

**The University of Edinburgh**

**Edinburgh Law School**



**LLM & MSc Courses**

**2011/2012**

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## ***Welcome!***

We look forward to welcoming you to the University of Edinburgh School of Law in September. Because of the popularity of our masters courses, we ask students to make their course choices in advance of the start of term, so as to enable us to plan properly for the year ahead and ensure that your experience of the School of Law is as good as it possibly can be. In this handbook, you will find details of all the courses which we offer at masters level, along with descriptions for courses offered by other Schools which form part of our own programmes. The instructions below, along with the details of our programmes in Part A of this handbook, should make your options clear, but if you have any questions, please email [pg.law@ed.ac.uk](mailto:pg.law@ed.ac.uk) and we will do our best to help.

*James Chalmers*  
*Director of Postgraduate Studies, School of Law*

## **The registration procedure**

Registration for 2011-12 courses will open on the **15<sup>th</sup> August 2011** and will close on the **31<sup>st</sup> August 2011**, with course places allocated on a first-come first-served basis. On the 15<sup>th</sup> August or a later date, you should email [pg.law@ed.ac.uk](mailto:pg.law@ed.ac.uk) with the following information:

- (a) Your name, LL.M/M.Sc programme, and matriculation (student ID) number;
- (b) Your choice of courses for the 2011-12 academic year, listing at least four courses for each semester in order of preference. Please note the following points:
  - a. Any full-year course you wish to take must be given an identical place in your order of preference for each semester;
  - b. Students can take either Banking and Finance Law or Commercial Banking and Financial Markets. It is not possible to select both.
  - c. Part-time students and students on the LL.M(R) degrees need only list a minimum of three courses per semester.
  - d. Given the structure of the M.Sc in Criminology and Criminal Justice, students on that programme need list only three courses in respect of the first semester.

Please do not send this email before the 15<sup>th</sup> August: it will only be considered valid if sent on or after that date. By the **6<sup>th</sup> September 2011**, the Postgraduate Office will place a confirmed list of course allocations online and will send you an email with a link to this list. If there are insufficient places available on any of your preferred courses, you will be put on a waiting list and notified if a place becomes available.

Your course allocation will be conditional on you arriving in Edinburgh and registering at the Postgraduate Office by Friday 16<sup>th</sup> September 2011 at the latest (unless you have received permission to register late, which is only granted in exceptional cases). If you do not register by this date, you may lose your places on the relevant courses if they are oversubscribed. For the rules regarding changing your choice of courses after you arrive, please see below.

Please note that all courses are subject to availability, and the School reserves the right not to offer any particular course if this is necessary for staffing reasons. (In particular, please note that the semester 2 course Theories of Regulation of the Finance Industry is a new course and subject to formal University approval in late 2011, although the School fully expects to be able to offer it.) Courses may also be cancelled if fewer than five students register.

### **Distance learning courses**

The School of Law offers a number of distance learning programmes through its SCRIPT centre ([www.law.ed.ac.uk/ahrc](http://www.law.ed.ac.uk/ahrc)). On-campus students may include distance learning courses (listed at Part D of this handbook) among their course choices, subject to the following caveats:

- No on-campus student may take more than one distance learning module per semester.
- Normally no more than five on-campus students will be permitted to take any distance learning course. In the event of over-subscription, priority will be given initially to students who are taking a course which is listed specifically as an option for their degree programme (see Part A: this is relevant only to students taking the LLM in Innovation, Technology and the Law, the LLM in Intellectual Property Law or the LLM in International Economic Law), provided that the choice of course was submitted before the 31<sup>st</sup> August deadline. Thereafter, allocation will be on a first-come first-served basis.

### **Changing your choice of courses after you arrive**

We realise that you may, of course, want to change courses after you start the academic year. This is always subject to space being available in the course into which you wish to transfer, although we will do our best to make sufficient places available. The School of Law's policy on, and procedure for, changing courses after the start of term is as follows:

- Course changes are permissible up until the end of the second teaching week, subject to space being available in the course which the student wishes to transfer into. In 2011/12, the second teaching week ends on Friday 30<sup>th</sup> September in semester 1 and on Friday 27<sup>th</sup> January in semester 2.
- Such changes can be effected by emailing [pg.law@ed.ac.uk](mailto:pg.law@ed.ac.uk) with the necessary details. Please note that we are unable to accept any course change requests made in person at the Postgraduate Office.
- Changes after the end of the second teaching week will be permissible only with the permission of the Director of Postgraduate Studies, and such permission will be given only in exceptional cases.
- Please note that the above rules apply to on-campus courses. As explained in Part B, students on on-campus programmes may occasionally take individual distance learning courses. However, transfers into such courses may only be made until the end of the *first* teaching week. The Director of Postgraduate Studies may grant permission to transfer into a distance learning course during the second teaching week, but no such transfers will be permitted

thereafter. Transfers out of such courses (and into an on-campus course) may be permitted at a later stage in accordance with the rules above.

