

**THE TRUMAN BODDEN
LAW SCHOOL OF THE
CAYMAN ISLANDS**

**Module Information Handbook
2023-2024**

Foundation Modules, Curricula and Modules Specifications

The following subjects are considered by agreement between the academic and professional legal bodies in the UK to be the foundations of legal knowledge (also referred to as ‘foundation modules’): Criminal Law, Contract, Constitutional and Administrative Law, Tort, Equity and Trusts and the law of the EU. Land Law and EU Law are not compulsory for the award of the degree, but are required if students wish to enter the legal profession through either the Legal Practice Course or Bar Professional Training Course for intending solicitors and barristers respectively. International students should ensure that they are aware of any similar requirements in their own country. Those students eligible to enrol on the Professional Practice Course must possess a minimum of a Lower Second Class LL.B (Honours) Degree which is designated as a Cayman Qualifying Law Degree (meaning that the following subjects must have been passed: Criminal Law, Contract Law, Constitutional and Administrative Law, Tort, Equity and Trusts and Land Law). Students enrolling on professional practice courses in the UK (and other qualifying jurisdictions) must also possess a minimum of a Lower Second Class LL.B (Honours) Degree, which is designated as a Qualifying Law Degree in order to be admitted to practice in the Cayman Islands.

Programme Structure: Full Time Degree (M30X) LL.B Law

The programme is studied over three years and is TBLS based throughout. The programme is divided into units of study called modules. The academic year is divided into two 15 week semesters with summative assessment (typically taking the form of coursework, unseen written examination, class presentations, case notes or class tests) usually being held at the end of the semester in which the module was taught. Most modules are worth 15 credit points, although a number of the core (Foundation) modules (and some optional modules) are worth 30 credit points each. One hundred and twenty credit points worth of modules are assessed each year. At FHEQ Level 4 (Year One), 90 of the 120 credit points are made up of modules which must be studied and passed in order to gain a Qualifying Law Degree and exemption from the first part of professional examinations. [Constitutional & Administrative Law, Contract Law, Criminal Law]; at FHEQ Level 5 (Year Two), 60 of the 120 credit points are made up of modules which must be studied and passed in order to gain a Qualifying Law Degree [Law of Tort, Equity and Trusts]. The remaining 60 credit points comprise optional modules which are mainly worth 15 credit points each. At FHEQ Level 6, (Year Three), 45 of the 120 credit points are made up of modules which must be studied and passed in order to gain a Qualifying Law Degree (Land Law and EU Law). The remaining 75 credit points comprise optional modules at the value of 15 credit points each, with the exception of Human Rights Law and the Dissertation Option which are each worth 30 credit points.

As indicated above, at Levels 5 and 6, a student may choose from a range of optional modules collectively worth 60 and 75 credit points respectively.

- Classification of the degree is determined by performance at Levels 5 and 6 with a 30:70 weighting being given, respectively, to the results in each year;
- Students who have completed Level 4 (120 credit points) are eligible to receive a Certificate in Higher Education;
- Students who have completed Level 5 (240 credit points) are eligible to receive a Diploma in Higher Education.

The modules studied at each year/level of study and their credit value is set out in the table below:

YEAR/LEVEL	SEMESTER 1	SEMESTER 2
Year 1 /Level 4	Law800 Contract Law (+)* Law801 Criminal Law (+)* Law803 Constitutional & Administrative Law(+)* Law822 Legal Skills 1 (15)*	Law800 Contract Law (+)* Law801 Criminal Law (+)* Law803Constitutional & Administrative Law(+)* Law 836 Legal Skills 2 (15)*
Year2/Level 5	Law802 Tort (+)* Law805 Equity & Trusts (+)* Law Level 5 Optional Module (15) Law Level 5 Optional Module (15)	Law802 Tort (+)* Law805 Equity & Trusts (+)* Law Level 5 Optional Module (15) Law Level 5 Optional Module (15)
Year 3/Level 6	Law810 EU Law (30)+** Law804 Land Law (15)* Law Level 6 Optional Module (15) Law Level 6 Optional Module (15)	Law810 EU Law (30)+** Law Level 6 Optional Module (15) Law Level 6 Optional Module (15) Law Level 6 Optional Module (15)

+ Denotes 30 credit module, taught across both semesters

* Denotes mandatory module

** Denotes EU Law is a Mandatory Module for English QLD purposes

Programme Structure: Part time Degree (M30Y) LL.B Law

The programme is studied over five or six years depending on the mode of completion of the programme which is elected at the beginning of year four. From year four, students can elect to study at the rate of either four or six 15 credit (or equivalent) modules a year until completion of the programme.

The programme is TBLS based throughout. The programme is divided into units of study called modules. The academic year is divided into two 15 week semesters with summative assessment (typically taking the form of coursework, unseen written examination, class presentations, case notes or class tests) usually being held at the end of the semester in which the module was taught. Most modules are worth 15 credit points, although the core modules in Levels 4 and 5 are worth 30 credit points each. Sixty credit points worth of modules are assessed in each of years 1-3. From year 4 until completion of the programme (over 5 or 6 years), the remaining 180 credit points must be completed and are assessed at the rate of either sixty or ninety credit points per year. At FHEQ Level 4, 90 of the 120 credit points are made up of subjects which must be studied and passed in order to gain a Qualifying Law Degree and exemption from the first part of professional examinations. [Constitutional & Administrative Law, Contract Law, Criminal Law]; at FHEQ Level 5, 60 of the 120 credit points are made up of subjects which must be studied and passed in order to gain a Qualifying Law Degree [Law of Tort, Equity and Trusts]. The remaining 60 credit points comprise optional subjects at the value of 15 credit points each with the exception of EU Law (30 credit points). At FHEQ Level 6, 45 of the 120 credit points [EU Law (required for English QLD purposes) and Land Law] are made up of such subjects. The remaining 75 credit points comprise optional subjects at the value of 15 credit points each.

As indicated above, at Levels 5 and 6, a student may choose from a range of optional subjects collectively worth 60 and 90 credit points respectively.

- Classification of the degree is determined by performance at Levels 5 and 6 with a 30:70 weighting being given, respectively, to the results in each year;
- Students who have completed Level 4 (120 credit points) are eligible to receive a Certificate in Higher Education;
- Students who have completed Level 5 (240 credit points) are eligible to receive a Diploma in Higher Education.

