

# CAYMAN ISLANDS LAW SCHOOL

## STUDENT INFORMATION HANDBOOK



CAYMAN ISLANDS

**ACADEMIC YEAR**

**2005/2006**

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**WELCOME FROM THE DIRECTOR OF LEGAL STUDIES**

I would like to take this opportunity to welcome both new and returning students to the Law School for an academic year which, I am sure you will join with me in hoping, will be less eventful than the last. By September 2005, it is hoped that the renovations to our new premises will have been substantially completed, resulting in law school premises and facilities which will be an undoubted improvement on those which existed pre-Ivan. A further benefit for which Ivan was responsible was the creation of a Law School website. This proved to be an invaluable tool for communicating with students and contains a wide range of teaching and curricula information. Students are strongly encouraged to regularly access the Law School's web site which is located at: [www.gov.ky/lawschool](http://www.gov.ky/lawschool)

Both the full and part-time degree programmes are offered under the aegis of the University of Liverpool, to whom the Law School is affiliated. 2002 witnessed two landmark achievements in connection with this affiliation. Firstly, in March 2002, following a five-day inspection of the Law School, the Law Society of England and Wales and the Bar Council of England and Wales each, for the first time, conferred Qualifying Law Degree (Q.L.D.) status directly on the Cayman Islands Law School for the purpose of the Liverpool LL.B degree. Conferral of Q.L.D. status signifies that the holder of the degree has a qualification recognised by the English professional bodies for the purposes of completing their legal professional training in England. In other words, the holder of a degree from CILS can utilise it to the same extent as the holder of any LL.B degree obtained in England and Wales from an institution having Q.L.D. status.

Secondly, in August 2002 the relationship between the institutions was, for the first time, placed on a formal footing by the signing by the Attorney General of the Cayman Islands and the Vice-Chancellor of the University of an Institutional Agreement. This document operates to cement the already strong relationship between the institutions and specifically recognises degree students at CILS as registered students of the University. Amongst the many benefits which this provides is access to legal data bases through University subscription such as Westlaw and Lexis.

In November 2005 the Law School expects to undergo a triennial inspection and audit visit from the University of Liverpool which is designed to ensure adherence to the University's teaching quality assurance standards. The visit, which will be undertaken by senior University personnel, is expected to last a week with a successful outcome leading to the University's imprimatur being placed upon the Law School's degree programmes for a further period of three years. Subject to there being sufficient student demand, the Law School may, exceptionally, hold a formal Graduation Ceremony in December 2005 for the benefit of the 2005 graduating class who were unable to formally graduate in July with the Liverpool cohort of students due to the late start of the 2004-05 academic year. The opportunity to formally graduate in the Cayman Islands is rarely available, being made possible this year only because of the anticipated presence in the Cayman Islands of senior University personnel, including the Pro Vice-Chancellor, Professor Everest.

As in the previous years, University-generated student identification cards will be issued to all new degree students following registration. This card will remain valid for the duration of the degree programme and must be kept secure. A fee for the reissue of any

lost/damaged card will be imposed. For this purpose, all new degree students should obtain three passport style photographs by the time of registration.

During the course of the forthcoming academic year you will be required to study a diverse range of legal topics which will equip you well in the future, whether your career ambitions be the practice of law or otherwise. The measure of your success will necessarily mirror the extent of your commitment to the study of law and the keenness of your desire to succeed. Take full advantage of the low lecturer-student ratio, there are few institutions, which better it in the common law world of legal education. With such individual tuition there can be little excuse for failure, but in the final analysis your success is up to you: conduct your research assiduously, analytically, and with an inquiring mind and be ready to call upon the experience and expertise of your lecturers whenever you encounter difficulties.

Whilst the atmosphere of the Law School is generally informal, it is requested that you address the lecturers by their formal titles during law school hours. It is important that professional habits are developed in tandem with the cerebral, each having a vital role to play when first you embark upon your professional career. Members of the Law School staff, in addition to their teaching duties, participate actively in the Law School's personal tutor scheme, in accordance with which, on arrival at the Law School, every student is assigned a member of the lecturing staff as his/her personal tutor. The personal tutor is there to offer help or advice to the student if ever he/she encounters difficulties whilst attending Law School. Please take the time to acquaint yourself with your personal tutor in Induction Week, respond to their invitations to meet informally, and do not feel that the threshold of the tutor's door is only to be crossed in the event of dire emergency!

In addition to the contents of this handbook, all students are strongly advised to acquaint themselves thoroughly with the following early in their Law School career: The Legal Practitioners (Students) Regulations (2004 Revision), The Legal Practitioners (Students) (Amendment) Regulations, 2005, and The University of Liverpool Examinations Code of Conduct. A copy of the latter will be provided to you during the first weeks of term.

I would encourage all students to become members of the Law School Students Society which, through the good offices of the student committee, organises social functions, lectures, and an annual Students Society dinner at which the Law School's Patron, himself an alumnus of Liverpool University, Lord Nicholls of Birkenhead, was the Guest of Honour in August 1998. Election for the officers of the society will be held early in term one and I would encourage each of you to participate by registering your vote, thereby ensuring a truly democratic student society.

It remains for me to wish you a successful and fulfilling year during which it is hoped that you will develop an affinity, and perhaps even affection, for the Law.

Mitchell C. Davies  
July 2005

<b>STAFF CONTACTS AND TEACHING REponsibilities</b>
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The Law School telephone number is: 9450077 (fax number: 946 1845). To contact a member of the academic staff by telephone, dial this number and then ask for/dial the following extension numbers:

**Full Time Academic Staff**

Mr. M. Davies (Director)  
[Mitchell.Davies@gov.ky](mailto:Mitchell.Davies@gov.ky)  
 Tel: Ext. 222

Conflict of Laws  
 Criminal Law

Mr. V. Carter  
 (Senior Lecturer in Law)  
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 Tel: Extn. 230

Constitutional & Administrative Law  
 PPC Dissertation Supervisor  
 European Union Law  
 Immigration Law

Ms. D. Barker  
 (PPC Course Leader)  
[Deborah.Barker@gov.ky](mailto:Deborah.Barker@gov.ky)  
 Tel: Extn. 224

ADR and Arbitration  
 Professional Practice Skills  
 Criminal Procedure  
 Law of Evidence

Ms. Angela Burns  
[Angela.Burns@gov.ky](mailto:Angela.Burns@gov.ky)  
 Tel: Extn. 228

Civil Procedure  
 Family Law  
 Professional Practice Skills  
 Probate  
 Legal Accounts

Mr. S. Cooper  
[Simon.Cooper@gov.ky](mailto:Simon.Cooper@gov.ky)  
 Tel: Extn. 229

Banking Law  
 Intellectual Property Law  
 Conveyancing  
 Confidentiality

Ms. D Morris  
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 Tel: Extn. 227

Employment Law  
 Equity & Trusts  
 Land Law

Mr. M. Rollinson  
[matthew.rollinson@gov.ky](mailto:matthew.rollinson@gov.ky)  
 Tel: Extn. 225

Criminal Law  
 Legal System and Skills  
 Commercial Law

Mr. A. Sprince  
[Alan.Sprince@gov.ky](mailto:Alan.Sprince@gov.ky)

Law of Contract  
 Company Law  
 Law of Tort

**Part Time Academic Staff**

Mrs. M. Ramsay-Hale  
Contact via Mr Davies

Criminal Law

Ms E. Martin  
Enola.martin@db.com

**Administrative Staff**

Mrs. L Morales-Levy  
[Lisa.Morales-levy@gov.ky](mailto:Lisa.Morales-levy@gov.ky)  
Tel: Extn. 226

Mrs. G. Pearson  
[Gean.pearson@gov.ky](mailto:Gean.pearson@gov.ky)  
Tel: Extn:221

**Library**

Beverly Spiers  
[Beverly.Spiers@gov.ky](mailto:Beverly.Spiers@gov.ky)  
Tel: Extn. 231

## **INTRODUCTION TO THE CAYMAN ISLANDS LAW SCHOOL**

The Cayman Islands Law School was opened on 27th September 1982 by the then Governor, Mr. Peter Lloyd, and in 1984 it moved to the fourth floor of the Tower Building. As from March 2005, the Law School has been re-located to the second and third floors of the CIBC Building, Albert Panton Street, George Town. Pre-Ivan, the Law School boasted one of the Islands finest law libraries. It is hoped that by the Autumn of 2005 the library collection will have been restored to its previous levels. Since September 2002, the library has fallen under the direct supervision of a qualified librarian, Mrs Speirs, who also has responsibility for the Legal Department and Courts libraries.

The Law School provides tuition for both full and part-time programmes leading to the Bachelor of Laws (Honours) Degree of the University of Liverpool and the qualification of Attorney-at-Law of the Cayman Islands, which follows successful completion of the postgraduate Professional Practice Course (PPC). During the 2003-2004 academic year the PPC was suspended in order to facilitate the local production of course manuals to support the teaching and learning process. Manuals are now available for purchase from the Law School in Cayman Conveyancing Law, Cayman Civil Procedure and Cayman Criminal Procedure. The Professional Practice Course, leading to the Qualifying Examination, is operated under the auspices of the Legal Advisory Council, comprising the Hon. Chief Justice, the Hon. Attorney General and the respective Heads of the Caymanian Bar Association and the Cayman Islands Law Society.

In addition, the Law School offers a part-time local qualification, the Diploma in Legal Studies. It is also possible to enrol at the Law School as a General Student studying approved individual courses with or without taking examinations at the conclusion of the course. Students may register with the University of Liverpool in individual courses with University certification resulting from successful completion of all elements of assessment.

The aim of the Law School is to provide students with a standard of legal education equivalent to that prevailing in the United Kingdom. Students successful in the honours degree programme are eligible to pursue further postgraduate study at institutions of higher learning across the common-law world. In common with the legal education experience in other law schools, CILS students should anticipate an exciting and challenging experience; less commonly however, CILS students will not encounter over-populated classes and elusive and uncaring lecturers.