## **Part A: The Programmes**

### **Programmes offered by the School of Law**

#### **LLM degrees**

LLM in Commercial Law  
LLM in Comparative and European Private Law  
LLM in Competition Law and Innovation  
LLM in European Law  
LLM in Global Environment and Climate Change Law  
LLM in Innovation, Technology and the Law  
LLM in International Law  
LLM in International Economic Law  
LLM in Intellectual Property  
LLM (General)  
LLM in Law and Chinese

#### **LLM (Research) degrees**

LLM in Legal Research  
LLM in History and Philosophy of Law

#### **MSc degree**

MSc in Criminology and Criminal Justice

### **Programmes offered by the School of Social and Political Science and the School of Law jointly**

MSc European Union Politics and Law  
MSc Global Crime, Justice and Security

## LLM in Commercial Law

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:

- 80 credits of courses from the following list

*Full year courses (40 credits, counting as 20 credits per semester)*

- Company Law
- Contract Law in Europe
- EU Competition Law
- Financial Models and Derivatives in a Legal Context
- Law of International Trade

*Semester One courses (20 credits)*

- Banking and Finance Law (*students who take this course cannot take Commercial Banking and Financial Markets in semester 2*)
- European Procurement Law
- International Commercial Arbitration
- Principles of International Tax Law
- Sport and the Law
- Tort and Delict

*Semester Two courses (20 credits)*

- Commercial Banking and Financial Markets (*students who take this course cannot take Banking and Finance Law in semester 1*)
- Corporate Social Responsibility and the Law
- Data Protection and Information Privacy
- International Private Law: Jurisdiction and Enforcement of Judgments
- Principles of European Tax Law
- Principles of Insurance Law
- State Aid
- Theories of Regulation of the Finance Industry (*subject to approval*)
- Economics for Postgraduates (*Offered to LLM students by School of Economics*)

- 40 credits from any courses offered by the School of Law (including the courses listed above). Students may be permitted to take an alternative 20-

credit course from outside the School of Law with the permission of the Programme Director.

**(2) A dissertation of not more than 10,000 words on an approved topic in Commercial Law, to be submitted in August 2012.**

**Advice for incoming students from the Programme Director**

We would strongly encourage you to do some introductory reading before you arrive in Edinburgh so that you can make the most of your studies from the very beginning. A clear and comprehensive introduction to modern commercial law written by a leading commercial lawyer is Roy Goode, *Commercial Law*, Penguin, 4th edition, 2010. In particular, we recommend that you familiarise yourself with issues relating to the nature and function of commercial law, the sources of commercial law and the philosophical foundations of commercial law by reading chapters 1 and 40. Covering these chapters will give you a basic understanding of some of the key issues and concepts which all commercial lawyers need to grasp and it will provide you with an excellent starting point from which to commence your studies at Edinburgh. If you cannot get a copy of this book, you could alternatively read chapter one in another introductory textbook on commercial law, such as Sealy and Hooley, *Commercial Law: Text and Materials*, OUP, 4th edition, 2009.

The School offers a wide range of commercial courses and you should read the course descriptions carefully to decide which are right for you. Many of the more specialist subjects are ones which may not be familiar to you from your undergraduate curriculum, but are extremely important in practice and may add something particularly distinctive to your CV.

*Dr Simone Lamont-Black*  
*Programme Director, LLM in Commercial Law*

## LLM in Comparative and European Private Law

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:

- 80 credits of courses from the following list

*Full year courses (40 credits, counting as 20 credits per semester)*

- Contract Law in Europe

*Semester One courses (20 credits)*

- Comparative and International Trust Law
- Comparative Property Law
- Comparative Unjustified Enrichment Law
- Tort and Delict

*Semester Two courses (20 credits)*

- The Anatomy of Private Law
- International Private Law: Jurisdiction and Enforcement
- Principles of Insurance Law

- 40 credits from any courses offered by the School of Law (including the courses listed above). Students may be permitted to take an alternative 20-credit course from outside the School of Law with the permission of the Programme Director.

(2) A dissertation of not more than 10,000 words on an approved topic in Comparative and European Private Law, to be submitted in August 2012.

### Advice for incoming students from the Programme Director

Comparative and European private law is a complex subject, which requires an understanding of the workings of several jurisdictions; and you are therefore encouraged to do as much preliminary reading as you can before coming up to Edinburgh. A good place to start is Mathias Reimann and Reinhard Zimmermann, *The Oxford Handbook of Comparative Law* (Oxford: OUP, 2008), which contains a combination of topic- and subject area-related chapters offering an overview of current issues. Of particular relevance would be Chs 1 and 23 (history); Chs 8-11 and 27 (epistemology); & Chs 12 and 14-17 (interface with national legal systems).

Depending on what individual courses you are thinking of taking during your LLM, you can also read the introductory chapters to relevant subject areas, in particular Chs 28 (contract), 30 (unjustified enrichment), 31 (tort), 32 (property) and 42 (conflict of laws). Should you wish to go further on any of these topics, a bibliography at the end of each chapter will guide you.

Do also remember to look at the dedicated page for offer holders on the Edinburgh Law School website, on which you will find more information.