The mode of study (5 or 6 years), the modules studied at each year/level of study and their credit value are set out in the tables over page:

M30Y LL.B LAW – Five years

YEAR/LEVEL	SEMESTER 1	SEMESTER 2
Year 1 / Level 4	Law800 Contract Law (+)* Law822 Legal Skills 1 (15)*	Law800 Contract Law (+)* Law 836 Legal Skills 2 (15)*
Year2 / Level 4	Law803 Constitutional & Administrative Law(+)* Law801 Criminal Law (+)*	Law803 Constitutional & Administrative Law(+)* Law801 Criminal Law (+)*
Year 3 / Level 5	Law802 Tort (+)* Law805 Equity & Trusts (+)*	Law802 Tort(+)* Law805 Equity & Trusts(+)*
Year 4/ Level 5	Law804 Land Law (15)* Law Optional Level 5 Module (15) Law Optional Level 5 Module (15)	Law Optional Level 5 module (15) Law Optional Level 5 Module (15) Law Optional Level 5 Module (15)
Year 5 / Level 6	Law810 EU Law +** or Law Optional Level 6 Module (15) Law Optional Level 6 Module (15) Law Optional Level 6 Module (15)	Law810 EU Law +** or Law Optional Level 6 Module (15) Law Optional Level 6 Module (15) Law Optional Level 6 Module (15)

*Denotes mandatory module

+ Denotes 30 credit module, taught across both semesters

** Denotes EU Law is a Mandatory Module for English QLD purposes. **(NB students on the 5 year part time programme who wish to obtain a QLD must take EU Law in semesters 1 and 2 of year 5. Land Law is a mandatory module which must be studied in year 4.)**

M30Y LL.B LAW – Six years

YEAR/LEVEL	SEMESTER 1	SEMESTER 2
Year 1 / Level 4	Law800 Contract Law (+)* Law822 Legal Skills 1 (15)*	Law800 Contract Law (+)* Law 836 Legal Skills 2 (15)*
Year2 / Level 4	Law803 Constitutional & Administrative Law(+)* Law801 Criminal Law (+)*	Law803 Constitutional & Administrative Law(+)* Law801 Criminal Law (+)*
Year 3 / Level 5	Law802 Tort (+)* Law805 Equity & Trusts (+)*	Law802 Tort(+)* Law805 Equity & Trusts(+)*
Year 4/ Level 5	Law Optional Level 5 Module (15) Law Optional Level 5 Module (15)	Law Optional Level 5 Module (15) Law Optional Level 5 Module (15)
Year 5 / Level 6	Law804 Land Law (15)* Law Optional Level 6 Module (15)	Law Optional Level 6 Module (15) Law Optional Level 6 Module (15)
Year 6 /Level 6	Law810 EU Law +** or Law Optional Level 6 Module (15) Law Optional Level 6 Module (15)	Law810 EU Law +** or Law Optional Level 6 Module (15) Law Optional Level 6 Module (15)

+ denotes 30 credit module, taught across both semesters

*Denotes mandatory module

** Denotes EU Law is a Mandatory Module for English QLD purposes. **(NB students on the 6 year part time programme who wish to obtain a QLD must take EU Law in semesters 1 and 2 of year 6. Land Law is a mandatory module which must be studied in year 5.**

Module Options:

Level 5

- **Company Law 1 must be studied in order to take Company Law 2**

SEMESTER 1

SEMESTER 2

Law806 Company Law 1(15)	Law829 Company Law 2(15)
Law807 The Principles of Evidence (15)	Law831 Criminal Trial Evidence (15)
Law827 Family Law 1 (The Law of Adult Relationships) (15)	Law808 Family Law 2 (Children's Law) (15)
Law840 Foundations In Dispute Resolution and Civil Litigation (15)	Law833 Commercial Law: Sale of Goods and Liability Law (15)

Level 6

- **Employment Law 1 must have been studied in order to take Employment Law 2;**

SEMESTER 1

SEMESTER 2

Law815 Banking Law 1 (15)	
Law823 Civil Liberties & Human Rights (+)	Law823 Civil Liberties & Human Rights (+)
	Law814 Intellectual Property Law (15)
Law816 Employment Law 1 (15)	Law830 Employment Law 2 (15)
Law812 Conflict of Laws (Family Law) (15)	Law835 Conflict of Laws in Commerce (15)
Law 810 EU Law+**	Law 810 EU Law+**
Law813 Dissertation Option (+)	Law813 Dissertation Option (+)
	Law838 Environmental Law
	Law839 Medical Law and Ethics

+ Denotes 30 credit module, taught across both semesters

** Denotes EU Law is a Mandatory Module for English QLD purposes

LEVEL FOUR SUBJECTS
(YEAR ONE)

Law of Contract [LAW 800]**Module Leader: Mrs. Karolina Norris**

Module Title	Module Code	Credit	Pre-Requisite	Assessment Form		Weight / Grading	
Contract Law	Law 800	30	None	S1: Written Examination	S2: Written Examination	2hrs/2Q (50%)	2hrs/2Q (50%)

Module Description:

This module is a foundation subject required by the professional bodies for awarding a ‘qualifying law degree.’ The aim is that students will acquire a solid knowledge of the legal principles and rules applied by the courts in Contract Law, whilst also developing fundamental legal skills of case analysis, synthesis and problem solving.

Outline Syllabus:

Introduction/overview; Formation of a contract (Agreement; Offer and Acceptance; Termination of Offer; Consideration; Intention to Create Legal Relations; Privity of Contract); Contents of the contract (Express and implied terms; Conditions, Warranties and Innominate Terms; Exclusion and Limitation clauses); Vitiating factors (Misrepresentation; Mistake; Incapacity; Duress and Undue Influence; Illegal & Void Contracts); Discharge of contractual obligations (Performance; Breach of Contract; Discharge by Agreement; Frustration); Remedies for breach of contract (Damages; Specific Performance; Injunction)

Learning Outcomes:

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

- Demonstrate orally and in writing a knowledge of the principles of Contract Law
- Demonstrate detailed knowledge of key cases and statutory provision
- Demonstrate effective use of primary and secondary legal materials
- Apply substantive law and reasoning to hypothetical cases
- Appreciate the influence of policy on the development of English Contract law
- Analyse and evaluate judgments on cases, statute and principles
- Present coherent and effective arguments on issues and the law relating to contracts
- Be able to work individually and as part of a team of peers

Indicative reading:

J Beatson et al, *Anson's Law of Contract* (31th edn, OUP)

Blackstones, *Statutes on Contract, Tort and Restitution* (latest edition)

Criminal Law [LAW 801]**Module Leader(s): Mr. Michael Bromby; Mrs Tawney Bennett & Mr Mitchell Davies**

Module Title	Module Code	Credit	Pre-Requisite	Assessment Form		Weight / Grading	
Criminal Law	Law 801	30	None	S1: Written Assignment	S2: Written Examination	2500 Words (50%)	2 hrs/2Q (50%)

Module Description:

This module is a foundation subject required by the professional bodies for awarding a ‘qualifying law degree.’ The module provides students with an overview of the Criminal Law considering both general principles and specific offences.

Outline Syllabus:

General principles: actus reus, mens rea, causation strict liability, participation and inchoate liability.

Specific offences: criminal damage, non-fatal offences against the person, homicide offences of murder and manslaughter.

Defences: insanity, diminished responsibility, loss of control, intoxication, duress, mistake and automatism.

Learning Outcomes:

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

- Demonstrate knowledge of the key areas of substantive law in relation to the general principles of criminal law and to specific offences.
- Demonstrate the ability to apply this knowledge to problem situations by analysing complex problems, identifying important issues, reasoning, forming balanced judgements, and demonstrate the ability to communicate this to specialist and non-specialist audiences.
- Demonstrate skills of analysis, critical evaluation, synthesis and application of information in the context of criminal law.
- Demonstrate personal initiative and independent learning, including the ability to reflect on learning and act on feedback.

Indicative reading:

Michael Allen: *Textbook on Criminal Law*

Smith, Hogan, & Ormerod's *Text, Cases, & Materials on Criminal Law*

Blackstone's *Statutes on Criminal Law*

Constitutional and Administrative Law [LAW 803]

Module Leader: Mr. Alexis Marvikakis

Module Title	Module Code	Credit	Pre-Requisite	Assessment Form		Weight / Grading	
Constitutional and Administrative Law	LAW 803	30	None	S1: Written Examination	S2: Written Examination	2hrs/2Q (50%)	2hrs/2Q (50%)

Module Description:

Constitutional and administrative law is one of the foundation subjects which must be undertaken as part of the Qualifying Law Degree, a prerequisite to entering legal practice in the United Kingdom. The students will study the general principles of the constitution and institutional framework for governmental power; address the importance and growth of judicial review and human rights within the UK constitution and discuss key recent developments in constitutional law.