The courses of study leading to the degree of Bachelor of Laws and the Diploma are designed to provide exposure to a wide range of English legal principles, and at the same time to develop skills of analysis, logical thought, conciseness, and critical ability. The courses offered by the Law School will be attractive therefore not only to those students who wish to enter the legal profession but also to those having a variety of other career aspirations. Legal qualifications have allowed students to have fulfilling careers at senior levels in the financial industry for e.g. banking, insurance and corporate management.

## **REGULATIONS GOVERNING LOCAL LEGAL EDUCATION**

The Legal Practitioners Law, the Legal Practitioners (Students) Regulations, (2004 Revision) and The Legal Practitioners (Students) (Amendment) Regulations, (2004) confer upon the Law School authority to offer a system of legal education in the Cayman Islands under the control and guidance of the Director, the Attorney General and the Legal Advisory Council. You are strongly advised to become thoroughly familiar with these regulations early in your Law School career. It is also essential for you to become acquainted with Liverpool University's Examinations Code of Practice, which are located on the Law School's website ([www.gov.ky/lawschool](http://www.gov.ky/lawschool))

## **AFFILIATION WITH THE UNIVERSITY OF LIVERPOOL**

The Cayman Islands Law School is a formally affiliated institution of the University of Liverpool in the United Kingdom. As such, the lecturers are recognised law teachers by the University of Liverpool as well as being members of the Cayman Islands Attorney General's Chambers. Graduates of the LL.B programme have their degrees conferred upon them of the University of Liverpool. It has already been observed in the introduction to this handbook that the Law School was successful in March 2002 in having Qualifying Law Degree Status conferred directly upon it by the Law Society of England and Wales and the Bar Council of that jurisdiction. This means that all graduates of the University's LL.B degree have the opportunity (provided they have successfully completed a course in European Union Law) to obtain a legal qualification in the Cayman Islands that is internationally transferable. Such graduates are accordingly able to pursue legal professional qualifications in England and Wales (in addition to certain US jurisdictions) as well as being able to register for postgraduate academic legal studies throughout the common law world.

Royal Letters Patent issued by Queen Victoria in 1881 founded the University of Liverpool. The School of Law, one of the oldest in the United Kingdom, celebrated its centenary in the academic year 1992-93. Graduates of note include: The Law School's Patron, the Right Hon. Lord Nicholls of Birkenhead, a present member of the Judicial Committee of the House of Lords, the late Lord Justice Sellers, the late Mr. Justice Lynskey and the former Attorney-General of Hong Kong, J.W.D. Hobley C.M.G.

**ENTRY REQUIREMENTS**

Entry requirements for the full and part time degrees are laid down in the Legal Practitioners Law and the Legal Practitioners (Students) Regulations (2004 Revision). Generally, the academic entry requirement for students who are under 21 years of age on 1st May in the year they start their course is at least two General Certificate of Education Advanced Level passes in addition to three General Certificate of Secondary Education (GCSE) passes of Grade C or higher standard. The GCSE subjects must include English Language and one of Mathematics or a Natural Science subject or Geography or Economics. Other prescribed combinations of passes may be acceptable (but proof of attainment of an acceptably high English Language standard is essential) as may other prescribed qualifications recognised as being of a comparable standard, such as an Associates Degree with a sufficiently high GPA. Students who are over 21 years of age on 1st June in the year of intended entry who do not possess formal qualifications may take the University of Liverpool Mature Students Entrance Examination. Further particulars of this examination are available from the Law School.

<b>FEES</b>
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**Application Fee (all programmes/courses)\*** C.I.\$ 75.00\*

**Tuition Fees\***

Fees must be paid on the first day of each of the three terms. **Any student whose fees are overdue by more than 8 weeks will be excluded from classes and thereafter excluded from studies for 12 months (assuming all outstanding fees to have been paid by this time).** Term 1 tuition fees for all new students are due on Wednesday, 21<sup>st</sup> September 2005. Term 1 tuition fees for returning students are due on Monday, September 26<sup>th</sup>. Tuition fees for Term 2 (all students) are due on 9th January 2006 and for Term 3 (all students) on 24th April 2006.

Caymanian Students/Legal Residents of 10 years +

Professional Practice Course (3 terms)	C.I.\$ 9,000 per year
Honours Degree (full-time)	C.I.\$ 4,500 per year
Diploma in Legal Studies (2 subjects)	C.I.\$ 2,250 per year
Individual courses studied	C.I.\$ 1,125 per year per subject
Honours Degree (part-time)	C.I.\$ 1,125 per year per subject

Non- Caymanian Students

Honours Degree (full-time)	C.I.\$ 10,500 per year
Diploma in Legal Studies (2 subjects)	C.I.\$ 4,500 per year
Individual Courses	C.I.\$ 2,625 per year

**Registration Fees\***

A fee for registration, made payable in £ to University of Liverpool, is due annually. These fees are likely to increase slightly for the 2005-06 academic year.

Honours Degree (full-time)	£732.00
Honours Degree (part-time, 3 subjects)	£549.00
Honours Degree (part-time, 2 subjects)	£366.00
Diploma in Legal Studies (per subject)	£183.00

**Book Fees\***

Payments should be made payable to Wildy & Co in Sterling as notified. Book fees are payable during the first week of term, at which time exact figures will be available. No books will be released until full payment is received. Approximate Cost of Textbooks:

Degree (full-time)	C.I.\$ 450 (Sterling 300 approx)
Diploma and part-time degree (2 subjects)	C.I.\$ 250 (Sterling 150 approx)

**Examination Fees\*** C.I.\$ 25.00 per subject

**Photocopying Fees\*** CI\$ 10.00 photocopy cards

\* All fees are subject to change.

When paying tuition fees with a US cheque, the conversion from US to CI is x .82.

## **OUTSTANDING FEES**

Any student having outstanding fees (including o/s library fines) at the end of the academic year will have examination results withheld from them. Such students will also be ineligible to receive letters of reference from the Law School. Students whose fees have been overdue for 8 weeks or more will be excluded from classes and suspended from studies for 12 months (providing fees/fines have by then been paid in full). Any students having outstanding fees/fines in their third year will not be eligible to graduate.

<h2><b>METHOD OF INSTRUCTION</b></h2>
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LL.B and Diploma modules are taught by a combination of lectures and tutorials. There will typically be two hours of lectures per week per module and one hour of tutorials in alternative weeks. This means that full time degree students can usually expect ten contact hours per week and part-time degree students and diploma students, five contact hours per week (for the precise mode of delivery in each course, please see the individual module descriptors below).

As in all UK Law Schools, great emphasis is placed upon tutorials and it is expected that you will utilize non-contact hours preparing for these biweekly sessions. Students who are insufficiently prepared can expect to be asked to leave the tutorial by the tutor.

### **Mandatory Attendance at Lectures and Tutorials**

Attendance at both lectures and tutorials is mandatory. As of September 2006, it is expected that a new attendance rule, applicable to all students, will be in force whereby failure (without legitimate cause being shown) to attend at least 80% of all lectures and tutorials will result in the automatic exclusion from the end of year assessment in the affected module.

### **Tutorial Rota**

Most tutorials operate over a two-week cycle with new tutorials taking place fortnightly from October 10th. Your course leader will inform you of the precise arrangements in each course.

Depending upon the size of the group and the frequency of tutorials, there will be between one and four tutorial classes. Tutorial class lists will be posted in week 1, at which point in time you will be informed of your tutorial group, the timetabled slot for that group and the weeks in which you are required to attend (see attendance requirement above).

Tutorials in all courses apart from LSS will begin in the week commencing Monday, October 10th. LSS tutorials will commence in the week commencing Monday, October 3<sup>rd</sup>. Where there is more than one tutorial group in any course, students allocated to tutorials in odd weeks will begin in the week commencing Monday, October 10th and

students allocated to tutorials in even weeks will begin in the week commencing Monday, October 17th.

<b>TEACHING and ASSESSMENT PATTERN 2005-2006</b>
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### Term One

September 21st – 23<sup>rd</sup> Registration and Induction  
(first yrs only)

*Week commencing:*

26 September 2005	Week 1	Start of Lectures (PPC Induction)
3 October 2005	Week 2	Lectures continue (PPC classes commence)
10 October 2005	Week 3	LL.B Tutorials commence: Tutorial 1
17 October 2005	Week 4	Tutorial 1
24 October 2005	Week 5	Tutorial 2
31 October 2005	Week 6	Tutorial 2
7 November 2005	Week 7	Tutorial 3
14 November 2005	Week 8	Tutorial 3
21 November 2005	Week 9	Tutorial 4
28 November 2005	Week 10	Tutorial 4
5 December 2005	Week 11	Tutorial 5
12 December 2005	Week 12	Tutorial 5

Christmas Vacation: 16 December 2005 – 8 January 2006

### Term Two

*Week commencing:*

9 January 2006	Week 1	Tutorial 6 (first LL.B coursework submissions due 9 <sup>th</sup> ); first PPC exams this week
16 January 2006	Week 2	Tutorial 6
23 January 2006	Week 3	Tutorial 7
30 January 2006	Week 4	Tutorial 7
6 February 2006	Week 5	Tutorial 8
13 February 2006	Week 6	Tutorial 8
20 February 2006	Week 7	Tutorial 9
27 February 2006	Week 8	Tutorial 9
6 March 2006	Week 9	Tutorial 10
13 March 2006	Week 10	Tutorial 11
20 March 2006	Week 11	Tutorial 11
27 March 2006	Week 12	Second LL.B coursework submissions and PPC dissertations due on March 31st

**Easter Vacation:** 31 March 2006 – 17 April 2006

**Term Three**

*Week commencing:*

18 April 2006	Week 1	Revision
24 April 2006	Week 2	Revision
1 May 2006	Week 3	Revision
8 May 2006	Week 4	PPC/LLB exams
15 May 2006	Week 5	PPC/LLB exams

Mock exams will be scheduled in each course by course leaders.