*Dr Eric Descheemaeker*  
*Programme Director, LLM in Comparative and European Private Law*

## LLM Competition Law and Innovation

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:

- 80 credits of courses as follows:
  - Either (for students with prior knowledge of competition law) **Principles of Competition Law for Innovation** (20 credits, semester 1) or (for students with no prior knowledge of competition law) **EU Competition Law** (40 credits, full year course, counting as 20 credits per semester)
  - **Regulation of Innovation: Advanced Issues in Competition and Intellectual Property Law** (20 credits, semester 2)
  - 
  - **A selection of courses from the following list:**

*Semester One courses (20 credits)*

    - Intellectual Property 1: Copyright and Related Rights
    - Legal Challenges of Information Technologies

*Semester Two courses (20 credits)*

    - Intellectual Property – Law and Society
    - Intellectual Property 2: Industrial Property
    - Law of E-Commerce
- 40 credits from any courses offered by the School of Law (including the courses listed above). Students may be permitted to take an alternative 20-credit course from outside the School of Law with the permission of the Programme Director.

(2) A dissertation of not more than 10,000 words on an approved topic in Competition Law and Innovation, to be submitted in August 2012.

### Advice for incoming students from the Programme Director

This LLM programme aims to provide students with cutting edge knowledge of the rules on competition and on the control of mergers and especially to enable them to appreciate their complex interaction with other, equally relevant, rules governing the

protection of intellectual property and, in appropriate cases, of public interests such as the plurality of the media and the circulation of information. At the end of their course of study, students will be able to critically analyse the relevant legal rules and to apply them to complex questions as well as to compare and contrast them with the principles applicable in other jurisdiction to like scenarios. The LLM programme will therefore enable them to engage with the current debate concerning these and other issues and to participate to it by way of relatively original contributions, grounded in solid legal principle as well as in the understanding of basic economic concepts and of current doctrinal trends.

### **Aims and Objectives**

The LLM in Competition Law and Innovation seeks to achieve the following goals:

- Impart in-depth, cutting edge knowledge of the laws governing competition in the EU and UK, with appropriate comparative references to other jurisdictions, and of the laws protecting and encouraging investment and innovation (e.g. Intellectual Property law)
- Focus especially on competition law, as a means to ensuring rivalry on the merits and on the interaction existing between the rules on competition and those legal rules designed to protect, regulate and encourage further innovation, by creating an economic incentive to invest and develop new technologies
- Examine the reciprocal interaction of competition law and intellectual property laws and their joint impact on the development of knowledge and technical development, especially in innovation-led and research- and investment-intensive industries

*Dr Arianna Andreangeli*

*Programme Director, LLM in Competition Law and Innovation*

## LLM in European Law

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:

- At least 80 credits of courses from the following list, including at least one full year course:

*Full year courses (40 credits, counting as 20 credits per semester)*

- EU Competition Law
- European and International Human Rights Law

*Semester One courses (20 credits)*

- EU Constitutional Law
- Principles of Internal Market Law
- Regulatory Governance in the European Union
- European Procurement Law

*Semester Two courses (20 credits)*

- European Environmental Law
- EU Immigration and Asylum Law
- EU in International Affairs (*course offered by the School of Social and Political Science*)
- Principles of European Tax Law
- State Aid

- 40 credits from any courses offered by the School of Law (including the courses listed above). Students may be permitted to take an alternative 20-credit course from outside the School of Law with the permission of the Programme Director.

(2) A dissertation of not more than 10,000 words on an approved topic in European Law, to be submitted in August 2012.

### Advice for incoming students from the Programme Director

You are invited to do preliminary reading for your (likely) choice of courses in order to (re)familiarise yourself with the field. As for the European courses, for those who fear their European background is rusty, an excellent means of refreshment is perhaps, surprisingly, an essentially economics book, D Swann, *The Economics of the Common Market*; and refamiliarisation with Craig & de Búrca, *EU Law: Text, Cases and*

*Materials* (of which there is a new 2011 edition) is never time badly spent. It will also introduce you to English terminology, should you find that a useful exercise. For those with a thin, or no, European law background, you will be invited to attend the lectures in the undergraduate Ordinary EU Law course (first semester, Tuesday and Thursday mornings) as an efficient means of bringing you up to speed, and you will probably gain from a careful discussion with me when you arrive as to selection of the most appropriate diet of courses.

Otherwise I would invite you only to arrive with enthusiasm for your studies, and we shall do our best to maintain it.

*Dr Robert Lane*  
*Programme Director, LLM in European Law*

## LLM in Global Environment and Climate Change Law

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:

- **International Environmental Law** (compulsory full year 40 credit course, counting as 20 credits per semester)
- **40 credits of courses from the following list**

*Semester One courses (20 credits)*

- Comparative Environmental Law
- International Law of the Sea
- International Law of Climate Change

*Semester Two courses (20 credits)*

- European Environmental Law
- EU and National Law of Climate Change
- Biotechnology: Law and Society (on-line course)

- **A further 40 credits of courses from either the list above, or the following list (or a combination thereof).** Note that the timing of the courses that are not offered by the School of Law may be subject to change and will be confirmed in early September 2011; and that the availability of courses in other Schools is determined by those individual Schools (so, availability of places in specific courses cannot be guaranteed).