Outline Syllabus:

The module will introduce students to the fundamentals of a constitution, drawing upon examples from the US and Commonwealth experiences to illustrate a range of constitutional doctrines, including the separation of powers, the rule of law and legislative sovereignty; explore constitutional arrangements in the UK, focusing on sources of constitutional law, the role of Parliament and devolved institutions; analyse the impact on the UK's constitutional arrangements of its membership of the EU and its ratification/partial implementation of the European Convention on Human Rights; identify and assess the effectiveness of extra-judicial means of redress for citizen's complaints against governmental bodies; and appraise the development and constitutional significance of judicial review of administrative action.

Learning Outcomes:

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

- Articulate both orally and in writing, the central features and peculiar characteristics of the UK's constitutional arrangements;
- Critically appraise the laws, policies and theories relating to these arrangements, demonstrating an awareness of their social, political and historical context;
- Assess the merits, or otherwise, of the UK's current arrangements with particular reference to human rights and analyse the advantages and disadvantages of potential reforms;
- Demonstrate a thorough knowledge of the legal principles associated with Constitutional and Administrative law through the construction of a coherent written argument and application that knowledge to hypothetical problems.
- Demonstrate personal initiative and independent learning, including the ability to reflect on learning and act on feedback;
- Demonstrate effective use of primary and secondary materials.

Indicative reading:

Barnett, *Constitutional and Administrative Law*

Allen & Thompson, *Cases and Materials on Constitutional and Administrative Law*

Blackstone's *Statutes on Public Law and Human Rights*

Legal Skills 1 (Sources of Law) [LAW 822]**Module Leader: Mr. Michael Bromby**

Module Title	Module Code	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Legal Skills [I] (Sources of Law)	Law 822	15	None	Case Note Research Task	1000 Words (40%) 1500 Words (60%)

Module Description:

This module aims to engender in students an understanding of case law, statutory law and European influences on law, in conjunction with creating and advancing knowledge & skills in legal research & writing.

Outline Syllabus:

- Research & Writing Skills – methodologies and techniques
- Case Law – the nature of judicial precedent and judicial reasoning
- Statutory Law – judicial approaches to statutory interpretation
- European Influences on the English Legal System – Community law and human rights law

Learning Outcomes:

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

- Demonstrate knowledge of the key areas of substantive law in relation to case law; statutory law; European law and to foster skills in research and writing.
- Demonstrate the ability to apply this knowledge to problem situations by analysing complex problems, identifying important issues, reasoning, forming balanced judgements, and demonstrate the ability to communicate this to specialist and non-specialist audiences.

Indicative reading:

Bromby, *English Legal System (Sweet and Maxwell)*

Holland & Webb, *Learning Legal Rules (OUP)*

Legal Skills 2 (Administration of Justice) [LAW 836]**Module Leader: Mr. Michael Bromby**

Module Title	Module Code	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Legal Skills [II] (Administration of Justice)	Law 836	15	None	Moot / Skeleton	(50%)
				Debate / Skeleton	(50%)

Module Description:

This module aims to engender in students and understanding of the role of Judge and Jury, the civil and criminal processes, and research, writing and oral presentation skills.

Outline Syllabus:

- Oral Presentation Skills – methodologies and techniques for debating and mooting
- The role of judge and jury in both the civil and criminal justice systems
- The Civil Process – court structures, pre-trial processes
- The Criminal Process – rights and duties of the police, suspects and rights of the accused.

Learning Outcomes:

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

- Demonstrate knowledge of the key areas of substantive law in relation to case law; statutory law; European law and to foster skills in research and writing.
- Demonstrate the ability to apply this knowledge to problem situations by analysing complex problems, identifying important issues, reasoning, forming balanced judgements, and demonstrate the ability to communicate this to specialist and non-specialist audiences.

Indicative reading:

Bromby, *English Legal System (Sweet and Maxwell)*

Holland & Webb, *Learning Legal Rules (OUP)*

LEVEL FIVE SUBJECTS

(YEAR TWO)

Law of Tort [LAW 802]**Module Leader(s): Ms. Laura Panades**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form		Weight / Grading	
Tort Law	Law 802	One Two	30	None	S1: Written Examination	S2: Written Assignment	2hrs/2Q (50%)	3000 Words (50%)

Module Description:

This module is a foundation subject required by the professional bodies for awarding a ‘qualifying law degree.’ The module provides students with an overview of the law of tort (with particular emphasis on the tort of negligence), taking into account relevant principles of EU law and the Human Rights Act 1998.

Outline syllabus:**Semester 1**

- General Principles of Duty in Negligence
- Economic Loss
- Psychiatric Harm
- Breach
- Causation in Fact & Law
- Defences

Semester 2

- Occupier’s Liability
- Private Nuisance and Rylands & Fletcher
- Trespass to the Person
- Defamation
- Vicarious Liability

Learning Outcomes:

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

- Demonstrate an advanced knowledge of the key areas of substantive law in relation to the general tort of negligence, private nuisance, occupier’s liability, defamation and trespass to the person.
- Demonstrate the ability to apply this knowledge to problem situations by analysing complex problems, identifying important issues, reasoning, forming balanced judgements, and demonstrate the ability to communicate this to specialist and non-specialist audiences.
- Demonstrate skills of analysis, critical evaluation, synthesis and application of information in the context of tort law.

Indicative reading:

Cooke, *Law of Tort*

Nolan and Oliphant, *Tort Law Text and Materials*

Rose, *Blackstone’s Statutes on Contract, Tort and Restitution*

Equity & Trusts [LAW 805]

Module Leader: Prof. Simon Cooper

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form		Weight / Grading	
Equity and Trust Law	LAW 805	One Two	30	None	S1: Written Assignment	S2: Written Examination	3000 Words (50%)	2hrs/2Q (50%)

Module Description:

This module is a foundation subject required by the professional bodies for awarding a ‘qualifying law degree. It examines the defining characteristics of the law of trusts, the creation of trusts and the legal relationship between those persons concerned with the trust. Implied trusts are also covered, along with selected principles of equity and equitable remedies.

Outline Syllabus:

Semester 1

- History of the court of Chancery and an introduction to equity
- The trust concept
- Classification of trusts
- The essential requirements for an express trust
- Completely and incompletely constituted trusts
- Secret trusts and mutual wills
- Constructive trusts
- Resulting trusts

Semester 2

- Charitable trusts
- Trustees
- Duties of Trustees
- The Investment of trust funds
- The fiduciary nature of trusteeship
- Appointment of agents, nominees and custodians
- The powers of trustees
- Variation of a trust
- Breach of trust and tracing
- Equitable remedies

Learning Outcomes:

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

- Demonstrate an advanced knowledge and critical understanding of the substantive law of equity and trusts, and an awareness of the historical, political and economic contexts within which it operated, and the ability to consolidate and extend this.
- Application of knowledge of the law of equity and trusts to problem situations by analysing complex problems, identifying important issues, reasoning inductively and deductively, and forming balanced judgements, and demonstration of the ability to communicate this to specialist and non-specialist audiences.
- Demonstrate advanced skills of analysis, critical evaluation, synthesis and application of information, doctrine, principles and concepts of the law of equity and trusts in the context of theoretical and practical situations.