Resit Examinations will be held in the period September 6<sup>th</sup> – September 13<sup>th</sup> 2006

## METHOD OF ASSESSMENT

Assessment in many LL.B courses is primarily by means of a two and one quarter hour unseen written examination at the end of the academic year (accounting for 60% of the final mark) with a 2,500 word assignment accounting for 40% of the final mark. This assessment regime applies to the following courses: Legal Systems and Skills, Constitutional and Administrative Law, Company Law; Tort, Family Law, Evidence, Employment and European Law. Each of the following modules is assessed exclusively by a three hour unseen written examination: Criminal Law, Law of Contract, Equity and Trusts, Intellectual Property Law, Commercial Law, Land Law and Banking Law. The Conflicts of Laws is assessed by means of a 2,500 word dissertation (40%) and by a three hour examination (60%).

Depending upon the module studied, coursework will be required to be submitted either at the beginning or at the end of term two. Coursework must be personally submitted by the student between 3.00pm – 5.00pm on the due date for submission. You should consult the assessment pattern in the following pages of this handbook for precise dates of submission.

### **Coursework Submissions and the Need for Originality of Content**

The coursework requirement takes the form of one 2,500-word dissertation, submitted in strict adherence to the University of Liverpool's rules. In particular, the coursework must be free from plagiarism and collusion. It is essential that it represents the candidate's original work. A submission which amounts to no more than a patchwork of other authors' work, even if properly attributed, will not be capable of achieving a passing standard and may result in a zero mark being awarded. In cases of proven plagiarism or collusion disciplinary action may also be taken. Assignments which exceed the prescribed length or which are submitted late without cause will attract the mandatory penalties described in the University's Coursework Code of Practice which you are expected to be thoroughly familiar with.

<b>ASSESSMENT PATTERN</b>
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**Coursework Submission**

Coursework in the following subjects is due on Monday, January 9<sup>th</sup>, 2006 between 3.00pm and 5.00pm:

Intermediate Courses

Legal Systems and Skills

Part I Courses

Company Law

Tort

Part II Courses

Conflict of Laws

Coursework in the following subjects is due on Friday, 31<sup>st</sup> March 2006 between 3.00pm and 5.00pm:

Intermediate Courses

Constitutional and Administrative Law

Part I Courses

Law of Evidence

Family Law

Part II Courses

Employment Law

European Union Law

**Examinations**

Final Examinations: May 8th – 19th, 2006

Resit Examinations: September 6th-13<sup>th</sup>, 2006

## ASSESSMENT APPEALS: ALL PROGRAMMES

Pursuant to University regulations, **candidates may not appeal against the academic judgement of the Board of Examiners.** If a candidate seeks confirmation of a grade, he/she must cite specific grounds in support of such an application, which do not call into question academic judgement. All such applications are received by the Liverpool Law School's Board of Examiners, which alone is invested with powers of assessment. An appeals procedure, available from the Director of CILS, sets out the procedure for appealing against an award or classification of the University. Such applications are to the Chair of the Board of Examiners and must usually be made within 10 days of the communication of results to the candidate.

## EXAMINATIONS AND PROGRESSION

Examinations for all undergraduate courses will be held in May, with resits (where necessary) in early September. **Any student failing to complete all elements of assessment in all modules studied will not be permitted to progress to the next year of study.**

Examinations are set internally, subject to moderation by the University's internal and external examiners. Booklets containing past examination papers are available (to photocopy) from the Law School front desk. All papers are externally assessed by the academic staff of the Liverpool Law School and are subject to further scrutiny by the University's external examiners.

Examination results will be posted to students in late June/early July.

All degree students are required to pass the Intermediate year of study (year one for full-time degree students; years one and two for part-time degree students). **Unless exceptional circumstances are established, students will not be permitted more than three attempts at any examination/piece of assessed coursework. In order to maintain qualifying law degree status, no more than a maximum of two resits in any core subject is usually permitted.**

The degree is classified by reference to results in Part I and Part II of the relevant degree. For the full-time degree Part I comprises subjects taken in Year 2; Part II comprises subjects taken in Year 3. For the part-time degree, if taken over six years, Part I comprises subjects taken in Years 3 and 4; Part II comprises subjects taken in Years 5 and 6. If the part-time degree is taken over five years, Part I comprises subjects taken in Years 3 and 4; Part II comprises (remaining) subjects taken in Year 4 and Year 5.

Please check individual course descriptors for further clarification of which courses are classified as Intermediate and which as Final Part I and Final Part II for classification purposes.

<b>CURRICULUM: FULLTIME DEGREE (M3OX)</b>
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The full-time degree is a three-year course of study. The curriculum is as follows:

**Year 1 (mandatory)**

Constitutional and Administrative Law  
 The Law of Contract  
 Criminal Law  
 Legal System and Skills

**Year 2**

Mandatory

Equity & Trusts  
 The Law of Tort

Optional (two from):

Commercial Law  
 Company Law  
 Law of Evidence  
 Family Law

**Year 3**

Mandatory

Land Law

Optional (three from):

Banking Law  
 Conflict of Laws  
 Employment Law  
 European Union Law (**must be successfully completed for award of qualifying law degree**)  
 Intellectual Property  
 Dissertation Option

<b>CURRICULUM: PART TIME DEGREE (M3OY)</b>
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This qualification is open to Caymanian candidates and residents able to establish a substantial connection with the islands. It comprises the study of twelve law courses over a maximum of six years.

The entry requirements and method of assessment for courses are the same as the full-time degree (see above).

The part-time degree is studied over a minimum of five years and a maximum of six years. Candidates are not permitted to study more than two courses per year until year four of the programme when a maximum of three courses may be studied. Candidates who elect in Year 4 to study three courses must also study three courses in Year 5 to completion of the degree. Likewise, those candidates who elect in Year 4 to continue to study two courses per year must adhere to this mode of study until completion.

### **Part Time Degree (Six Years)**

Where the part time degree is studied over six years, two subjects are studied in each year and the course curriculum is as follows:

#### **Year 1**

Law of Contract  
Legal System and Skills

#### **Year 2**

Constitutional & Administrative Law  
Criminal Law

#### **Year 3**

Equity & Trusts  
The Law of Tort

#### **Year 4**

Two optional subjects from the following list:

Commercial Law  
Company Law  
Law of Evidence  
Family Law

## **Year 5**

Mandatory  
Land Law

Plus one optional subject from the following list:

Banking Law  
Conflict of Laws  
Employment Law  
European Union Law (**must be successfully completed for award of qualifying law degree**)  
Intellectual Property

## **Year 6**

Two further optional subjects (not previously studied) from the list of options available in Year 5 ie:

Banking Law  
Conflict of Laws  
Employment Law  
European Union Law (**must be successfully completed for award of qualifying law degree**)  
Intellectual Property

## **Part Time Degree (Five Years)**

Where the part time degree is studied over five years, the first three years are the same as when the part time degree is studied over six years, with two courses studied in each year. Thereafter, three courses are studied in each of the final two years. The dissertation option is available in Year five of the programme only, with year five being necessarily the final year of study. The course curriculum is as follows:

### **Year 1**

Law of Contract  
Legal System and Skills

### **Year 2**

Constitutional & Administrative Law  
Criminal Law

### **Year 3**

Equity & Trusts  
The Law of Tort

**Year 4**

Mandatory  
Land Law

Plus two optional subjects from the following list:

Commercial Law  
Company Law  
Law of Evidence  
Family Law

**Year 5**

Three optional subjects form the following list:

Banking Law  
Conflict of Laws  
Employment Law  
European Union Law (**must be successfully completed for award of qualifying law degree**)  
Intellectual Property  
Dissertation Option

<b>CURRICULUM: DIPLOMA IN LEGAL STUDIES</b>
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This course is intended for candidates who wish to obtain some exposure to the study of law but who are not able to undertake the depth of study necessary for the full time degree course. The entry requirements for the Diploma are, however, the same as for the full and part time degree programmes (see above).

The Diploma, which is an award of CILS and not the University of Liverpool, is awarded on the basis of passes in six law subjects. Teaching and assessment is the same as that applicable to the module being studied by degree candidates. All examinations are assessed by the Liverpool Law School. Four subjects, the Law of Contract, Legal System and Skills, Constitutional & Administrative Law and Criminal Law are compulsory.

Transfer to the part or full time degree programme is possible if an acceptable standard is maintained during the currency of Diploma studies. Upon the successful completion of these four courses in Years 1 and 2 of the Diploma, candidates may apply to transfer into either Year 2 of the full time degree or Year 3 of the part time degree.

Upon successful completion of the final year of the Diploma, candidates may apply to transfer into Year 4 of the part time degree, provided they have completed, in the final year of their Diploma, those courses (Tort and Equity) that are required to be taken in Year 3 of the part time degree. At this time the candidate will have to decide whether they wish to pursue the part time degree over five or six years. For further information concerning the Diploma, reference should be made to The Legal Practitioners (Students) (Amendment) Regulations 2004 Revision.

The curriculum for the Diploma in Legal Studies is as follows:

### **Year 1**

Law of Contract  
Legal System and Skills

### **Year 2**

Constitutional & Administrative Law  
Criminal Law

### **Year 3**

Two optional subjects form the following list:

Commercial Law  
Company Law  
Law of Evidence  
Equity & Trusts  
Family Law  
The Law of Tort  
Land Law

If a candidate wishes to transfer into Year 4 of the part time degree, it is necessary that they select the Law of Tort and Equity and Trusts in Year 3.

## **THE PROFESSIONAL PRACTICE COURSE**

Admission as an attorney-at-Law of the Cayman Islands, carrying with it the right to practise law locally, is regulated by the Legal Practitioners Law and Regulations made thereunder. Students should be thoroughly familiar with these provisions.