*20 credits (unless otherwise indicated)*

- Business Response to Climate Change (*Business School*) – 10 credits
- Culture, Ethics and Environment (*School of Geosciences*)
- Foundations in Ecological Economics (*School of Geosciences*)
- Climate Change and Corporate Strategy (*School of Geosciences*)
- Climate Change, Justice and Responsibility (*School of Social and Political Sciences*)
- Management of Sustainable Development (*School of Geosciences*)
- Society and Development (*School of Geosciences*)
- Sociology of the Environment and Risk (*School of Social and Political Sciences*)
- Integrated Resource Management (*School of Geosciences*)
- Principles of Environmental Sustainability (*School of Geosciences*)

- Values and the Environment (*School of Geosciences*)
- Political Ecology (*School of Geosciences*)
- International Development (*School of Geosciences*)
- Climate Change Impacts and Adaptation (*School of Geosciences*)
- Energy Policy and Politics (*School of Social and Political Sciences*) – 10 or 20 credits

**(2) A dissertation of not more than 10,000 words on an approved topic in Global Environment and Climate Change Law, to be submitted in August 2012.**

### **Advice for incoming students from the Programme Director**

You are encouraged to do some introductory reading before your arrival in September, as this will help you make the most of your studies while you are here and consider taking a course in a subject area new to you. It will also help you familiarize with relevant terminology, if English is not your mother tongue. Given the wide range of courses available for this programme, it is impossible to recommend specific readings, but you may find it useful to get a sense of the field by familiarising yourself with some good introductory texts.

If you have never studied law before, G Williams: *Learning the Law* (Sweet and Maxwell, 2010) or C Barnard, J O'Sullivan and G Virgo, *What about Law? Studying Law at University* (Hart, 2011) may be a useful starting point. If you wish to get a better sense of the role of law in environmental protection, you may also wish to read M Stallworthy *Understanding Environmental Law* (Sweet and Maxwell, 2008) or J Alder and D Wilkinson, *Environmental Law and Ethics* (Macmillan, 1999).

If you have never studied international law, which is relevant to all the courses offered in the programme, you are warmly encouraged to read R Higgins, *Problems & Process: International Law and How We Use It* (Oxford University Press, 1994), particularly chapters on the nature and function of international law, on the sources of international law, on the participants in the international legal system, and on dispute settlement and the International Court of Justice. You could alternatively read the equivalent chapters in other introductory textbooks on international law, such as V Lowe, *International Law* (Oxford University Press, 2007) or M Shaw, *International Law* (Cambridge University Press, 2008).

If you would like to get a head-start on international environmental law, I would recommend: as a short introductory reading, C Redgwell, 'International Environmental Law' in M Evans (ed), *International Law* (Oxford University Press, 2010) 657-688; to discover how international environmental law works in practice, D

Bodanski, *The Art and Craft of International Environmental Law* (Harvard University Press, 2010); and the initial chapters of A Boyle, C Redgwell and P Birnie, *International Law and the Environment* (Oxford University Press, 2009), which is the recommended text for the LLM course in International Environmental Law.

Should you need any further suggestions or have any queries about the Programme, please do not hesitate to get in touch. Otherwise, I look forward to meeting you in September.

*Dr Elisa Morgera*  
*Programme Director, LLM in Global Environment and Climate Change Law*

## LLM in Innovation, Technology and the Law

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:

- 80 credits of courses from the following list. [Students may take no more than one distance learning course per semester]

#### *Semester One courses (20 credits)*

- Information: Control and Power
- Intellectual Property 1: Copyright and Related Rights
- International Intellectual Property (*distance learning*)
- International Public Health Law and Security (*distance learning*)
- Law and New Technologies 1
- Law and Medical Ethics: Fundamental Issues in Consent and Negligence (*distance learning*)
- Sport and the Law
- International Climate Change Law
- Legal Challenges of Information Technologies

#### *Semester Two courses (20 credits)*

- Biotechnology: Law and Society (*distance learning*)
- Data Protection and Information Privacy
- Forensic Computing and Electronic Evidence (*distance learning*)
- Intellectual Property 2: Industrial Property
- Intellectual Property – Law and Society
- Law and Medical Ethics: Start and End of Life Issues (*distance learning*)
- Law and New Technologies 2
- Law of E-Commerce
- Managing Intellectual Property (*distance learning*)

- 40 credits from any courses offered by the School of Law (including the courses listed above). Students may be permitted to take an alternative 20-credit course from outside the School of Law with the permission of the Programme Director.

(2) A dissertation of not more than 10,000 words on an approved topic in Innovation, Technology and the Law, to be submitted in August 2012.

### **Advice for incoming students from the Programme Director**

As the name of the programme suggests and as you will see above, we offer a broad range of courses spanning a wide subject area. Consequently there is no prescribed introductory reading as there is no one source that covers the range of our courses. If you have an idea of which courses you are interested in, then the information on each of those courses may give an idea of reading you might like to do in advance of starting your period of study. Generally, all of our courses are highly topical, and we will be examining many and varied contemporary issues. As such we invite you to keep yourself up to date with developments in the IP, IT and medical law fields. While each has its own specialist resources, excellent general sources include the BBC news website ([news.bbc.co.uk](http://news.bbc.co.uk)), The Economist Magazine (on-line at [www.economist.com](http://www.economist.com)) and The Financial Times ([www.ft.com](http://www.ft.com)).