Indicative reading:

Atkins, *Equity & Trusts* (3rd edn, TBLs Publishing, 2019)

Thomas, *Blackstone's Statutes on Equity & Trusts* (latest edition)

Company Law [I] [LAW 806]**Module Leader: Mrs. Tawney Bennett**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Company Law	LAW 806	One	15		Written Examination	2hrs /2Q (100%)

Module Description:

This module is an optional module. The Company Law 1 module focuses on the study of the law relating to the registered company. It provides an introduction which deals with the different context in which business is undertaken and then proceeds to examine the impact and consequences of the registration, separate legal personality, promoters and the legal capacity of a company. It is intended to give students an understanding of the core principles of Company Law and regulation in the United Kingdom. The study of the area is of fundamental importance to those going into commercial legal work or business. It is intended to provide students with the essential foundations of company law.

Outline Syllabus:

- Ways of carrying on a business
- Incorporation of a business: the company
- Corporate legal personality
- Promoters and pre-incorporation
- Corporate contracts
- Articles of Association/ s33 contract

Learning Outcomes:

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

- Understand the laws applicable to the formation, establishment and management of a registered company
- Demonstrate the ability to appreciate the theoretical and practical significance of this subject
- Demonstrate an awareness and appreciation at the basic level of policy relating to Company Law in its context
- Demonstrate the ability to apply the law to factual situations
- Appreciate the practical and legal implications of the consequences of artificial legal entity issues, duties of promoters, contractual capacity and corporate contracts.
- Demonstrate personal initiative and independent learning including the ability to research the relevant laws, to reflect on learning and to respond to feedback
- Demonstrate the ability to present an effective argument orally and in writing

Indicative reading:

Gower and Davies, *The Principles of Modern Company Law*
Hannigan, *Company Law*, (OUP)

Company Law [II] [LAW 829]**Module Leader: Mrs. Tawney Bennett**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Company Law	LAW 829	Two	15		Oral Presentation	25%
					Coursework Assignment	75%

Module Description:

This optional module examines aspects of company law which effect registered businesses. It is intended to give students an understanding of the implications of incorporating a company and an awareness of the responsibilities and obligations for those who manage the company. It focuses on the company management structure, corporate capacity (directors and others as agents) the statutory and common law duties of directors, shareholders protections, remedies and the study of shares.

Outline Syllabus:**Part 1: Directors and Management**

- Company management
- Directors duties
- Breach of duty and remedies
- Attribution of acts of directors

Part 2: Shareholders and Shares

- Shares and share capital
- Shareholders, minority protection, derivative actions and unfair prejudice claims

Learning Outcomes:

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

- Demonstrate an advance knowledge of the management structure of a registered company
- Acquire a sound knowledge of the relevant law
- Apply legal principles to commercial/business problems faced by those running and managing the registered company as a means of undertaking business
- Demonstrate the ability to apply the law to factual situations
- Critically discuss the statutory and common law duties of directors and the protection available for minority shareholders
- Demonstrate personal initiative and independent learning including the ability to research the relevant laws, to reflect on learning and to respond to feedback
- Demonstrate the ability to present an effective argument orally and in writing

Indicative reading:

Gower and Davies, *The Principles of Modern Company Law*

Hannigan, *Company Law* (OUP)

The Principles of Evidence [LAW 807]

Module Leaders: Prof Simon Cooper and Mr. Michael Bromby

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Principles of Evidence	Law 807	One	15	None	Written Examination	2hrs/2Q (100%)

Module Description:

This module focuses on principles of the law of evidence and legal process. In particular, it focuses on the structure and general basic principles underlying the legal process and the rules, which govern the determination of relevance and admissibility of evidence, probative value and procedural fairness in civil and criminal cases. Particular regard is given to the effect of these structures and basic principles on the right to a fair trial.

Outline syllabus:

The law referred to in this module is that of England and Wales. The indicative syllabus outlined below is necessarily not an exhaustive attempt to cover the entire scope of evidence in this jurisdiction. Principles of Evidence is intended to cover the general principles of the rules of evidence with a particular emphasis on the relevance of the evidence gathering stage and its implications in respect to the admissibility of the evidence retrieved and the fairness of the procedures.

- Introduction, general principles and terminology of the law of evidence and legal process; the relationship between the three dimensions of justice and fairness;
- Functions of the court, judge and jury and relevance, discretion, weight;
- Burden and standard of proof;
- Privileges, immunities and the right of silence.
- Improperly obtained evidence – statutory and common law discretionary exclusion;
- Article 6 of the ECHR and its impact on the law of evidence;
- Police Powers, breach of Codes of Practice,;
- Entrapment. Agent provocateur and undercover operations;
- Confession evidence.

Learning outcomes:

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

- Have a good theoretical and doctrinal appreciation of the relationship between the main and secondary aims of procedures and evidential rules.
- Trace the development of the legal principles governing evidence through legislation and case law.
- Demonstrate a thorough knowledge and understanding of the structure and general basic principles of evidence.
- Extract (from case law and legislation) and apply key concepts of evidence law to hypothetical factual situations including relevance, admissibility, probative value and fairness.
- Critically identify gaps and ambiguities in the law on evidence.
- Use traditional and electronic sources of material.
- Reflect on their understanding of the syllabus and use feedback to develop the quality of their work.

Indicative reading:

Keane, *Modern law of Evidence*

Blackstone's *Statutes on Evidence*

Criminal Trial Evidence [LAW 831]

Module Leader: Prof Simon Cooper and Mr. Michael Bromby

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Criminal Trial Evidence	Law 831	Two	15	None	Written Assignment	2000 Words (60%)
					Skeleton Argument	1000 Words (20%)
					Oral Presentation	(20%)

Module Description:

This module focuses on the rules, both statutory and common law, which govern the admissibility of evidence in criminal cases. The module focuses on the criminal trial and investigates the effect of a number of rules of evidence on the right to a fair trial as enshrined in Article 6 of the ECHR.

Outline syllabus:

The law referred to in this module is that of England and Wales. This module is intended to cover the rules of criminal evidence as they apply to the trial stage of criminal proceedings and the admissibility of various species of evidence, namely:

- Introduction, general principles and terminology;
- The right to a fair trial and Article 6 ECHR;
- Witnesses, competence and compellability;
- The course of trial;
- Protection of witnesses, special measures directions, vulnerable and intimidated witnesses, sexual complainants;
- Opinion and expert evidence;
- Hearsay Evidence;
- Character Evidence.

Learning outcomes:

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

- Have a good theoretical and doctrinal appreciation of the underlying principles of the law of evidence.
- Solve hypothetical evidentiary problems with reference to case law and legislation;
- Critique the rules of evidence in terms of their development and ongoing significance including identifying areas for reform
- Apply written and oral advocacy skills to arguments on the admissibility and use of evidence.
- Demonstrate personal initiative and independent learning, including the ability to reflect on learning and act on feedback.
- Identify complex legal issues and problems including those suitable for further research; locate and retrieve up-to-date legal information from all relevant paper and electronic sources; to effective use of the primary and secondary material, including complex materials, to demonstrate a clear understanding of a given topic.