In the case of persons who are not qualified to practice as barristers or solicitors in other Commonwealth jurisdictions, admission to the Cayman Bar is based upon successful completion of: (i) The Qualifying Examination of the Professional Practice Course, certified by the Cayman Islands Legal Advisory Council; and (ii) An eighteen month period of articles of clerkship.

Those graduates who go on to qualify as an Attorney at Law are eligible to take the Qualified Lawyers Transfer Test with a view to converting their qualification to that of English solicitor. For further details of this scheme please contact the Director or Ms Barker.

The entry requirements for the PPC are laid down in the Legal Practitioners (Students) Regulations (2004 Revision). Candidates must be Caymanian or have Caymanian status, or hold the consent in writing of the Governor in Cabinet. In addition, students must have successfully completed the Liverpool University LL.B. degree or a qualification deemed to be equivalent to it by the Legal Advisory Council.

The Professional Practice Course is two years in duration, divided into two parts; the first part comprises an intensive full-time nine-month period of study in Cayman law and procedure. Courses to be studied include Cayman Statute Law (private and business client), Criminal Procedure and Evidence, Civil Procedure and Evidence, Conveyancing, Probate, Legal Accounts, Legal Ethics and Legal Skills. A 3,000-word dissertation must also be successfully completed focusing on an area of local law/procedure. Locally produced manuals form the basis of the courses in Conveyancing, Civil Procedure and Criminal Procedure and are available for purchase from the Law School. Successful completion of all courses (the Qualifying Examination) allows eligible candidates to apply to register Articles of Clerkship.

The second element to the Professional Practice Course is accordingly service under Articles of Clerkship with a practising Attorney-at-Law who will provide the trainee with practical experience in differing aspects of legal work. Articles must be registered with the Clerk of the Court after the Attorney General's certificate has been obtained which signifies his satisfaction that the articulated clerk will receive an appropriate level of legal training. Securing articles is the student's responsibility and it is up to the attorney and the clerk to agree the usual conditions of the clerk's employment such as salary, annual leave etc. A legal practitioner in the Cayman Islands has a broad spectrum of matters to deal with: his clients may well be involved in sophisticated international trusts, banking, insurance and commercial transactions, or have problems of a more domestic nature.

An articulated clerk will study practical issues of many aspects of the law and should use this time to assist his or her principal to the full in order to gain the widest experience possible.

Upon successful completion of the Qualifying Examination, students must enrol with the Clerk of the Courts and register their Articles of Clerkship. A description of the procedure is found in the 2004 Student Regulations.

## **THE LAW LIBRARY**

The new, purpose-built, Law School library will be located on the second floor of the Law School. It is hoped that this enhanced facility, together with an expanded student computer room will be fully operational by the time the new Law School term opens in September 2005. Once operational, registered CILS students may borrow books forming part of the lending collection whenever the Law School is open.

With the exception of books, law reports and journals which are classified as reference materials only, the remainder of the books may be borrowed from a library officer (see below) for a period of up to two weeks. The maximum number of books that may be borrowed is three at any one time. Overdue returns are subject to a fine of CI\$15.00 per book, per week, (or part thereof), overdue. Library officers have been instructed to enforce this system rigidly in the interests of all library users. You have been warned!

The library officers (ie those members of staff having responsibility for library borrowing/administration) are the (part-time) Librarian, the Administrative Assistant and the Receptionist. A library officer is to be informed whenever a student borrows a book. Students will be required to replace any books, which are removed and not returned on demand. Under no circumstances may library books be transferred between students without their previous return to the Law School. It is the responsibility of the borrower to return all books in the condition received either in person to one of the library officers. Under no circumstances are books to be left on the Receptionist's desk unattended. All books remain the responsibility of the borrower until properly returned in one of the above ways. Any abuse of the library system will automatically result in borrowing privileges being withdrawn from the offender.

<b>STUDENT MATTERS</b>
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**Getting to Law School**

Reliable public transport to George Town is now available. Students are encouraged to make use of this service, as car parking in George Town is very limited.

**Law School Web Page**

In addition to an existing link to a CILS web page via the Liverpool Law School's web site ([www.liv.ac.uk/law](http://www.liv.ac.uk/law)), the Law School has established web pages on the CI government web site. This will be found at the following address: [www.gov.ky/lawschool](http://www.gov.ky/lawschool). Students are encouraged to make full use of this facility and should check this web page frequently. In addition to teaching and assessment information, including lecture and tutorial materials, any changes to scheduled lectures will be posted here.

**Meetings**

Staff-Student Meetings will be held at 3.00pm on Friday, November 4<sup>th</sup> 2005, Friday, February 10<sup>th</sup> 2006 and Friday, April 21<sup>st</sup> 2006.

**Post**

Students should apply for their own post box. Student mail should not be sent c/o The Law School, which accepts no responsibility for any mail delivered to it.

**Student Identification Cards**

Student Identification Cards will be issued in November and December to students who have paid both their tuition and registration fees.

**Transcripts**Official Transcripts

The University of Liverpool will supply official transcripts. The fee is £10.00 per order. Application forms are available from Mrs Morales-Levy/Mrs. Pearson.

**Letters of Reference/Unofficial Transcripts**

Students may request a letter of reference/unofficial transcript from the Law School. The reference will generally be sent directly to the prospective employer or institution who will usually wish to ensure confidentiality. The reference will include the following performance indicators: final and mock examination results, coursework/written assigned marks, attendance, punctuality, preparedness for lectures and tutorials, communication skills. No references will be provided to students who have fees/fines owing to the Law School.

<b>LAW SCHOOL CODE OF PRACTICE</b>
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These guidelines are intended to assist students in complying with Law School regulations. They are not intended to be a substitute for common sense and neither may they be construed as being exhaustive.

By way of amplification of the student regulations contained, inter alia, in the Legal Practitioners Law and the Legal Practitioners (Students) Regulations, but without prejudice to their generality, it is (and is deemed always to have been) incumbent upon all registered law students to comply with the following:

1. Student attendance at all lectures/tutorials is mandatory. If through illness or other sufficient cause a student is unable to attend a lecture or tutorial the lecturer concerned must be advised, in advance wherever possible.
2. The attendance requirement at lectures and tutorials is to be observed with punctuality. Lecturers will shut the lecture room door 5 minutes after the scheduled start time for the lecture; thereafter admission may be refused in the interests of the other members of the class.
3. Assessed and non-assessed assignments are compulsory unless your lecturer advises you to the contrary. Prescribed submission deadlines are to be adhered to. If a deadline is not met, and no sufficient cause is shown, the assignment will not be accepted with a zero being entered in the student's termly record.
4. All internal tests and examinations are compulsory. If through illness or other sufficient cause a student is unable to present himself/herself to an examination, prior notification in writing must be given to the Director of Legal Studies, together with a doctor's medical note, where appropriate.
5. Student fees must be paid on the FIRST day of each term. Failure to do so will lead to exclusion from classes.
6. The Law Library rules in place from time to time are to be strictly adhered to. In particular it is provided that: -
  - The taking of food and drink into the library is absolutely prohibited.
  - Talking is prohibited.
  - Students are required to strictly observe borrowing rules:
  - No book is to be removed from the library if marked 'for reference only'.
  - No book is to be borrowed without prior registration with the Executive Officer.
  - Books are to be returned by posting them into the returns box provided.
7. Use of Law School telephone is strictly prohibited. A student telephone is located adjacent to the Student Common Room.
8. The Receptionist's desk area is off-limits at all times. Lecturers' rooms are off-limits unless invited by the lecturer to enter. Assignments/material for the lecturer should be left in the receptacle provided outside the lecturer's office.

<b>CODE OF PRACTICE ON PERSONAL TUTORING</b>
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### **The Purpose of the Scheme**

The Tutorial scheme should seek to promote a sense of community between academic staff and students and contribute to the well being of students and their academic success by enabling them to feel regarded as individuals.

### **The Role of the Director of Legal Studies**

The Director of Legal Studies will administer the Tutorial scheme.

### **The Responsibilities of the Director of Legal Studies**

The Director of Legal Studies should:

- Aim to see that the personal tutors operate the system efficiently and effectively;
- Ensure that all students and staff receive this written statement of the purpose and operation of the scheme;
- Ensure that all students, including part-time students, have a nominated tutor and that this tutor is normally nominated before the start of session;
- Ensure that the distinction between personal tutor and academic tutor is quite clear even if the same person acts in both capacities;
- be in attendance at all Progress Committee Meetings;
- be a member of any appropriate staff/student committees;
- Ensure that students understand that they can request to change their personal tutor without giving reasons and without prejudice.

### **The Role of the Personal Tutor**

Personal Tutors should assist in the running of the Cayman Islands Law School Tutorial Scheme with the support of the Director of the Legal Studies

### **The Responsibilities of Personal Tutors**

Personal tutors should:

- Aim to meet their new tutees before the end of the first week of a new academic year;
- Aim to see their tutees regularly and, at a minimum, at the beginning and end of each term;
- Ensure their tutees know how to contact them at short notice in the case of emergencies and make themselves available to students for some specified period every week;
- Encourage tutees to come and see them in the event of needing to seek information or advice or to talk things through with a friendly listener;
- Keep confidential matters discussed with a tutee unless the tutee has given his/her permission for information to be passed on or, in exceptional circumstances only, the tutor judges it to be in the best interests of the tutee or some other person for information to be shared;

Help the tutees allocated to them overcome any problems of adjustment to life at Cayman Islands Law School;  
Respond to tutees' requests for advice on matters not immediately arising from the content of their formal instruction and refer, as necessary, to appropriate individuals those matters outside the expertise of the tutor;  
Help to foster the understanding that Cayman Islands Law School regards students as individuals;  
Make a point of interesting themselves in the well being of their tutees.

**The Responsibilities of Tutees:**

Tutees should:

Respond promptly to requests to see their personal tutor;  
Aim to respect the specified times at which tutors make themselves available to see students;  
Ensure they know how to contact their tutor at short notice in the case of emergencies and, at all other times, try to see their tutor at the specified time;  
Give tutors reasonable notice when making a request for a reference;  
Keep tutors informed of any relevant circumstances which may have an effect upon their studies.