The programme welcomes candidates from both a legal background as well as non-law students with relevant studies and experience. For those with a non-law background, or with a legal background from outside United Kingdom, we would **strongly advise** you to do some **introductory reading** before you arrive in Edinburgh so that you can make the most of your studies from the very beginning. In particular, we recommend that you gain some essential knowledge on law in United Kingdom and European Union by reading at least one of the following books

- Legal Skills, Emily Finch and Stefan Fafinski, Oxford University Press, 3rd edition, 2011 (A clear and concise introduction)
- Learning the Law, Glanville Williams, Sweet & Maxwell, 14<sup>th</sup> edition, 2010 (A clear and concise introduction)
- An Introduction To Law and Legal Reasoning, Steven J. Burton, Aspen Publishers, 3rd Edition, 2007 (A basic and clear introduction)
- Legal Method, Ian McLeod, Palgrave Macmillan Law Masters, 8th edition, 2011 (**A comprehensive introduction – recommended**)
- Learning Legal Rules: A Student's Guide to Legal Method and Reasoning, James Holland and Julian Webb, Oxford University Press, 7th edition, 2010 (A comprehensive introduction – recommended)

In addition, you are also encouraged to complete two online self-study modules on (1) The UK Legal System and the Western Legal Tradition, and (2) Legal Research Methods and Resources. Full details of this along with necessary instructions will be provided to you in early September. This will give you a good understanding of the sources of law, legal method and reasoning and other legal concepts and will provide you with an excellent starting point from which to commence your studies at Edinburgh. I look forward to meeting you in September.

*Dr Smita Kheria*  
*Programme Director, LLM in Innovation, Technology and the Law*

## LLM in Intellectual Property Law

### Programme Requirements

**(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:**

- **80 credits of courses from the following list. [Students may take no more than one distance learning course per semester]**

*Semester One courses (20 credits)*

- Intellectual Property 1: Copyright and Related Rights
- Information: Control and Power
- International Intellectual Property (*distance learning*)

*Semester Two courses (20 credits)*

- Intellectual Property 2: Industrial Property
- Intellectual Property – Law and Society
- Regulation of Innovation: Advanced Issues in Competition and Intellectual Property Law
- Managing Intellectual Property (*distance learning*)

- **40 credits from any courses offered by the School of Law (including the courses listed above).** Students may be permitted to take an alternative 20-credit course from outside the School of Law with the permission of the Programme Director.

**(2) A dissertation of not more than 10,000 words on an approved topic in Intellectual Property Law, to be submitted in August 2012.**

### Advice for incoming students from the Programme Director

As you will see above, the programme includes courses that cover both substantive intellectual property law and the place and role of intellectual property within a domestic, regional and international context. Consequently there is no prescribed introductory reading as there is no one source that covers the range of our courses.

If you have an idea of which courses you are interested in, then the information on each of those courses may give an idea of reading you might like to do in advance of starting your period of study. If you have never studied Intellectual Property Law before, then it is strongly advised that you take both Intellectual Property 1& 2 as your course options.

Generally, all of our courses are highly topical, and we will be examining many and varied contemporary issues. As such we invite you to keep yourself up to date with developments in the IP field. You might want to familiarise yourself with the websites of the following organizations: World Intellectual Property Organization; World Trade Organization; UK Intellectual Property Office; European Commission, Copyright; and European Commission, Industrial Property.

The programme welcomes both law students well as non-law students with relevant studies and experience. For those with a non-law background, or with a legal background from outside United Kingdom, we would **strongly advise** you to do some **introductory reading** before you arrive in Edinburgh so that you can make the most of your studies from the very beginning. In particular, we recommend that you gain some essential knowledge on law in United Kingdom and European Union by reading at least one of the following books -

- Legal Skills, Emily Finch and Stefan Fafinski, Oxford University Press, 3rd edition, 2011 (A clear and concise introduction)
- Learning the Law, Glanville Williams, Sweet & Maxwell, 14<sup>th</sup> edition, 2010 (A clear and concise introduction)
- An Introduction To Law and Legal Reasoning, Steven J. Burton, Aspen Publishers, 3rd Edition, 2007 (A basic and clear introduction)
- Legal Method, Ian McLeod, Palgrave Macmillan Law Masters, 8th edition, 2011 (**A comprehensive introduction – recommended**)
- Learning Legal Rules: A Student's Guide to Legal Method and Reasoning, James Holland and Julian Webb, Oxford University Press, 7th edition, 2010 (A comprehensive introduction – recommended)

In addition, you are also encouraged to complete two online self-study modules on (1) The UK Legal System and the Western Legal Tradition, and (2) Legal Research Methods and Resources. Full details of this along with necessary instructions will be provided to you in early September. This will give you a good understanding of the sources of law, legal method and reasoning and other legal concepts and will provide you with an excellent starting point from which to commence your studies at Edinburgh.

I look forward to meeting you in September.