Indicative reading:

Keane, *Modern law of Evidence*

Blackstone's *Statutes on Evidence*

Commercial Law [I]: Facility of Transactions [LAW 811]**Module Leader: Mrs. Karolina Norris**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Commercial Law	Law 811	One	15	None	Presentation Reflection	20 Mins (75%) 600 Words (25%)

Module Description:

This module is an optional subject. It gives a solid foundation in the legal principles which facilitate business transactions including agency, insurance and consumer credit. It compares and contrasts the law relating to businesses and consumers and also develops fundamental legal skills of case analysis, synthesis and problem solving.

Outline Syllabus:

- Agency: principle, types, creation, termination, duties of agents and principals, duties of commercial agents.
- Insurance: formation of contract, principles, disclosure: common law and statutory, avoidance of the insurance policy.
- Consumer credit: methods of credit, Consumer Credit Act application and provisions.
- Presentation skills: importance, effective presentation, effective communication and practice.

Learning Outcomes:

- Demonstrate orally and in writing an advanced knowledge of the key areas of substantive law in relation to the facilitation of transactions.
- Demonstrate the ability to apply this knowledge by analysing problems or questions, identifying important issues, reasoning, forming balanced judgements, and demonstrate the ability to communicate this to specialist and non-specialist audiences.
- Demonstrate skills of analysis, critical evaluation, synthesis and application of information in the context of commercial law.
- Demonstrate personal initiative and independent learning, including the ability to reflect on learning and act on feedback.
- Analyse and evaluate the differential treatment between businesses and consumers.

Indicative reading:

Baskind, Osbourne & Roach: *Commercial Law* (3rd edn, OUP, 2019)

Blackstone's *Statutes on Commercial and Consumer Law* (latest edition)

Commercial Law [II]: Sale of Goods and Liability [LAW 833]

Module Leader: Mrs. Karolina Norris

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Commercial Law	Law 833	Two	15	None	Written Assignment	3000 words (100%)

Module Description:

This module is an optional subject. It provides a solid foundation in the legal principles relating to the sale of goods, passing of property and liability for supplying faulty products. It compares and contrasts the law relating to businesses and consumers and also develops fundamental legal skills of case analysis, synthesis and problem solving.

Outline Syllabus:

- Introduction to the sale of goods and terminology
- Sale of goods: formation of contract, passing of property, passing of risk, Nemo dat quod non habet
- Product liability: contractual, tort and additional protections for consumers
- Exclusion of liability

Learning Outcomes:

- Demonstrate orally and in writing an advanced knowledge of the key areas of substantive law in relation to the sale of goods, passing of property and product liability.
- Demonstrate the ability to apply this knowledge by analysing problems or questions, identifying important issues, reasoning, forming balanced judgements, and demonstrate the ability to communicate this to specialist and non-specialist audiences.
- Demonstrate skills of analysis, critical evaluation, synthesis and application of information in the context of commercial law.
- Demonstrate effective use of primary and secondary materials.
- Analyse and evaluate the differential treatment between businesses and consumers.

Indicative reading:

Baskind, Osbourne & Roach: *Commercial Law* (OUP)

Blackstone's *Statutes on Commercial and Consumer Law*

Family Law [I] The Law of Adult Relationships [LAW 827]**Module Leader: Miss Rhian Minty**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Family Law: Adult Relationships	Law 827	One	15	None	Written Assignment	3000 Words (100%)

Module Description:

This module introduces students to the recent developments in this subject area including, but not limited to, gender dysphoria and gender recognition, same sex marriage, divorce and developments in ancillary relief proceedings.

Outline Syllabus:

This module introduces students to the study of Family law and its relationship to the development of the modern society. Students undertake a study of the law relating to adult relationships, beginning with an analysis of the establishment of valid unions, dissolution of valid unions, cohabitation and the debate for reform and domestic violence.

Learning Outcomes:

- To introduce the student to the principles, policies and practices of Family law and of the family justice system;
- Critically appraise the law relating to formal and informal adult relationships, considering how the legal landscape has developed in recent times.
- Critically appraise contemporary adult law issues relating to same sex marriage, gender recognition, proposals for protection of cohabitants on relationship breakdown and developments in ancillary relief proceedings;
- Critically appraise the protective measures in place for adults in cases of domestic violence.
- Specific skills covered: research, critical analysis of opposing academic argument, critical analysis of case law, legislation and policy, practical application of law to the facts, written presentation skills including advanced essay structure and oral presentation.

Indicative reading:

Jonathon Herring's *Family Law*

Harris-Short & Miles, *Family Law, Text, Cases & Materials*

Blackstone's *Family Law Statutes*

Family Law [III] Children's Law [LAW 808]**Module Leader: Miss Rhian Minty**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Family Law: Children	Law 808	Two	15	None	Written Examination	2hrs/2Q (100%)

Module Description:

This module introduces students to the study of the law relating to children and their role within the family. Students will study the recent developments in children's law, including but not limited to, child arrangements orders, establishing parentage and adoption law.

Outline Syllabus:

Students undertake a study of the law relating to children, beginning with an analysis of the establishment of parentage via DNA testing, parental responsibility and children's rights, private child law (concerning residence and contact disputes), public child law and a practical approach to State intervention into family life.

Learning Outcomes:

- To introduce the student to the principles, policies and practices of Family law and of the family justice system;
- Critically appraise the laws, policies and theories relating to child law and the role of the child within the family;
- Critically appraise contemporary child law issues relating to assisted reproduction; the use of DNA testing in parentage disputes; and how the court resolves private law disputes relating to the upbringing of the child;
- Critically appraise the use of the State in protecting the child from parenting which falls below a reasonable standard;
- Critically appraise the law relating to adoption and special guardianship.
- Specific skills covered: research, critical analysis of opposing academic argument, critical analysis of case law, legislation and policy, practical application of law to the facts, written presentation skills including advanced essay structure and oral presentation.

Indicative reading:

Jonathon Herring's *Family Law*

Harris-Short & Miles, *Family Law, Text, Cases & Materials*

Blackstone's *Family Law Statutes*

Foundations in Dispute Resolution (Law 840)**Module Leader: Mr. Andrew Perkins**

Module Title	Module Code	Semester	Credit	Pre Requisite	Assessment	Weight/ Grading
Foundations in Dispute Resolution.	Law 840	1	15	None	Oral Submission Skeleton Argument Reflection	15 Mins (25%) 1000 Words (25%) 1500 Words (50%)

Module Description

This module is designed to develop students' knowledge of how the legal rules they have been learning about over the past 2 years are applied in both contentious and non-contentious practice in England & Wales.

There are two key aspects to this module:-

1. Students will study how professional ethics forms the heart of professional regulation and underpins how lawyers advise and represent their clients.
2. To fully appreciate how this all works, students will be introduced to the practical skills that all practicing lawyers must develop i.e. practical legal research advocacy, writing, drafting and negotiation.

By applying these skills to aspects of legal practice, students will develop a solid foundation for undertaking your professional vocational study (be it the Legal Practice Course or the Bar Professional Training Course or the Professional Practice Course in Cayman) and achieve your career goals in legal practice.

Syllabus

This module explores a number of aspects of the litigation process. It is intended to introduce students to the core areas of professional regulation, civil litigation and alternative dispute resolution. Emphasis will be placed upon the development of professional practice skills together with a critical understanding of the professional regulatory environment together with a critical understanding of the dispute resolution process and will cover the following:-

- 1) The professional regulation of lawyers;
- 2) The nature of the lawyer client relationship;
- 3) The Civil Litigation process;
- 4) The Courts Case Management Powers;
- 5) Alternative Dispute Resolution;
- 6) The Courts approach to Alternative Dispute Resolution.