## **CILS STUDENT COMPLAINTS PROCEDURE**

### **1 GENERAL PRINCIPLES**

**1.1** The Cayman Islands Law School is committed to ensuring that we provide for our students a high quality educational experience, supported by appropriate academic and administrative facilities. We recognise, however, that there may be occasions when students will feel that they have cause for complaint. In this context, a complaint is defined as an expression of dissatisfaction either about the courses, facilities or services provided by the Cayman Islands Law School or about actions or lack of actions by the Cayman Islands Law School or its staff. Complaints may be made by individuals or by groups of students. This Complaints Procedure sets out how students may seek to have complaints addressed. It should be recognised that the vast majority of student complaints can be handled fairly, amicably and to the satisfaction of all concerned on an informal basis. Only when informal means have been exhausted should a formal complaint be pursued. This procedure does not cover the following matters for which separate procedures exist:

Appeals against academic assessment and progress decisions;  
Student disciplinary issues.

Information about academic appeals and student disciplinary issues may be sought from the Director of Legal Studies.

**1.2** The Cayman Islands Law School will seek to ensure that all complaints from students are treated seriously, positively and constructively. It will also seek to ensure that complaints are dealt with promptly and with fairness and consistency. If a complaint is found to be justified, the Cayman Islands Law School will take such action or provide such remedy as may be appropriate and will do so promptly. If a complaint is not upheld, the reasons for the decision will be communicated to the complainant.

**1.3** Complainants will not suffer any disadvantage or recrimination as the result of making a complaint in good faith. However, if a complaint is judged to have been made frivolously, vexatiously or with malice, disciplinary action may be taken against the complainant.

**1.4** Complainants and any individual against whom complaints might be made may expect complaints to be dealt with confidentially and that their privacy will be respected. However, it may be necessary to disclose information to others in order to deal with the complaint and in these circumstances the parties concerned will be informed of such disclosure. Whenever, in the course of a complaint being dealt with, a complainant or any person against whom a complaint is made is invited to discuss the complaint orally or to attend a hearing, they shall be entitled to be accompanied by a friend or colleague, who may be a Cayman Islands Law School member of staff, who may speak on their behalf.

**1.5** Anonymous or third party complaints will not be dealt with under this procedure. If a member of staff receives an anonymous complaint, s/he will be expected to seek advice from their line manager as to how the complaint should be dealt with.

**1.6** The Cayman Islands Law School believes that complaints should be resolved as near to their source as possible. For this reason, this Complaints Procedure provides for there to be a number of stages, both informal and formal, in the handling of a complaint. Complaints will not be rejected solely on the grounds of minor procedural deficiencies on the part of the complainant. At each stage of the process, the person to whom a complaint has been referred shall, if it is upheld, apply such appropriate remedies as are within their powers. If they consider that the remedy is outside their powers they shall refer the matter to the appropriate authority.

**1.7** The Director of Legal Studies will monitor, on an annual basis, complaints which have been referred to him and will be responsible for implementing, or recommending to the appropriate authority, changes to systems or procedures suggested by the nature and pattern of the complaints received. The outcome of such monitoring may be used to also inform other processes or activities. The Attorney General shall receive on an annual basis a report on the outcome of the monitoring processes and from time to time shall consider in the light of such report whether changes to the Cayman Islands Law School's systems and to the Complaints Procedure itself would be appropriate.

**1.8** Advice about the Complaints Procedure may be obtained from any member of academic staff.

**1.9** This Complaints Procedure forms part of the Cayman Islands Law School's overall quality assurance framework. It will be circulated to all new students and staff.

## **2. INFORMAL RESOLUTION OF COMPLAINTS**

**2.1** The majority of complaints can be resolved satisfactorily on an informal basis. If the complaint is against an individual the complainant should, if possible, first raise their complaint either orally or in writing with that individual, stating the remedy they are seeking. If the complaint is about courses, facilities or services provided by the Cayman Islands Law School, the complainant should raise the complaint with the Director of Legal Studies, again stating the remedy being sought. The complaint must normally be made within one month of the actions (or lack of actions), which prompted the complaint. The person to whom the complaint has been made shall respond to the complainant within a reasonable time. If making or responding to the complaint involves face to face contact between the complainant and a person against whom the complaint has been made, both shall be entitled to be accompanied by a friend or colleague or member of the Cayman Islands Law School staff. If the person to whom a complaint has been made rejects the complaint, they must provide written reasons to the Director of Legal Studies or Solicitor General for doing so.

**2.2** If a complaint is of a general rather than specific nature, it may be more appropriate to ask the relevant student representative to raise it with the Director of Legal Studies or to have it raised at Staff/Student Meeting.

**2.3** If the complainant is dissatisfied with the response they receive from the person to whom a complaint has been made, or if they feel unable to approach directly the person against whom they have a complaint, they should submit a written complaint to the Director of Legal Studies. If the Director of Legal Studies is the subject of the complaint, then the written complaint should be made to the Solicitor General. If the complainant is unsure whom to approach at this stage, they may seek advice from the Director of Legal Studies or the Solicitor General. The written complaint should set out briefly: the nature of the complaint and the remedy sought; the informal steps already taken (if any); details of any response received; a statement as to why the complainant remains dissatisfied; and, without prejudice to any formal remedy which might be determined, the remedy they are seeking. The Director of Legal Studies or Solicitor General shall investigate the complaint and shall submit a written response to the complainant within a reasonable time. If the investigation involves a face-to-face meeting between the Director of Legal Studies or the Solicitor General and the complainant and/or person against whom a complaint has been made, the latter two shall both be entitled to be accompanied by a friend or colleague. If the complaint is not upheld, the reasons for this decision must be stated in writing to the complainant and to any person against whom a complaint has been made.

### **3. THE FORMAL COMPLAINTS PROCESS**

**3.1** The process described in paragraphs 2.1-2.3 represents the informal stage in seeking to resolve complaints. If, having pursued the matter informally, the complainant remains dissatisfied with the written response, they should, within 10 working days of receipt of such written response, refer the matter formally in writing to the Attorney General and should enclose copies of the correspondence exchanged during the informal procedure and any other relevant papers.

**3.2** The Attorney General shall acknowledge receipt of a formal complaint in writing within a reasonable time. Subject to his being satisfied that the complainant has taken all reasonable steps to resolve the matter informally using the procedures detailed in paragraphs 2.1-2.3 above, the Attorney General shall appoint a person or persons, having no material interest in the complaint, to carry out an investigation. The investigator(s) may seek to resolve the issue on the basis of documentation, after having sought further information from the members of staff involved in the informal investigation of the complaint, or may at the investigator(s) discretion call a hearing at which the complainant and any other persons involved may submit their respective cases. A friend or colleague, who may speak on their behalf, if appropriate, may accompany both the complainant and any person who is the subject of a complaint at any such hearing. In the event of the unavoidable absence of any of the parties, the hearing may be postponed, but the voluntary absence of one or more of the parties shall not prevent the hearing proceeding.

**3.3** After investigation of the complaint the investigator(s) shall decide whether the complaint is justified or not and shall submit a report in writing to the Attorney General, containing such recommendations as may be appropriate. The Attorney General shall determine what action, if any, shall be taken and shall communicate this in writing to the complainant and all other relevant parties within a reasonable time.

**3.4** Following formal investigation of a student complaint, there shall be no right of appeal as to the merits of the case. Dissatisfaction as to the outcome of the complaint itself shall not in itself constitute an acceptable reason for appeal. However, if a complainant believes that their complaint has not been handled properly or fairly in accordance with the procedures set out in paragraphs 3.2 and 3.3, and then they may submit a letter of appeal to the Chief Justice requesting a review. The letter must set out the reasons for requesting the review, and should be submitted within ten working days of notification of the decision on the complaint by the Attorney General, and should include copies of all previous correspondence and relevant papers.

**3.5** Appeals will be considered by the Chief Justice or his nominee. The Chief Justice will acknowledge receipt of an appeal within a reasonable time. The Chief Justice or his nominee shall consider the circumstances of the case on the basis of the documentation and, having taken such advice, as he deems necessary, shall determine whether there is prima facie evidence to support the complainant's appeal that the case had not been handled properly or fairly. If s/he determines that no prima facie evidence exists, then the appeal shall be dismissed. If, however, the Chief Justice or his nominee is satisfied that there is prima facie evidence to support the appeal, then he shall arrange for a review the case. He shall inform the complainant within a reasonable time that there is no prima facie evidence to support the appeal and therefore that the appeal has been dismissed, or that the case is to be reviewed.

**3.6** Reviews will normally be conducted by means of scrutiny of written documentation. Following completion of the review, the Chief Justice shall determine what action, if any, shall be taken and shall communicate this in writing to the complainant and all other relevant parties within a reasonable time.

**3.7** In normal circumstances any hearing, which a complainant is invited to attend in connection with the investigation of a complaint, will be held during term time. If, in exceptional circumstances, the investigation of a complaint requires a complainant's attendance in the Cayman Islands Law School outside of term time, the Cayman Islands Law School will reimburse reasonable travel and subsistence expenses incurred by the complainant in attending the Cayman Islands Law School.

**3.8** This represents the Cayman Islands Law School internal procedure for the handling of student complaints. Any external petition should not be considered until the Cayman Islands Law School's internal procedures have been exhausted.