*Dr Smita Kheria*  
*Programme Director, LLM in Intellectual Property Law*

## LLM in International Law

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:

- At least 80 credits of courses from the following list

*Full year courses (40 credits, counting as 20 credits per semester)*

- European and International Human Rights Law
- Fundamental Issues in International Law
- International Criminal Law
- International Environmental Law

*Semester One courses (20 credits)*

- International Investment Law
- International Commercial Arbitration
- International Law of the Sea
- International Relations Theory (*School of Social and Political Science*)
- International Climate Change Law

*Semester Two courses (20 credits)*

- WTO Law
- Inter-State Conflict and Humanitarian Law

- 40 credits from any courses offered by the School of Law (including the courses listed above). Students may be permitted to take an alternative 20-credit course from outside the School of Law with the permission of the Programme Director.

(2) A dissertation of not more than 10,000 words on an approved topic in International Law, to be submitted in August 2012.

### Advice for incoming students from the Programme Director

Students who have chosen to take the LLM in International Law but who have never studied international law before are advised to take **Fundamental Issues in International Law** as one of their course options. As its name suggests, this course covers many of the core topics of international law such as the sources of international law and international law-making; the use of force and the law of armed conflict; and inter-state dispute settlement.

In addition, we would strongly encourage you to do some **introductory reading** before you arrive in Edinburgh so that you can make the most of your studies from the very beginning. A clear and concise introduction to modern international law by a leading international lawyer is Rosalyn Higgins, *Problems & Process: International Law and How We Use It*, Oxford University Press, 1994. In particular, we recommend that you familiarise yourself with the chapters on the nature and function of international law, on the sources of international law, on the participants in the international legal system, and on dispute settlement and the International Court of Justice. Covering these four chapters will give you a basic understanding of some of the key issues and concepts which all international lawyers need to grasp and it will provide you with an excellent starting point from which to commence your studies at Edinburgh. If you cannot get a copy of this book, you could alternatively read the equivalent chapters in another introductory textbook on international law, such as Malcolm Evans, *International Law*, 3rd edition, Oxford University Press, 2010.

*Professor Alan Boyle*  
*Programme Director, LLM in International Law*

## **LLM in International Economic Law**

### **Programme Requirements**

**(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:**

- **General Principles and Institutions of International Economic Law** (compulsory 20 credit course, semester one)
- **At least one of the two following 20 credit courses**
  - International Investment Law (semester one)
  - WTO Law (semester two)
- **40 credits of courses from the following list**

*Full year courses (40 credits, counting as 20 credits per semester)*

- Fundamental Issues in International Law
- The Law of International Trade

*Semester One courses (20 credits)*

- Banking and Finance Law
- International Commercial Arbitration
- International Intellectual Property System (distance learning)
- Principles of International Tax Law
- International Climate Change Law

*Semester Two courses (20 credits)*

- Corporate Social Responsibility and the Law
- EU External Economic Relations Law

- **40 credits from any courses offered by the School of Law (including the courses listed above) or from the following courses offered by other Schools**

*Semester One courses (20 credits)*

- Politics and Theories of International Development (School of Social and Political Science)

*Semester Two courses (20 credits)*

- International Political Economy (School of Social and Political Science)
- Economics for Postgraduates (School of Economics)

**(2) A dissertation of not more than 10,000 words on an approved topic in International Economic Law, to be submitted in August 2012.**

**Advice for incoming students from the Programme Director**

We would encourage you to begin thinking about your course options in advance of your arrival in Edinburgh in September. While it is not a formal requirement to obtain the LLM degree in International Economic Law, we strongly advise that **you take both courses on WTO law and International Investment Law**, which are taught in different semesters, so that you can gain an in-depth understanding of the core branches of international economic law.

We also warmly encourage you to do the preliminary reading suggested in this handbook for your (likely) course choices in order to (re)familiarise yourself with the field, particularly if you do not have a law background and/or English is not your mother tongue. This is of special importance for the readings recommended for the compulsory course on 'General Principles and Institutions of International Economic Law', which should provide you with a good introduction to the key legal concepts and institutions of the international economic system. This could be complemented by reading M. D. Evans (ed.), *International Law*, (Oxford University Press, 3<sup>rd</sup> edition, 2010), chapter 24 ('International Economic Law'). If you have never studied international law, we also recommend that you acquire an understanding of the basic doctrines and subjects of public international law (especially if you are not considering taking the optional course 'Fundamental Issues in International Law'). A good starting point is to read M. Dixon, *Textbook on International Law*, (Oxford University Press, 2007), particularly chapters 1, 2 and 10, and for a more advanced reading, R. Higgins, *Problems & Process: International Law and How We Use It*, (Oxford University Press, 1994), particularly chapters 1-3.

Should you need further clarifications on the structure of the programme or suggestions on preliminary readings, please do not hesitate to contact me. Otherwise, I look forward to meeting you in September.

*Dr Gracia Marín Durán*  
*Programme Director, LLM in International Economic Law*

## LLM (General)

### Programme Requirements

(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must include no more than 60 credits from any of the individual nominate LLM programmes.

(2) A dissertation of not more than 10,000 words on an approved topic in Law, to be submitted in August 2012.

### Advice for incoming students from the Programme Director

You are encouraged to do preliminary reading for your (likely) choices in order to (re)familiarise yourself with the field. This is of especial importance if you plan (even provisionally) to take a course in a subject area new to you. Given the wide range of courses available for this programme, it is impossible to recommend specific readings, but you may find some of the suggestions made elsewhere in this handout of use. Otherwise I would invite you only to arrive with enthusiasm for your studies, and we shall do our best to maintain it.