Reading Material

Blake, *A Practical Approach to Effective Litigation* (5th Edition OUP)

Sime, *A Practical Approach to Civil Procedure* (25th Edition OUP)

Blake, Browne and Sime, *A Practical Approach to Alternative Dispute Resolution* (5th Edition OUP)

LEVEL SIX SUBJECTS

(YEAR THREE)

Land Law [LAW 804]**Module Leader: Prof Simon Cooper**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Land Law	Law 804	One	15	None	Written Examination	2hrs/2Q (100%)

Module Description:

This module is a foundation subject required by the professional bodies for awarding a ‘qualifying law degree.’ It examines the defining characteristics of the important proprietary interests in land, their mode of creation, their incidents, restraints on their enforcement under human rights law, and the way in which they can affect third parties.

Outline Syllabus:

- The meaning of land
- The history of modern land law
- The creation and transfer of estates and interests in land
- Substantive interests in land
- Mortgages
- Protection of interests

Learning outcomes:

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

- Demonstrate an advanced knowledge and critical understanding of the substantive law of real property, and an awareness of the historical, political and economic contexts within which it operated, and the ability to consolidate and extend this.
- Application of knowledge of the law of real property to problem situations by analysing complex problems, identifying important issues, reasoning inductively and deductively, and forming balanced judgments, and demonstration of the ability to communicate this to specialist and non-specialist audiences.
- Demonstrate advanced skills of analysis, critical evaluation, synthesis and application of information, doctrine, principles and concepts of land law in the context of theoretical and practical situations.
- Critically evaluate and appreciate the ability of doctrine to transcend its social origins and to assume importance in a different sphere, for example, the world of business and commerce.

Indicative reading:

Blackstone's *Statutes on Property Law*

Bevan, *Land Law* (OUP 2018)

McFarlane, Hopkins and Nield, *Land Law: Text Cases and Materials* (4th edn, 2018)

European Union Law [LAW 810]

Module Leader: Miss Laura Panades

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form		Weight / Grading	
EU Law	Law 810	One Two	30	None	S1: Written Assignment	S2: Written Examination	3000 Words (50%)	2hrs/2Q (50%)

Module Description:

This module focuses on the institutional and constitutional aspects of EU law including the institutional framework of Union decision-making, the nature of the Union's law-making competences, the relationship between Union law and that of the national legal orders and some aspects of substantive Union law such as those related to the free movement of goods, the free movement of persons and citizenship of the EU.

EU Law is one of the Foundation subjects and a prerequisite to entering legal practice in the UK.

Outline Syllabus:

The syllabus includes analysis the history of the European Union and its integration from a Constitutional perspective and examine the Union's institutions and judicial system. This will help the students to gain a critical understanding of the roles of each institution and the notions of intergovernmentalism and supranationalism. The module will then introduce the major constitutional doctrines that have arisen from the case law of the Court of Justice: direct effect and supremacy of EU Law. We will critically assess the influence of these doctrines on the legal system of the EU's member states. Thirdly, the module will cover some of the major substantive doctrines of European Union Law, e.g. the free movement of goods, workers and EU citizenship.

Learning Outcomes:

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

- Appreciate the historical, political and economic context in which the European Union has evolved;
- Comprehend the significance of the creation of a new supranational legal order and to critically analyse its impact;
- Apply effectively Union legal sources, including EU Treaties and Legislation, as well as the case law of the Court of Justice of the European Union;
- Show an effective understanding of the Union legal methods in substantive areas of law, focusing on freedom of movement of goods and persons.
- Critically appraise the process of integration from the economic to the social approach.

Recommended Reading:

Nigel Foster, *EU Treaties and Legislation* (OUP 2018).

Term 1: Paul Craig and Gráinne de Búrca, *EU Law – Text, Cases & Materials*.

Term 2: Catherine Barnard, *The Substantive Law of the EU*.

Dissertation [LAW 813]

Module Leader: Mr Andrew Perkins

A dissertation is a research-based project chosen by the student and supervised by a member of academic staff. Choosing to undertake a dissertation should not be viewed as an easy option. The student requires enthusiasm for the project in order to sustain effort and interest through the various stages of the dissertation: planning; research; literature review; data collection and analysis; and writing up. While the supervisor will provide broad guidance, the project is the student's responsibility and adequate time and attention must be devoted to it. Students who are planning to take the Dissertation option must first contact the Dissertation Module Co-ordinator and at that stage must have an outline of an idea. The Co-ordinator will then advise the student how to produce their proposal, which should include a working title, a statement of aims and objectives, a summary of the methodology to be used, and an outline structure for the project. The Co-ordinator will then consult with the Faculty to assess the validity of the proposal, whether it is capable of being supported by the resources available at the Cayman Islands Law School and whether it is within the expertise of the Co-ordinator. If the student's proposal is regarded at this stage as being workable and of merit, the student will be permitted to proceed. In the event that the Faculty express concerns, the student will be afforded the opportunity of submitting a revised plan. Students will not be permitted to proceed with this option until the approval of the Faculty has been secured.

Learning outcomes:

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

- Select and justify an appropriate research project;
- Adopt a critical and reflective approach to their research;
- Present both orally and in writing a detailed knowledge of their chosen topic.

Specific skills covered:

Planning and time management; Legal research; Identifying and obtaining relevant materials; Reviewing and abstracting relevant materials; Oral presentation; Legal analysis; Legal writing; Use of information technology.

Teaching Methods:

Introductory lectures, individual interviews and group peer appraisal sessions.

Assessment methods:

Semester Two: Oral Presentation (15%)

Semester Two: 12,000-Word Dissertation (85%)

Intellectual Property Law [LAW 814]**Module Leader: Mr. Andrew Perkins**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Intellectual Property Law	Law 814	Two	15	None	Coursework	3000 Word Essay (100%)

Module Description:

This module gives an overview of selected intellectual property rights (e.g., copyright, patent law, design rights, trade marks and passing off) and enforcement of intellectual property rights, including the requirements to obtain IP protection, the ways to obtain them and to enforce them vis-à-vis infringers.

The study of the respective rights takes place in the light of the relevant UK statutes, EU regulations and directives, and treaties and conventions where relevant. IP Law will be delivered via two hours of lectures per week and an hourly Group work every fortnight.

Outline Syllabus:

- Copyright and related rights
- Patent law
- Design law, and
- Business goodwill and reputation
- Each of the four IP rights will be covered in three sessions as follows:
 - What is the relevant IP right?
 - What and how may be protected?
 - Remedies and defences

Learning Outcomes:

At the conclusion of the module students should be able to:

- Demonstrate detailed critical knowledge of some IP right such as copyright, patent law, design rights, trade marks, passing off, etc.;
- Demonstrate appreciation for the economic context and policy issues underlying this area of law and the influences they exert on individuals and corporations;
- Understand the principal case law and legislative frameworks relating to enforcement of intellectual property rights, including the requirements to obtain IP protection, the ways to obtain them and to enforce them vis-à-vis infringers;

Indicative reading:

Brown, *Contemporary Intellectual Property, Law and Policy* 5th Edition
Blackstone's *IP Legislation*

Banking Law (Law 815)**Module Leader: Mr Andrew Perkins**

Module Title	Module Code	Semester	Credit	Pre Requisite	Assessment	Weight/ Grading
Banking Law	Law 815	One	15	None	Presentation Coursework	20 Mins (20%) 3000 Words (80%)

Module Description

This module aims to provide an understanding of English Banking Law and allows students to develop an understanding of the reform and developments resulting from the financial crash of 2008. Students will develop a strong knowledge of English Banking Principles and a research skills base to enable them to recognize the differences between Banking, Contract and Tort Law and appreciate the importance of Banking Law to related specialist Commercial legal subjects.