**MODULE SPECIFICATIONS****Intermediate**

Constitutional and Administrative Law  
Law of Contract  
Criminal Law  
Legal System and Skills

**Final - Part I**

Commercial Law  
Company Law  
Law of Evidence  
Equity and Trusts  
Family Law  
Law of Torts

**Final – Part II**

Banking Law  
Conflict of Laws  
European Union Law  
Employment Law  
Intellectual Property Law  
Land Law  
Dissertation Option

<b>Constitutional and Administrative Law LAW 803</b>		<b>Module co-ordinator:</b> Mr. Vaughan Carter
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Intermediate
<p><u>Outline Syllabus</u></p> <p>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 citizens' complaints against governmental bodies; and appraise the development and constitutional significance of judicial review of administrative action.</p> <p><u>Learning Outcomes</u></p> <p>At the end of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Articulate both orally and in writing, the central features and peculiar characteristics of the UK's constitutional arrangements;</li> <li>Critically appraise the laws, policies and theories relating to these arrangements, demonstrating an awareness of their social, political and historical context;</li> <li>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;</li> <li>Demonstrate a thorough knowledge of the legal principles associated with Constitutional and Administrative law through the construction of a coherent written argument and application of that knowledge to hypothetical problems.</li> </ul> <p>Specific skills covered: Research; IT, communication, literacy, problem solving.</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial weekly.		
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)		
<b>Indicative reading:</b> Barnett, Constitutional and Administrative Law, Cavendish Leyland & Anthony, Textbook on Administrative Law, OUP Wallington and Lee, <i>Statutes on Public Law and Human Rights</i> , 15 <sup>th</sup> ed., OUP, 2005		

<b>Law of Contract LAW 800</b>		<b>Module co-ordinator:</b> Dr. Alan Sprince
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Intermediate
<p>This module examines the English law of contractual obligations. Students will gain a practical and conceptual understanding of the basic principles of the Law of Contract and will be introduced to the techniques of a case-based subject. Appropriate reference will be made to relevant principles of EU Law and to the Human Rights Act.</p> <p><u>Outline Syllabus</u>  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 &amp; Void Contracts); Discharge of contractual obligations (Performance; Breach of Contract; Discharge by Agreement; Frustration); Remedies for breach of contract (Damages; Specific Performance; Injunction)</p> <p><u>Learning Outcomes</u>  At the end of the module students should be able to:  Demonstrate orally and in writing a knowledge of the basic principles of English contract law;  Apply those principles to practical situations;  Distil law from the cases;  Use traditional and electronic sources of material;  Write concisely and incisively about legal issues;  Present coherent and effective oral argument about legal issues.</p> <p>Specific skills covered: Research, IT, communication, literacy, problem solving</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial fortnightly		
<b>Assessment methods:</b> One 3-hour unseen written examination worth 100% final mark.		
<b>Indicative reading:</b> Poole, <i>Textbook on Contract</i> , 7 <sup>th</sup> ed., OUP, 2004 Poole, <i>Casebook on Contract Law</i> , 8 <sup>th</sup> ed., OUP, 2005 Rose, <i>Statutes on Contract, Tort and Restitution</i> , 16 <sup>th</sup> ed., OUP, 2005		

<b>Criminal Law LAW 801</b>		<b>Module co-ordinator:</b> Mr. Mitchell Davies; Lecturers: Mr Davies and Mr. Rollinson; Tutor Magistrate Ramsay-Hale
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Intermediate
<p>This module introduces criminal law and covers the general principles of criminal liability. In term two the principles are applied to a range of offences against the person, property, and inchoate offences. The course concludes with a consideration of general defences.</p> <p><u>Outline Syllabus</u>            General principles: actus reus, omissions; causation; mens rea, intention, recklessness, negligence; manslaughter; strict liability; accessories; conspiracy; attempts. Specific offences and defences Include: offences against the person, sexual offences, theft deception and related offences, criminal damage, murder and manslaughter. Also defences such as insanity, diminished responsibility, intoxication, provocation, duress, mistake and self-defence/prevention of crime.</p> <p><u>Learning Outcomes</u>            At the end of the module students should be able to:            Set the law in its historical and political context;            Trace the development of the law through legislation and case law;            Demonstrate orally and in writing a thorough knowledge and understanding of the general principles in criminal law;            Critically analyse and assess the law;            Apply knowledge to specific factual situations;            Identify gaps and ambiguities in the law;            Extract the law from legislation and cases.</p> <p>Specific skills covered: Research; communication, literacy, problem solving</p>		
<p><b>Teaching methods:</b>            2 lectures per week; (48 lectures in total) supported by 1 tutorial fortnightly (10 tutorials in total).            Internal Assessment: students are required to complete a one and one half hour mock examination and a three-hour mock examination.            Non assessed essays will be set during terms one and two</p>		
<p><b>Assessment methods:</b>            One 3-hour unseen written examination worth 100% final mark.</p>		
<p><b>Indicative reading:</b>            Allen, <i>Textbook on Criminal Law</i> 8<sup>th</sup> Ed (OUP,) (2005)            Smith &amp; Hogan, Ormerod: <i>Criminal Law: Cases and Materials</i> 9<sup>th</sup> Ed (OUP) (2005)</p> <p>Heaton, <i>Criminal Law</i> (OUP, 2004)            Simester &amp; Sullivan, <i>Criminal Law, Theory &amp; Doctrine</i> (OUP, 2004)            Herring <i>Criminal Law Text, Cases and Materials</i> (OUP, 2004)</p>		

<b>Legal Systems and Skills LAW 822</b>		<b>Module co-ordinator:</b> Mr Mathew Rollinson;
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Intermediate
<p>This module explores different aspects of the legal system in England and Wales and other jurisdictions. It considers how laws are made and interpreted. The module also aims to introduce students to different ways of approaching legal study and to intellectual perspectives such as legal theory.</p> <p>Additionally this module will provide students with the basic legal and transferable skills required for further legal study as well as with the essential skills required using information technology in support of learning.</p> <p>Teaching will be undertaken by the majority of lecturers in the Law School.</p> <p><u>Outline Syllabus</u> Nature of law / Legal Philosophy; The English Legal System and other legal systems; judicial precedent; statutory interpretation; Human Rights Act 1998; Sources of law and how to find them; legal writing; the courts; ADR; legal personnel; a critical approaches to law; access to justices</p> <p><u>Learning Outcomes</u> At the end of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Understand the historical development of the legal system of England and Wales;</li> <li>Have a detailed knowledge and understanding of legislation and the way in which it is interpreted by the courts;</li> <li>Analyse cases and judgments;</li> <li>Have a basic understanding of the Human Rights Act;</li> <li>Have a good understanding of the role of the courts in England &amp; Wales;</li> <li>Evaluate proposals for the reform of, and recent changes to, the legal system of England and Wales;</li> <li>Apply knowledge to problems;</li> <li>Identify and critically evaluate issues;</li> <li>Identify and use primary legal sources and journals relevant to the topic under study;</li> <li>Research the relevant laws, electronically and on paper;</li> <li>Present an effective argument orally and in writing.</li> </ul> <p>Specific skills covered: Research; IT, communication, literacy.</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial each fortnight.		
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)		
<b>Indicative reading:</b> Slapper and Kelly, <i>English Legal System</i> , 7 <sup>th</sup> ed., (Cavendish) Slapper and Kelly, <i>Sourcebook On The English Legal System</i> , 2 <sup>nd</sup> ed. (Cavendish)		

<b>Commercial Law LAW 811</b>		<b>Module co-ordinator:</b> Mr Mathew Rollinson
<b>Prerequisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part I
<p>This module looks at the domestic distribution of goods (as opposed to international transactions). It is particularly concerned with consumer protection (e.g. the rights of the consumer who buys defective goods or who gets into difficulties with installment credit commitments). It concentrates on the supply of goods and consumer credit. The subject is based on a mixture of common law (contract and tort) and statute law (both civil and criminal). The subject considers commercial law at a practical level in its economic and social context, and against the background of significant changes in law and policy. The course also contains an introduction to Insurance Law. Core concepts are addressed in a practical manner.</p> <p><u>Outline Syllabus</u>  Sale of Goods Act 1979: types of transactions, nature of the Act, formation of contracts, formalities of transfer of property, price, definition and classification of goods, representations and terms, duties of the seller, implied terms, proprietary nature of the contract, passing of property, memo dat quod non habet, remedies of the buyer and seller, product liability. EC Directives: concerning e-commerce/sale of goods over the internet, and consumer goods and associated guarantees. Consumer Protection Act 1987: ambit and remedies Supply of Goods and Services Act 1982: implied terms, acceptance, remedies. Consumer Credit Act 1974: lender and vendor credit, hybrid credit arrangements, licensing, control of credit agreements, formation of consumer credit agreements, enforcement, extortionate agreements, time orders, misuse of credit facilities, termination. Financial Services and Markets Act 2000: insurable interests (Life Assurance Act 1774), regulation of insurers, formalities and formation, fraud, non-disclosure and misrepresentation, warranties, measuring loss, subrogation.</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial fortnightly		
<b>Assessment methods:</b> One 3-hour unseen written examination worth 100% final mark.		
<b>Indicative reading:</b>  Oughton and Lowry Textbook on Consumer Law, Blackstones (2000) Sealy & Hooley, <i>Commercial Law Text Cases and Materials: (OUP) (2003)</i> <i>Statutes on Commercial and Consumer Law, OUP</i>		