*Sandra Eden*  
*Programme Director, LLM (General)*

## LLM in Law and Chinese

### **Programme requirements**

*Year 1 core courses:*

Chinese Language 1A  
Chinese Language 1B  
Politics and Economics in the PRC after 1978  
Research Skills/ARA

Students will also take 60 credits of Law in the first year of the programme. 40 credits in semester 1 and 20 credits in semester 2.

*Year 2 core courses:*

Summer course in China  
Approved language study in China  
Chinese Language 2

Students will also take 40 credits of Law in semester 2 of the second year.

Subject to satisfactory completion of the taught component of the degree students will complete a 10,000 word Dissertation in Law, on an approved topic, over the summer of the second year.

### **Advice for incoming students from the Programme Director**

There are a broad range of LLM courses offered by the School of Law that you may take, subject to availability, as part of your Law and Chinese degree. There are no general texts that would cover all options but the introductory readings suggested by other Programme Directors in this handbook will be of relevance to particular options and you should follow their guidance if you are interested in taking subjects in their areas. The Chinese language training is designed for students new to this area of study. I very much look forward to meeting you in September and hope that you enjoy this exciting and innovative new programme.

*Dr Alistair Henry  
Programme Director, LLM in Law and Chinese*

## LLM in Legal Research

### Programme Requirements

(1) A total of 80 credits in taught courses, 40 in each semester. The 80 credits must include Theories and Philosophies of Legal Research (semester one, 20 credits) and Legal Research Methods (semester two, 20 credits). The remaining 40 credits may be made up from any courses offered by the School. With the programme director's permission, one 20 credit course may be taken from outwith the School.

(2) A dissertation of not more than 15,000 words on an approved topic, to be submitted in August 2012.

### Advice for incoming students from the Programme Director

As you will be aware, in the LLM(R) in Legal Research, you will take two compulsory courses (one in each semester) and write a dissertation under supervision. The first of these courses is **Theories and Philosophies of Legal Research**, and we advise you to consult the course website before introduction week – see the following link:

<http://www.law.ed.ac.uk/courses/viewcourse.aspx?ref=108>.

The second course is placed in the second semester, and we shall discuss that in due time. I am looking forward to meeting you in week 1 (or before) so we can discuss your project, supervision and make other necessary arrangements for a very productive year.

*Dr Paul du Plessis*  
*Programme Director, LLM(R) in Legal Research*

## LLM in History and Philosophy of Law

### Programme Requirements

(1) 80 credits of courses from the following list.

*Semester One courses (20 credits)*

- Theories and Philosophies of Legal Research (*compulsory*)
- Traditions of Legal Inquiry (*compulsory*)

*Semester Two courses (20 credits)*

- Legal Research Methods
- The Anatomy of Private Law
- The Anatomy of Public Law

[Students may, at the discretion of the programme director, be permitted to take a course in semester two which is not on this list.]

(2) A dissertation of not more than 15,000 words on an approved topic, to be submitted in August 2012.

### Advice for incoming students from the Programme Director

We would strongly encourage you to do some **introductory reading** before you arrive in Edinburgh so that you can make the most of your studies from the very beginning. In **Traditions of Legal Inquiry** in particular, you will hit the ground running. As preparatory reading for that course, please read Prof. Neil Walker's inaugural lecture "Out of Place and Out of Time: Law's Fading Co-ordinates", available at the following link:

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1367591](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1367591).

For the first seminar (and also as a general preparation for the course), please read:

- (i) Ibbetson, D. "What is Legal History a history of?" in Lewis, A.D.E. and Lobban, M. (eds) *Law and History* (Current Issues in Law number 6) (London 2004) 33-40
- (ii) Lobban, M. "Introduction: Tools and Tasks of the Legal Historian" in Lewis and Lobban (as above) 1-32
- (iii) Gordon, R.W. "Historicism in Legal Scholarship," (1981) 90 *Yale Law Journal* 1017-1056
- (iv) Wijffels, A. "Historical Expertise and Methods in a Forensic Context," in Wijffels, A. (ed.) *History in Court* (Leiden 2001) 13-36

In relation to Theories and Philosophies of Legal Research, we would also advise you to consult the course website before introduction week. See the following link:

<http://www.law.ed.ac.uk/courses/viewcourse.aspx?ref=108>

*Dr Paul du Plessis*  
*Programme Director, LLM(R) in History and Philosophy of Law*

## **MSc in Criminology and Criminal Justice**

### **Programme Requirements**

**(1) A total of 120 credits in taught courses, 60 in each semester. The 120 credits must be made up as follows:**

- **80 credits of courses from the following list**

*Semester One courses (20 credits)*

- Theoretical Criminology (*compulsory*), and
- *either* Criminal Justice and Penal Process *or* Global Crime, Justice and Security: Theories and Frameworks, and
- *either* Core Quantitative Data Analysis 1 and 2 *or* Research Skills in the Social Sciences: Data Collection (*both courses offered by the School of Social and Political Science*)

*Semester Two courses (20 credits)*

- Criminological Research Methods (*compulsory*)

- **40 credits of courses from the following list**

*Semester Two courses (20 credits)*

- Cybercrime
- Gender, Crime and Criminal Justice
- Media and Crime
- Mental Health and Crime
- Penal Politics
- Police and Policing
- Surveillance and Security
- Students may be permitted to take an alternative 20-credit course with the permission of the Programme Director.