Syllabus:

This module explores a number of aspects of domestic UK banking law. It is intended to introduce students to the core principles of banking law and regulation of the banking system in the UK. Banking Law covers the general principles of banking business with an emphasis on the regulation of the banking industry and the bank and customer relationship.

- 1) Banking Activity in the UK and Legal Definitions of Bank / Banking Business;
- 2) Causes of the Financial Crisis;
- 3) The nature of the bank/ customer relationship;
- 4) Bankers Duties and Obligations;
- 5) The Duty of Confidentiality;
- 6) AML Regulation.

Learning Outcomes:

- Understand the laws applicable to the banker/customer relationship, bank regulation and negotiable instruments and appreciate the practical and legal problems in this area of regulating the banking sector.
- Apply substantive law and legal reasoning skills to hypothetical cases;
- Understand and appreciate the impact and importance of EU Law in these areas;
- Show an awareness at the basic level of economic and government policy behind the banking sector; Analyse, evaluate and form critical judgements on individual cases and statutes;
- Use primary and secondary sources of law relating to contract law effectively;
- Present coherent and effective argument about issues relating to Banking Law;
- Identify and engage with contemporary debates while accurately reporting the law in an area of Banking law.

Indicative Reading:

Iris H Y Chiu and Joanna Wilson, *Banking Law and Regulation*
Arora, *Banking Law*

Employment Law [I] [LAW 816]**Module Leader: Mr. Michael Bromby**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Employment Law [I]	Law 816	One	15	None	Written Examination	2hrs/2Q (100%)

Module Description:

This module is an optional subject. Its focus is upon the law relating to the tripartite relationship between the employer, employee and state. Employment law is investigated in a social and political context covering the contractual foundations and statutory protections for pay and work life balance.

Outline Syllabus:

- Introduction: history, sources, institutions and policy
- Employment tests and employee status. Atypical workers.
- Constructing the employment contract and implied duties
- Equality of terms
- Statutory rights and protections for employees

Learning Outcomes:

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

- Demonstrate orally and in writing an advanced knowledge of the key areas of substantive law in relation to the creation and maintenance of the employment relationship.
- Demonstrate the ability to apply this knowledge by analysing problems or questions, identifying important issues, reasoning, forming balanced judgements, and demonstrate the ability to communicate this to specialist and non-specialist audiences.
- Demonstrate skills of analysis and critical evaluation to determine the context in which Employment law exists, why the law is so and whether it can be improved.
- Analyse and evaluate the balance of power in the relationship between the employer and employee.
- Demonstrate personal initiative and independent learning, including the ability to reflect on learning and act on feedback.
- Demonstrate effective use of primary and secondary materials.

Indicative reading:

Emir, *Selwyn's Law of Employment*

Cabrelli, *Employment Law in Context: Text and Materials*

Blackstone's *Statutes on Employment Law*

Employment Law [II] [LAW 830]**Module Leader: Mr. Michael Bromby**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Employment Law [II]	Law 830	Two	15	Employment Law [I] [Law 816]	Written Examination	2hrs/2Q (100%)

Module Description:

This module is an optional subject. Its focus is the tripartite relationship between the employer, employee and state investigating discrimination in employment and termination of the relationship.

Outline Syllabus:

- Discrimination in employment with a specific focus upon sex, race and disability
- Termination of the employment relationship at common law: wrongful dismissal
- Termination under statute: unfair dismissal, redundancy

Learning Outcomes:

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

- Demonstrate orally and in writing an advanced knowledge of the key areas of substantive law in relation to employment discrimination, dismissal and termination of the employment relationship.
- Demonstrate the ability to apply this knowledge by analysing problems and questions, identifying important issues, reasoning and forming balanced judgements.
- Demonstrate skills of analysis and critical evaluation to determine the context in which Employment law exists, the impact of European Union law, why the law is so and whether it can be improved.
- Demonstrate personal initiative and independent learning, including the ability to reflect on learning and act on feedback.
- Demonstrate effective use of primary and secondary materials.

Indicative reading:

Emir, *Selwyn's Law of Employment* (OUP)

Cabrelli, *Employment Law in Context: Text and Materials* (OUP)

Blackstone's *Statutes on Employment Law*

Human Rights and Civil Liberties [LAW 823]

Module Leader: Miss Rhian Minty

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form		Weight / Grading	
Human Rights Law	LAW 823	One Two	30	None	S1: Written Assignment	S2: Written Examination	3000 Words (50%)	2hrs 2Q (50%)

Module Description:

This optional module introduces students to the law of Human Rights and Civil Liberties in the United Kingdom. The course is concerned with human rights standards as they exist in international law and how they have been given effect in the United Kingdom.

Outline Syllabus:

This module considers the application of the Human Rights Act 1998 and its impact on English and Welsh law.

This module will commence with a detailed analysis and critique of the arguments for and against protection of human rights; a detailed analysis of the European Convention on Human Rights and the complete semester one by analysing the passing of the Human Rights Act 1998. Students will analyse the Acts' influence on the protection of civil liberties in the United Kingdom and consider how, if at all, the Act has failed to provide the so desired protections.

As students move into the second semester of study, they will analyse and critique those fundamental freedoms and liberties protected by the Human Rights Act and examine the key issues central to the protection of these rights.

Students will also be provided with an insight into contemporary human rights issues such as terrorism legislation and its compatibility with civil liberties and voluntary euthanasia and its development in light of recent case law.

Learning Outcomes:

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

- Understand the historical development of human rights legislation in England and Wales;
- Trace the development of the law through legislation and case law;
- Have detailed knowledge and understanding of the Human Rights Act and other relevant legislation and the way in which it is interpreted by the courts;
- Identify loopholes and ambiguities in the current law;
- Analyse relevant cases and judgements;
- Identify and critically evaluate legal issues;
- Identify and use primary legal sources and journals relevant to topic under study;
- Research the relevant laws, electronically and in paper format;
- Apply knowledge to specific factual situations
- Present effective arguments both orally and in writing presentation.

Indicative reading:

Ovey, *The European Convention on Human Rights*
Blackstone's *Guide to the HRA 1998*

Conflict of Laws [II] Commerce [LAW 835]

Module Leader: Mr. Mitchell Davies

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Conflicts of Law: Commerce	Law 835	One	15	None	Written Assignment	3000 Words (100%)

Module Description:

This optional module considers choice of law rules in the context of Commercial Law issues and is an essential module for any students intending to practise law in a commercial jurisdiction such as the Cayman Islands. Following a brief introduction to the purpose and objectives of the Conflict of Laws, the module opens with a consideration of the rules assigning commercial jurisdiction in civil and commercial *in personam* matters which contain foreign elements. Consideration is given to both the Brussels (European) regime and to the traditional English rules. The module then goes on to explore the choice of laws rules applicable to contractual and non-contractual disputes, primarily focusing upon the European Union rules set out in the Rome I and Rome II Regulations.