<b>Company Law LAW 806</b>		<b>Module co-ordinator:</b> Mr. Alan Sprince
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part I
<p>This module is taught in two parts. The first part covers the formation of a company, its management and dealings with outsiders. It starts by examining the choice of business medium available to those starting to trade and moves on to examine those aspects of company law, which provide the legal framework for businesses and regulate their legal environment. The second part of the module covers shareholders, investors and creditors, and examines the nature of share capital and loan capital.</p> <p><u>Outline Syllabus</u></p> <p>1 - Formation, management and doing business - Introduction/overview; Choice of business medium (sole trader; registered company; partnership); Nature of a company (classification; corporate personality; corporate veil); Promotion and incorporation (promoters; pre-incorporation contracts); Constitution (memorandum of association; articles of association); Company and outsiders (directors and others as agents; s. 35 ca 85; <i>turquand</i>); Directors and management (directors; directors duties; breach of directors duties) Corporate democracy (Meetings; Resolutions; Minority Protection).</p> <p>2 – shareholders, investors and creditors - Shares (allotment; public issues; transfers; insider dealing); Share capital (classes of shares; variation); Maintenance of share capital (reduction of share capital; profits); Loan capital (power to borrow; debentures; charges; remedies); Reform</p> <p><u>Learning Outcomes</u></p> <p>At the end of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Acquire a sound knowledge of the law relevant to the formation, management and ownership of a registered company, as well as its relationship with outsiders and investors;</li> <li>Understand the impact and importance of EU Law and domestic laws in these areas;</li> <li>Show an awareness and appreciation of policy relating to Company Law;</li> <li>Apply the law to factual situations;</li> <li>Research the relevant laws, electronically and on paper so that a familiarity with academic and professional literature is acquired;</li> <li>Present an effective argument orally and in writing.</li> </ul> <p>Specific skills covered: Problem-solving, research, oral and written presentation, analytical skills and analysis of legal and technical language.</p>		
<b>Teaching methods:</b> 45 lectures supported by 10 tutorials		
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)		
<b>Indicative reading:</b> Davies, <i>Gower and Davies: The Principles of Modern Company Law</i> , Sweet & Maxwell, 7 <sup>th</sup> ed., 2003 Hicks and Goo, <i>Cases and Materials on Company Law</i> , OUP, 2001 French, <i>Blackstone's Statutes on Company Law</i> , 9 <sup>th</sup> ed., OUP, 2005		

<b>Law of Evidence LAW 807</b>		<b>Module co-ordinator:</b> Ms. Deborah Barker
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part I
<p><b><u>Outline syllabus</u></b></p> <p>This course focuses on the rules, both statutory and common law, which govern the admissibility of evidence in civil and criminal cases. Particular regard is given to the effect of these rules on the right to a fair trial as enshrined in Article 6 of the ECHR and the impact of the enactment of the Human Rights Act 1998 on the compatibility and interpretation of these rules.</p> <p>Topics include</p> <ul style="list-style-type: none"> <li>Types of evidence, relevance, admissibility, corroboration and weight</li> <li>Functions of judge and jury</li> <li>Burden and standard of proof including interpretation of reverse onus provisions</li> <li>Common law and statutory discretion to exclude evidence including improperly obtained evidence, confessions and identification evidence</li> <li>Competence and compellability of witnesses, examination of witnesses, the development of rules to protect vulnerable witnesses</li> <li>Hearsay evidence</li> <li>Inferences from silence of the accused</li> <li>Character and similar fact evidence</li> <li>Opinion evidence</li> <li>Privilege and public interest immunity</li> </ul> <p><b><u>Learning outcomes</u></b></p> <p>At the end of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Understand the rationale and historical development of the law governing the admissibility, or otherwise, of evidence in criminal cases and civil cases and the effects of the Human Rights Act 1998 on this area of law.</li> <li>Demonstrate a knowledge of, and evaluate, specific proposals for the reform of the branches of the law of evidence in particular in light of the enactment of the Human Rights Act 1998 and the Criminal Justice Act 2003</li> <li>Apply the law to factual situations in an effective manner;</li> <li>Research the relevant laws, electronically and on paper so that a familiarity with academic and professional literature is acquired;</li> <li>Present an effective argument orally and in writing.</li> </ul> <p>Specific skills covered</p> <ul style="list-style-type: none"> <li>Problem solving, research, oral and written presentation, analytical skills and analysis of legal and technical language.</li> </ul>		

<b>Teaching methods:</b> 48 lectures supported by 10 tutorials
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)
<b>Indicative reading:</b> Allen, Practical Guide to Evidence 3 <sup>rd</sup> ed., Cavendish Cross & Tapper on Evidence, 10th ed., OUP Blackstone's Statutes on Evidence, 8 <sup>th</sup> Ed 2005, OUP

<b>Equity &amp; Trusts LAW 805</b>		<b>Module co-ordinator:</b> Ms. Debra Morris
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part I
<p>This module covers the defining characteristics of trusts, the creation of trusts and the legal relationship between those persons concerned in the trust. Implied trusts are also covered, along with selected principles of equity and equitable remedies.</p> <p><u>Outline Syllabus</u> Certainty, trusts and powers; Statutory formalities; Constitution of trusts; Family trusts; Charitable trusts; Fiduciary duties; Third party liability; Constructive trusts; Breach of trust; Equitable remedies</p> <p><u>Learning Outcomes</u> At the end of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Demonstrate a knowledge and understanding of basic concepts of Equity;</li> <li>Provide analysis of the requirements for the operation of a valid trust;</li> <li>Identify breaches of trust and evaluate the liability of third parties;</li> <li>Demonstrate an awareness of the practical implications for individuals of the operation of the law of Equity &amp; Trusts in England and Wales, e.g. with reference to the ownership of the matrimonial home;</li> <li>Demonstrate an appreciation of the value of equitable remedies in society.</li> </ul> <p>Specific skills covered: Research, comprehension, case law technique, problem solving, communication.</p>		
<b>Teaching methods:</b> 40 lectures supported by 10 tutorials		
<b>Assessment methods:</b> One 3 hour unseen written examination worth 100% final mark		
<b>Indicative reading:</b> Hanbury and Martin, <i>Modern Equity</i> (2005), Sweet & Maxwell Hayton and Marshall, <i>Commentary and Cases on The Law of Trusts and Equitable Remedies</i> (12 <sup>th</sup> Ed) (2005), Sweet & Maxwell Blackstone's Statutes on Property Law (2005), OUP		

<b>Family Law LAW 808</b>		<b>Module co-ordinator:</b> Ms Angela Burns
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part I
<p>This module covers the development and defining characteristics of the family. It juxtaposes the traditional family with the <i>de facto</i> family and patriarchy with feminism. It examines State regulation of and intervention in familial relationships and considers whether the current law is compatible with Human Rights legislation.</p> <p><b>Outline Syllabus</b> Growth of family law and its relationship to the empowerment of the female, family ideologies and the development of the modern family, marriage and the origin of regulation, void and voidable marriages, gender dysphoria and gender recognition, civil partnership and discrimination, cohabitation and discrimination, divorce and the need for reform, drafting a divorce petition, the development of ancillary relief and the European model of community of property, domestic violence, Family Law Act 1996 and discrimination, stalking and the Protection from Harassment Act 1997, children's rights, private child law and available orders, public child law and a practical approach to State intervention in family life.</p> <p><b>Learning Outcomes</b> At the end of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Appreciate the historical, political, economic and cultural context in which family law developed and is still developing.</li> <li>Recognise the intrinsic link between the empowerment of the female and the growth of family law.</li> <li>Critically analyse the development and continuing need for reform of laws regulating same-sex partnership, gender recognition and cohabitation.</li> <li>Understand the effect of political policy on the development of legislation.</li> <li>Recognise when there is potential incompatibility with Human Rights legislation, analyse the violation and suggest methods to remedy any incompatibility.</li> <li>Evaluate issues from different academic perspectives.</li> <li>Appreciate the value of comparative analysis.</li> <li>Understand the interrelationship between academic study and the skills needed by a practising lawyer.</li> <li>Develop electronic and hard source research skills to high standard.</li> <li>Present legal argument in oral and written format.</li> </ul> <p>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.</p>		
<b>Teaching methods:</b> 2 lectures (or workshop seminars) per week; 1 tutorial fortnightly; supplemented by expert and informed presentations.		

<p><b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)</p>
<p><b>Indicative reading:</b> Cretney's Family Law; (2003), Sweet &amp; Maxwell Hale, Pearl, Cooke &amp; Bates, <i>The Family, Law and Society Cases and Materials</i>, (2002) Butterworths. Blackstone's Family Law Statutes (2205), OUP.</p>

<b>Law of Tort LAW 802</b>		<b>Module co-ordinator:</b> Mr. Alan Sprince
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Available to:</b> Final - Part I
<p>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.</p> <p><u>Outline syllabus:</u> Introduction / Overview; Negligence (duty – general principles, psychiatric harm, omissions, defendant type; breach; causation and remoteness; defences – <i>volenti, ex turpi causa</i>, contributory negligence); Vicarious Liability; Dangerous Premises (Occupier's Liability); Nuisance (private nuisance; public nuisance; <i>Rylands v. Fletcher</i>); Trespass To The Person (assault; battery; false imprisonment); Defamation (libel; slander)</p> <p><u>Learning Outcomes:</u> At the end of the module students should be able to:  <ul style="list-style-type: none"> <li>Demonstrate knowledge and understanding of the basic principles of the law of Tort;</li> <li>demonstrate a basic understanding of the social and economic context in which the law of tort functions; its aims and objectives and the underlying policy issues;</li> <li>Identify and correctly apply the law to hypothetical facts;</li> <li>adopt a critical perspective to existing legal rules, and to identify constructive suggestions for reform;</li> <li>Undertake some independent research, with appropriate guidance;</li> <li>Construct coherent legal argument, orally and in writing;</li> </ul> </p> <p>Specific skills covered: Research, IT, communication, literacy, problem solving</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial fortnightly		
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)		
<b>Indicative reading:</b> Jones, <i>Textbook on Torts</i> , 8th ed., OUP, 2002 Lunney and Oliphant, <i>Tort Law Text and Materials</i> , 2nd Oxford University Press, 2003 Rose, <i>Blackstone's Statutes on Contract, Tort and Restitution</i> , 16th ed., Blackstone Press, 2005		

