words
AIMS AND OBJECTIVES
The course aims to cover the decisive effect of legal education on the emergence and development of the legal profession. The syllabus and materials emphasise the historical emergence of a professional body of jurists and further concentrates on the daily life of law students. As part of a long history of the field, the course also aims to provide an account of how legal education trained the law student in the skills required of adversarialism and office technocracy. An emphasis will be placed on professional ethics as well as practice in order to gage the suitability of legal education for the practical life of the 21st century lawyer.

The re-discovery of Roman law in the late medieval period had a significant effect in the thinking of legal pedagogy and in the rise of a class of jurist-instructors. One striking feature of this (fortunate or unfortunate) discovery was the development of student societies and collegiate communities whose members entered into contractual relations with jurists. In England, the learning of law was brought into the Inns of Court which provided a particular and distinct identity for the common lawyer. Focusing on these intellectual developments the course builds a picture of how the common lawyer developed into a particular social animal as a result of ‘his’ training. Legal techniques focused on particular sources of law. In the main these were oral and textual. But a range of other sources were also included. Visual depictions of legal and legal-philosophical themes provide a rich and often forgotten resource. Students participated in revelries and masques. Such techniques were necessary for the development of a particular form of professional conduct and rules of etiquette. Such features of the life of early modern law students can be, and will be, contrasted with the more technocratic skills required of legal training. What tends to be emphasised in today’s legal academic environment is a range of methods that are mainly textual with some emphasis on Forensic skills, skills in argumentation. However, legal practice is an ever changing environment and so, in large part, this course will examine how legal education might best proceed in order to take into account such rapid changes.

MODULE FORMAT
Once a week (90 min per session). During the lecture we will also have a group discussion and an analysis of specific aspects of the discussed topics.

ASSESSMENT
Essay word count between 3,000-4,000 TBC
AIMS AND OBJECTIVES
This course aims to present an outline of the legal framework for the system of immigration law of the United Kingdom, and will assess its development as a legal means of permitting the entry, stay and settlement of foreign and European nationals. The course will provide an overview of the conflicts between executive aims and the need to accord due respect to foreign nationals claiming a basis to stay in the U.K as family members of those who are either settled or British. The course also provides an overview of the position of foreign nationals who seek to come to the U.K for work, business or study. In this context, we will also explore impact of human rights as a means of challenging decisions to refuse leave, to remove overstayers and to deport foreign criminals. The course highlights the special position of EU nationals exercising Treaty rights in the U.K in contrast to third country migrants seeking to stay under the primary and secondary immigration legislation.

This course will also provide an overview of the rights of asylum seekers in order to introduce the system of U.K immigration control as a broad one which includes a separate scheme of international obligations to provide protection to foreign nationals claiming a fear of persecution.

Students will attain basic understanding of the Convention relating to the Status of Refugees 1951, the system of immigration control, relevant primary legislation, secondary legislation, such as the Immigration Rules HC 395, and international instruments, such as the Citizens’ Directive 2004/38/EC (implemented into UK domestic law by Immigration (European Economic Area) Regulations 2016/1052), and the European Convention of Human Rights. Main areas of discussion include: system of immigration control, family migration, economic migration through the points based system, administrative removal, deportation, and EU free movement law.

A basic review of cases from national courts will provide a preliminary understanding of how the Immigration Rules, legislation and EEA immigration law is interpreted and implemented in the United Kingdom. This will be assessed by studying approaches to the meaning given to the requirements of the relevant immigration law. This course will ultimately lead to the initial analysis of the comparative differences in the treatment of EU nationals, asylum seekers, and non-EU nationals in immigration law.

Knowledge of the topics covered will enhance students’ employability both within the legal profession and more generally in a range of opportunities where knowledge of this subject is required, for example in Law Centres. This subject is commonly practised by lawyers and is a popular subject on the Legal Practice Course especially. It is also taught as an option on the Bar Professional Training Course.
By the end of the course you will have:

- Knowledge of the relevant primary legislation, and secondary legislation, such the Immigration Rules HC 395, Home Office policy, and case law relevant to family settlement applications, Tier 1, 2 and 4 of the Points Based System, administrative removal of overstayers, and deportation of foreign criminals.
- Knowledge of the Citizens’ Directive 2004/38/EC and the Immigration (European Economic Area) Regulations 2016/1052 and some of the relevant case law to show how the Directive and Regulations have been interpreted by both the domestic and European courts.
- Develop an ability to critically evaluate the principles and concepts of immigration, nationality and asylum.
- Gain an understanding of the different categories upon which the law operates i.e. students, workers, marriage and other members of the family, deportations and removals, appeals, and the Tribunal structure.
- Be able to apply their knowledge to problem solving. Students will be expected to analyze cases from national tribunals and the European courts.
- Be able to communicate effectively in written form in the context of the assessment.