Outline Syllabus:

Introduction to the Conflict of Laws Process; this includes a consideration of what amounts to a foreign element, the use of the term “law districts” and the topics of Characterisation and the Incidental Question.

Rules of Civil Jurisdiction *in personam* under both the European Brussels regime and the traditional English common law and statutory rule. In addition to considering when the English court will take jurisdiction over a civil and commercial matter, consideration will also be given to stays of proceedings and anti suit applications, particularly in the context of the traditional rules.

The choice of law process and its application, pursuant to the rules set out in the Rome I and Rome II Regulations and the applicable residual common law rules (Tort), to Contractual and Non-Contractual disputes containing a foreign element.

Learning Outcomes:

At the conclusion of the module students should be able to:

- Demonstrate orally and in writing an advanced knowledge of the key areas of substantive law in relation to the conflict of laws process relevant to *in personam* commercial disputes containing a foreign element including the following topics:
 - Rules of civil jurisdiction in *in personam* civil disputes according to the traditional English and European rules.
 - The choice of law process applicable to contractual and non contractual civil law disputes containing a foreign element, with particular reference to the European choice of law rules embodied in the Rome I and Rome II Regulations.
 - Demonstrate skills of analysis and critical evaluation to determine the context in which the Conflicts of Laws process operates and to consider ways in which rules might be improved.

Indicative reading:

Clarkson & Hill's *Conflict of Laws*

Morris *The Conflict of Laws*

George & Dickinson, *Statutes on Conflicts Law*

Conflict of Laws [I] Family Law [LAW 812]**Module Leader: Mr. Mitchell Davies**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Conflicts of Law: Family	Law 812	One	15	None	Written Examination	2hrs /2Q (100%)

Module Description:

This optional module considers choice of law rules in the context of Family Law disputes which possess foreign elements. Following a brief introduction to the choice of law process, the module reviews the law of domicile (as the leading choice of law rule in Family law matters) and proceeds to discuss the rules applicable to the formal and essential validity of marriage. It concludes with a consideration of the recognition rules applicable in the context of the dissolution of marriage with emphasis upon extra judicial decrees of divorce.

Outline Syllabus:

- Introduction to the choice of law process;
- Common law derived rules for the acquisition and loss of domicile; species of domicile;
- Choice of law rules applicable to marriage disputes containing foreign elements;
- Different choice of law rules applied by the English courts in the context of marriage, their underlying theories and their merits and demerits;
- The rules for the recognition of foreign decrees of dissolution of marriage, particularly informal or extra judicial decrees of dissolution.

Learning Outcomes:

At the conclusion of the module students should be able to:

- To demonstrate orally and in writing an advanced knowledge of the key areas of substantive law in relation to the choice of law process as it applies to family law disputes containing foreign elements, including the following topics:
- The common law derived rules of domicile.
- The choice of law process as applied to family law disputes where foreign elements are present.
- The recognition of foreign decrees of dissolution of marriage, in particular, informal foreign decrees of divorce.
- To demonstrate the ability to apply this knowledge to problem situations by analysing complex problems, identifying the important issues and to demonstrate an ability to communicate this information to specialist and non-specialist audiences.
- To demonstrate skills of analysis and critical evaluation to determine the context in which the Conflicts of Laws process operates and to consider ways in which the rules might be improved.
- To demonstrate personal initiative and independent learning, including the ability to conduct legal research and apply and explain the knowledge acquired.

Indicative reading:

Clarkson & Hill's *Conflict of Laws*

Morris, *The Conflict of Laws*

George & Dickinson, *Statutes on Conflicts Law*

Environmental Law [Law 838]**Module Leader: Mrs Tawney Bennett**

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Environmental Law	Law 838	Two	15	None	Written Examination	2hrs /2Q (100%)

Module Description:

This optional module provides an introduction to the history and sources of environmental law, before exploring in some detail the principles and generic aspects relevant to regulation and protection of the environment. The generic aspects section of the module includes international, European Union and UK domestic legal issues relevant to the subject. The module closes by critically analysing three of the UK's sectoral regimes in the context of the material covered in the early part of the module.

As well as being an important field of academic research, environmental protection is of increasing significance in all jurisdictions, both in terms of public opinion and in commerce and industry, and as such the module will be of interest not only to students with a specific interest in this area, but also those wishing to enter legal professional practice or pursue further study.

Outline Syllabus:

- History, sources and principles of environmental law
- International and European Union law
- Regulatory approaches and UK institutions
- Integrated themes in environmental protection, using selected examples drawn from the common law, criminal law, human rights, public participation;
- Sectoral regulation in England and Wales, using selected examples drawn from Climate Change, Waste Management, Contaminated Land, Nature Conservation, Water Pollution, Integrated Regulation (Integrated Pollution Prevention and Control/ Environmental Permitting)

Learning Outcomes:

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

- Demonstrate an awareness of the historical, socio-political and scientific contexts within which environmental law and policy have developed
- Demonstrate an understanding of the multi-level (international, EU and domestic) legal and policy frameworks relevant to the development and implementation of environmental law
- Demonstrate a sound knowledge of selected topics relating to substantive environmental protection in England and Wales
- Demonstrate an ability to critically analyse existing environmental law and policy
- Demonstrate an ability to problem solve by applying existing environmental and policy to a set of facts / scenario

Indicative reading:

Stuart Bell, Donald McGillivray, Ole W. Pedersen, Emma Lees *Environmental Law*

Elizabeth Fisher, Bettina Lange, Eloise Scotford *Environmental Laws: Text, cases & materials*

Medical Law and Ethics Law 839
Module Leader: Mrs. Karolina Norris

Module Title	Module Code	Semester	Credit	Pre-Requisite	Assessment Form	Weight / Grading
Medical Law and Ethics	839	Two	15	Tort	Coursework	3500 Word Essay 100%

Module Description:

This module aims to develop your understanding of the legal and ethical principles involved in medical practice and research, and your appreciation of the complex and conflicting practical and ethical tensions behind such principles. It aims to raise your understanding of practical and theoretical implications of medical practice and research in order to develop your appreciation of the relationship between law and ethics, medical practice and research. This module also helps you to develop a detailed consideration of the legal principles regulating compensation of victims of medical accidents, consent to medical treatment and the confidentiality of the doctor-patient relationship.

Outline Syllabus:

- An introduction to medical law and ethics
- Medical negligence
- Consent to treatment
- Confidentiality
- Contraception, abortion, and pregnancy
- Reproduction
- Organ donation and the ownership of body parts
- Dying and death

Learning Outcomes:

- At the conclusion of the module students should be able to:
- Demonstrable and critical knowledge and understanding of select areas of medical law.
- A understanding of the impact of legal rules on medical practice.
- An understanding of the ethical issues involved in particular areas of medical practice, such as consent to treatment.
- An ability to apply the appropriate law and ethical principles to hypothetical facts.
- An ability to critically analyse the current legal position in selected areas of medical practice.

Indicative Reading:

- Jonathan Herring, *Medical Law and Ethics* (7th edn, OUP 2018)
- Graeme Laurie, Shawn Harmon, Edward Dove, Mason and McCall Smith's *Law and Medical Ethics* (11th edn, OUP 2019)
- Anne E. Morris, Michael A. Jones, *Blackstone's Statutes on Medical Law* (9th edn, OUP 2017)