<b>Banking Law LAW 809</b>		<b>Module co-ordinator:</b> Mr. Simon Cooper
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part II
<p>This module explores a number of aspects of domestic Banking Law.</p> <p><u>Outline Syllabus</u> The nature of the banker/customer relationship including implied obligations and duties, Liability of the bank towards third parties as a result of undue influence and constructive trusteeship, Criminal liability of banks in relation to Money Laundering legislation and regulation. Law relating to negotiable instruments using the cheque as an example of such an instrument.</p> <p><u>Learning Outcomes</u> At the end of the module students should be able to:  <ul style="list-style-type: none"> <li>Understand the laws applicable negotiable instruments, and the banker/customer relationship and, where appropriate, non-customers;</li> <li>Show an awareness at the basic level of economic and government policy behind the laws regulating the banking sector;</li> <li>Apply the law to factual situations;</li> <li>Research the relevant laws, electronically and on paper;</li> <li>Present an effective argument orally and in writing.</li> </ul> </p> <p>Specific skills covered: Problem-solving, research, oral and written presentation, analysis of technical language.</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial fortnightly.		
<b>Assessment methods:</b> One 3-hour unseen written examination worth 100% final mark.		
<b>Indicative reading:</b>  Penn & Shea <i>The Law Relating to Domestic Banking</i> (Sweet and Maxwell 2000)		

<b>Conflict of Laws LAW 812</b>		<b>Module co-ordinator:</b> Mr. Mitchell Davies
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part II
<p>This module considers the application of the English conflict of laws rules in a commercial and family law context.</p> <p><u>Outline Syllabus</u></p> <p>Introduction to the conflict of laws and connecting factors, with particular emphasis on the concept of domicile and habitual residence. The jurisdiction of English courts to grant a divorce or nullity decree The recognition by the English courts of foreign divorces and nullity decrees Rules of jurisdiction with particular emphasis on the common law rules, the Brussels/Lugano Conventions and the staying/restraining of actions. The English choice of law rules relating to contract, tort, marriage (including polygamous marriages) and matrimonial causes. The recognition and enforcement of foreign commercial judgments, with particular emphasis on the common law rules and the Brussels/Lugano Conventions. General issues including the doctrine of renvoi, principles of characterisation and the use of public policy.</p> <p><u>Learning Outcomes</u></p> <p>At the conclusion of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Demonstrate a thorough knowledge of the conflict rules as they relate to the topics studied;</li> <li>Appreciate the theoretical basis of the conflict of laws;</li> <li>Understand the impact of EU intervention on specific aspects of the conflict of laws</li> <li>Apply the law to hypothetical situations;</li> <li>Conduct independent research;</li> <li>Argue effectively (orally and in writing) regarding the strengths and weaknesses of specific aspects of the law;</li> <li>Appreciate the impact on commercial concerns of the conflict rules under consideration.</li> </ul> <p>Specific skills covered: Problem-solving, research, oral and written presentation.</p>		
<b>Teaching methods:</b> 2 lectures per week (48 lectures in total) supported by 1 tutorial fortnightly (10 tutorials in total). Students are required to submit one piece of non-assessed written work.		
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination – 3 questions to be answered in 3 hours (60%)		
<b>Indicative reading:</b> Morris: The Conflict of Laws: McClean, Sweet & Maxwell (2005) Wild: Leading Cases on the Conflict of Laws (Old Bailey Press, 2003) Cracknell s Statutes on The Conflict of Laws 3rd ed., (Old Bailey Press, 2004)		

<b>European Union Law LAW 810</b>		<b>Module co-ordinator:</b> Mr. Vaughan Carter
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part II
<p>The module focuses on the constitutional framework of EU, the essence of the Community legal order and the role of the Court of Justice in the integration process, along with the substantive Community law relating to the free movement of goods, the free movement of persons and the freedom to provide services.</p> <p><u>Outline Syllabus</u>  Aims and objectives of the Community; Institutions and law-making processes: powers and accountability; Fundamental principles of Community law, with particular reference to human rights; The relationship between EC law and national law; The preliminary rulings procedure: purpose, procedure and practice; Challenging Community acts; The methods and scope of integration in the single internal market; The prohibition of customs duties and similar measures between Member States; Quantitative restrictions and equivalent barriers to intra-Community trade; Discriminatory and protectionist taxation; Free movement of persons and the evolving Citizenship of the Union; Freedom of establishment and the freedom to provide and receive services.</p> <p><u>Learning Outcomes</u>  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 analyse its impact;  Effectively deploy Community legal materials, including the case law of the Court of Justice of the European Communities, Treaties and Community legislation;  Critically appraise the processes of integration.</p> <p>Specific skills covered: Research; IT, communication, literacy, problem solving</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial fortnightly.		
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)		
<b>Indicative reading:</b> Craig & de Búrca, <i>EU Law Text, Cases &amp; Materials</i> (2 <sup>nd</sup> ed.) (Oxford) Davies, <i>Understanding European Law</i> (Cavendish) Foster, <i>Blackstone's EU Legislation</i> (15 <sup>th</sup> ed.) OUP		

<b>Dissertation LAW 813</b>		<b>Module co-ordinator:</b> Mr. Vaughan Carter
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part II
<p>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.</p> <p><u>Learning outcomes</u></p> <p>At the end of the module students should be able to:</p> <ul style="list-style-type: none"> <li>Select and justify an appropriate research project;</li> <li>Adopt a critical and reflective approach to their research;</li> <li>Present both orally and in writing a detailed knowledge of their chosen topic.</li> </ul> <p>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.</p>		
<b>Teaching methods:</b> Introductory lectures, individual interviews and group peer appraisal sessions.		
<b>Assessment methods:</b> Oral presentation worth 15% and fully word-processed and referenced 12,000-word dissertation worth 85%.		

<b>Employment Law LAW 816</b>		<b>Module co-ordinator:</b> Ms. Debra Morris
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part II
<p>This module explores the employment relationship, including its creation, certain statutory employment rights prior to dismissal and on termination of employment, and equal treatment legislation.</p> <p><u>Outline Syllabus</u>  Contract of employment: express and implied terms; collective agreements; “section 1 statements”; Wages: common law; national minimum wage; protection of wages; equal pay; Employment protection: sex, race and disability discrimination; Working time; time off; Notice periods; Continuity of employment; Transfers of undertakings; Termination of employment: wrongful dismissal; redundancy; unfair dismissal</p> <p><u>Learning Outcomes</u>  At the end of the module students should be able to:  Critically review the laws applicable to the employment relationship and its termination  Appreciate the practical and legal influence of collective bargaining;  Understand, and appreciate the impact and importance of EU law in these areas;  Understand and appreciate the impact and importance of the Human Rights Act 1998, especially in the area of discrimination law;  Show an awareness at a basic level of the policy behind laws regulating labour;  Apply diagnostic and creative skills to solve legal problems based on various topics in Employment Law;  Research the relevant laws, electronically and on paper, critically evaluate them, and be able to take responsibility for presenting an effective argument orally and in writing.</p> <p>Specific skills covered: Problem solving, research, oral and written presentation, analysis of technical language</p>		
<b>Teaching methods:</b> 2 lectures per week; 1 tutorial fortnightly		
<b>Assessment methods:</b> Coursework - 1 assessment of 2,500 words (40%) and unseen written examination - 2 hours and 15 minutes (60%)		
<b>Indicative reading:</b> Simon Deakin & Gillian Morris, <i>Labour Law 4<sup>th</sup> ed., (2005) (Hart)</i> Painter & Holmes: <i>Cases and Materials on Employment Law 5<sup>th</sup> Ed (2004), OUP</i> Blackstone's Statutes on Employment Law (2005), OUP		

<b>Intellectual Property Law LAW 814</b>		<b>Module co-ordinator:</b> Mr. Simon Cooper
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part II
<p>The module examines the defining characteristics of the important commercial intellectual property rights, their mode of creation, the rights conferred and the nature of infringement.</p> <p><u>Outline Syllabus</u> Introduction to selected principles of competition law Types of proceeding and remedies to vindicate IP rights Copyright Unregistered design right Tort of passing off Registered trade marks Duty of confidentiality Patents</p> <p><u>Learning outcomes</u> At the end of the module students should be able to: Identify and describe the features of the main IP rights; Demonstrate basic understanding of the purposes of IP law, its social and economic aims; Take a critical perspective of existing legal rules of IP law and identify constructive suggestions for reform; Identify and apply the law to hypothetical facts.</p> <p>Specific skills covered: Research, comprehension, statutory interpretation, case law technique, problem solving, communication.</p>		
<b>Teaching methods:</b> 4 lectures and 1 tutorial per fortnight		
<b>Assessment methods:</b> One 3-hour unseen written examination worth 100% final mark.		
<b>Indicative reading:</b> Bainbridge, <i>Intellectual Property</i> 5 <sup>th</sup> ed, (Longman) Cornish & Davies <i>Cases &amp; Materials</i> 4 <sup>th</sup> Ed (Sweet & Maxwell) <i>Backbone's Intellectual Property Law Statutes</i> (7 <sup>th</sup> Ed), OUP		

<b>Land Law LAW 804</b>		<b>Module co-ordinator:</b> Ms Debra Morris
<b>Pre-requisites:</b> None	<b>Co-requisites:</b> None	<b>Level:</b> Final – Part II
<p>The course 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.</p> <p><u>Outline Syllabus</u>  The fee simple and the distinction between chattels and fixtures The system of priorities in unregistered land The system of priorities in registered land Leases Co-ownership Easements Restrictive covenants Mortgage Adverse possession</p> <p><u>Learning outcomes</u>  At the end of the module students should be able to:  Identify and describe the features of the main proprietary interests  Demonstrate basic understanding of the purposes of land law, its social and economic aims.  Take a critical perspective of existing legal rules of land law and identify constructive suggestions for reform.  Identify and apply the law to hypothetical facts.</p> <p>Specific skills covered: Research, comprehension, statutory interpretation, problem solving, communication.</p>		
<b>Teaching methods:</b> 40 lectures supported by 10 tutorials		
<b>Assessment methods:</b> Unseen written examination - 3 hours (100%)		
<b>Indicative reading:</b> McKenzie & Phillips, <i>Textbook on Land Law</i> 10 <sup>th</sup> Ed (2004), (OUP) Gravell s Land Law, Text and Materials 3 <sup>rd</sup> Ed, (2004) (Sweet and Maxwell) <i>Blackstone's Property Law Statutes</i> (2005) (OUP.)		