COURSE STRUCTURE AND CONTENT

- Seminar 1: Brief Introduction to Refugee Definition under the 1951 Convention on the Status of Refugees and its Protocol
- Seminar 2: Overview of the system of immigration control, with a particular focus on the administrative removals of overstayers
- Seminar 3: Family Migration I (spouse, unmarried partners, and fiancé)
- Seminar 4: Family migration II (parents and grandparents and children)
- Seminar 5: Family Migration III: Overview of the family migration rules (spouses, unmarried partners, fiancé, parents/grandparents/other dependent relatives, and children) since 9 July 2012
- Seminar 6: Overview of the point-based system: working and studying in the U.K (Tiers 1, 2 and 4)
- Seminar 7: Challenging refusals: appeals process and judicial review
- Seminar 8: Deportation of foreign criminals
- Seminar 9: Free movement of EU nationals
- Seminar 10: Family members of EU nationals

MODULE FORMAT

This course is taught through weekly seminars followed by a group discussion and analysis on a related topic. Students will be required to come prepared at each seminar. Students will be required at times to come prepared to perform a mini-presentation on particular assigned topics in class.
ASSESSMENT
This course is assessed by a 100% written essay of 3,300-3,500 words. Students can choose from a list of set questions or work on a topic/question of their choice (upon approval by the convenor).

READING
If you would like to purchase a definitive textbook, then buy Gina Clayton, ‘Immigration and Asylum Law’, Oxford University Press, 2016 (7th edition). Copies of the readings for discussion will be provided in the form of reader packs throughout the course and may be provided online via Moodle. Where there are references to cases in the Seminars, you will be expected to obtain your own copy.

Other useful books include:

- MacDonald and Ronan Toal, MacDonald’s Immigration Law and Practice: 2-Volumes, LexisNexis, (9th edition)
- Mark Symes and Peter Jorro, Asylum Law and Practise’, Bloomsbury, 2010

A variety of useful books are held in the Birkbeck Library as well. The library is subscribing to the Electronic Immigration Network (www.ein.org.uk) where you can access the Immigration Rules, relevant legislation, international instruments, country information, and research U.K case law and European case law. You can also search cases on www.bailli.org.

Other useful websites include:

- Tolleys: http://www.tolley.co.uk
- JCWI: www.jcwi.org.uk
- Free Movement: http://www.freemovement.org.uk/
AIMS AND OBJECTIVES
In this module we will look into the legal regime governing outer space and its implications on scientific and technological developments. The course will also focus on how the recent technological developments influence the development of space law and policy. The course will start with the analysis of development of space law and fundamental principles applicable to outer space, and then goes on to look into the legality of some of the recent developments like the claim of sovereignty and property rights over the outer space and celestial bodies, sale or leasing of orbits and spectrums, human habitation in outer space, militarisation and weaponisation of space, plans to conduct inventions in outer space and increasing private space activities, including space tourism. Apart from the legal developments on the international level, the module will also cover the developments of space law at national level by analysing the laws passed by some of the space-faring nations. There are no pre-requisites, although interest in space exploration will be useful.

MAIN TOPICS OF STUDY
1) An Introduction to Space Law (historical background, basic definitions, major treaties, documents and bodies governing space activities, information on career in the space sector - space law jobs)

2) National space legislations and policites and the European Space Program.

3) Space Colonisation

4) Data Applications (satellite telecommunications fundamentals, remote sensing and direct-broadcast satellite television)

5) Contracting for Space (typology of contracts in the space sector)

6) Space, Industry and Society (astrobiology, space tourism, space weddings and hotels, crowdfunding of space activities)

7) Legal Aspects of Militarisation and Weaponisation of Space

8) Environmental Aspects of Space Activities (space debris, planetary protection)

9) Science fiction, space and law

10) International collaboration and Space Activities (case studies, International Space Station, miniaturised satellites, dispute settlement)
**MODULE FORMAT**
Once a week (90 min per session). During the lecture we will also have a group discussion and an analysis of specific aspects of the discussed topics.

**ASSESSMENT**
Assessment will be done through individual essay on one of five topics related to the aspects covered in the module.
AIMS AND OBJECTIVES

- To equip students with an appreciation of the political, social and financial costs of white-collar crime, as well as the particular challenges that exist to its effective detection, measurement and interdiction;
- To enable students to recognise and engage with the political, social and economic considerations that shape policies towards white-collar and corporate crime;
- To provide a wide-ranging research-led module that provides a rounded introduction to key literature and debates in the field from an international comparative perspective.

SYALLBUS

WEEK 1. Introduction to White-Collar Crime
In the first session, we consider the development of the study of white-collar crime within the field of Criminology, and address debates about what constitutes white-collar crime and what distinguishes it from the category of common crime.

WEEK 2. Causes of White-Collar Crime
This week we explore explanations for the causes of white-collar crimes, ranging from those focused on the individual to those placing responsibility on culture, and compare these with prevalent theories of causation applied to common forms of crime.

WEEK 3. Petty Corruption
In the third session, we examine what is regarded to be a scourge in many parts of the world, considering how, why, and to what extent, petty corruption is regarded as both a socio-economic menace and as a crime in different societies across the world.

WEEK 4. Grand Corruption
This week’s session uses topical case studies to explore key forms of grand corruption and related debates concerning the degree to which such acts and behaviours can and should be criminalised.

WEEK 5. White-Collar Crime in the Private Sector
This session explores white-collar crime through the prism of occupational deviance, using case studies to consider the motivations that lie behind it, the point at which occupational deviance is criminalised, and the range of sanctions used to tackle white-collar crime in different working environments.
WEEK 6. Corporate Crime
The conditions and environments that have appeared to be particularly conducive to the emergence of corporate conspiracies are the subject of this week’s session, leading us to focus on key forms of corporate crime, from price-fixing and tax evasion to bribery, environmental crimes, and human rights abuses.

WEEK 7. Money Laundering
In this session we consider the criminalisation of money laundering, core debates concerning the harms associated with it, and draw on recent highly publicised case studies to explore the reasons why it occurs and the difficulties involved in reducing its prevalence.

WEEK 8. White-Collar Crimes and the Economy
The starting point for this week’s session will be reviewing research on the relationship between white-collar crimes and the business cycle, and the session will go on to explore the debates that surround the relationship between white-collar crime and national economic advancement more generally.

WEEK 9. Tackling White-Collar Crimes
The final session brings together the different forms of white-collar and corporate crimes to have been addressed throughout the course in order to review in more detail the range of strategies used to counter white-collar and corporate crimes as well as the key challenges that states and societies face in seeking to do so.

MODULE FORMAT
Once a week (90 min per session). During the lecture we will also have a group discussion and an analysis of specific aspects of the discussed topics.

ASSESSMENT
The mode of assessment is a class presentation (including hand-out), and a 3,000-word essay.

ADVANCED READING
Frequently Asked Questions

When/how will I be able to make my option selections online?
Students will be invited to select their option choices via an online system. A specific link will be emailed to each student in advance of the processing opening, and again once the module choice process opens. See pg 3 for confirmation of key dates.

Who do I contact if I have questions about which modules are best for me?
Please contact your personal tutor to arrange a meeting.

How many credits or modules should I be taking next year?
Part-time students will normally take 90 credits (or three modules) per annum. Full-time students will normally take 120 credits (or four modules) per annum. Where a student chooses a half unit option, this is worth 15 credits therefore a second half unit will normally need to be taken to complete the credits.

What happens if a module is full?
You will be allocated modules in order of choice, so if your first choice is full we will try to allocate you to your next choice and so on. Please consider available options carefully then make an advance list of as many of these as possible in order of preference in case some of your preferences are full and you are asked to provide an alternative. In the event of all your modules choices being full, or if a module is cancelled due to low numbers, we will contact you for replacement choices.

What if I want to change my modules after I have chosen?
We strongly encourage careful consideration of your choices before making your online selection. This is partly why we are giving students a long “grace period” to consider options. However, if you have a valid reason for changing your module choices, you may request a change in writing via email to your administrator. This will affect your priority status as mentioned in the allocation criteria.

What do I do if modules I would like to do clash?
Please carefully check the draft time table on page 5-6 of this booklet for timetable clashes before you submit your final module selections. You alone are responsible for ensuring you have no clashes.

When will my module choices be confirmed?
Module allocations will be confirmed by mid-August via individual My Birkbeck online student profiles. Module choices outside of the Department will be input onto student profiles as soon as they are approved by the relevant programme director and programme administrator.

What if I would like to take a module outside of the School of Law?
This is possible with the approval of the relevant programme director. You are also advised to speak to your personal tutor regarding the module’s suitability.
Can I access a printed copy of the module information?
A couple of reference only hard copies of this booklet will be available to consult in the Law School Offices.

What happens if I do not complete module selections by the nominated deadline?
As noted in the allocation criteria, years four and three normally have priority in choosing modules. This priority will be forfeited if your module selections are not made by the deadline. Students who fail to meet the deadline will be allocated to modules based on availability and programme requirements. After the deadline, allocations will on a first-come-first-served basis regardless of year group.

Why are my reading lists short and when will I get my full reading lists?
At this stage you will only be receiving indicative reading for modules. This list of books is normally the reading that is strongly encouraged to be undertaken before the beginning of the module in the autumn. Full reading lists will be provided in the summer or early autumn via email and/or Moodle. Please note that the School of Law retains the right to amend reading lists where, for example, there are changes in staffing or books go out of print. It is recommended that you do not buy any texts for option modules until your module selections have been confirmed.

What Level of module should I be taking?
This will vary according to your year of study and your course programme. However, you should be familiar with the regulations for your degree programme (Common Awards Scheme or CAS) which can be found at: http://www.bbk.ac.uk/mybirkbeck/services/rules
You should note that Level 6 modules are double the weighting of Level 5 modules under CAS regulations.