**(2) A dissertation of not more than 10,000 words on an approved topic in Criminology or Criminal Justice, to be submitted in August 2012.**

### **Advice for incoming students from the Programme Director**

We would encourage you to do some introductory reading before arriving in September. This will help you make the most of your studies while you are here. If you have never studied criminology before then you will find it useful to get a sense of the field by familiarising yourself with some good introductory texts. Tim

Newburn's *Criminology* (Willan Publishing, 2007) provides excellent coverage of many topics and themes that will be explored and developed throughout the programme. Similar breadth of coverage, but at a somewhat more advanced level, is provided in Morgan, King and Reiner's *Oxford Handbook of Criminology* (Oxford University Press, 2007). Even if you have already studied criminology at undergraduate level you should aim to read something in preparation for the Masters. Dario Melossi's *Controlling Crime, Controlling Society* (Polity, 2008) and Jonathan Simon's *Governing Through Crime* (Oxford University Press, 2007) are stimulating recent contributions to the field and are highly recommended. It is also worth reading the first couple of chapters in King and Wincup's *Doing Research on Crime and Justice* (Oxford University Press, 2008) in preparation for the methodological training that runs through the degree.

*Dr Richard Jones*

*Programme Director, MSc in Criminology and Criminal Justice*

**Programmes offered by the School of Social and Political Science and the School of Law jointly**

**MSc European Union Politics and Law**

For further details on this programme, including suggested advance reading, please see the following websites:

- [www.sps.ed.ac.uk/gradschool/taught\\_masters/a\\_g/msc\\_european\\_union\\_politics\\_and\\_law](http://www.sps.ed.ac.uk/gradschool/taught_masters/a_g/msc_european_union_politics_and_law)
- <http://www.star.euclid.ed.ac.uk/ipp/ptmsceuupl1f.htm> (the formal “degree programme table” setting out course requirements)

The taught component of this degree is made up of 120 credits, 60 in each semester. (60 further credits are achieved by writing a dissertation.) Students are required to take the following courses, each worth 20 credits:

- Institutions and Policies of the European Union (*Semester 1, School of Social and Political Science*)
- Introduction to European Union Law (*Semester 1, School of Law*)

80 further credits are required, at least 60 of which must be drawn from a list specified in the degree programme table. In 2010-11, the specified courses which are available **in the School of Law** are as follows:

*Full year courses (40 credits, counting as 20 credits per semester)*

- European and International Human Rights Law
- EU Competition Law

*Semester One courses (20 credits)*

- Economics and Policy of European Integration
- EU Constitutional Law
- Regulatory Governance in the European Union
- European Procurement Law
- Principles of Internal Market Law

*Semester Two courses (20 credits)*

- European Environmental Law
- EU Criminal Law
- EU Immigration and Asylum Law
- Principles of European Tax Law
- State Aid

Other courses are available in the School of Social and Political Science and elsewhere: again, please see the websites above. During the August registration period, you need only notify the School of Law which *Law* courses you wish to take.

## MSc Global Crime, Justice and Security

For further details on this programme, including suggested advance reading, please see the following websites:

- [www.sps.ed.ac.uk/gcjs](http://www.sps.ed.ac.uk/gcjs)
- <http://www.star.euclid.ed.ac.uk/ipp/ptmscglocr1f.htm> (the formal “degree programme table” setting out course requirements)

The taught component of this degree is made up of 120 credits, 60 in each semester. (60 further credits are achieved by writing a dissertation.) Students are required to take the following courses, each worth 20 credits:

- Global Crime, Justice and Security: Theories and Frameworks (*Semester 1, School of Social and Political Science*)
- Global Crime, Justice and Security in Context (*Semester 2, School of Law*)  
[Please note that these courses are taught jointly by both Schools, but the first is administratively ‘based’ in SPS and the second in Law.]

80 further credits are required, at least 40 of which must be drawn from a list specified in the degree programme table. In 2010-11, the specified courses which are available **in the School of Law** are as follows:

*Full year courses (40 credits, counting as 20 credits per semester)*

- European and International Human Rights Law
- International Criminal Law

*Semester One courses (20 credits)*

- Theoretical Criminology

*Semester Two courses (20 credits)*

- Cybercrime
- EU Immigration and Asylum Law
- Police and Policing
- Surveillance and Security

Other courses are available in the School of Social and Political Science and elsewhere: again, please see the websites above. During the August registration period, you need only notify the School of Law which *Law* courses you wish to take.

*Part B: Individual Courses LLM & MSc*

**40 Credit courses  
(Full year  
courses)**

## Company Law

Course Organiser: Dr Parker Hood  
 Timetable: **Class:** Monday 11:10 - 13:00

Pre-requisites: Students should have studied Company Law in their home jurisdiction.

This course aims to give students a broad understanding of United Kingdom corporate law, including current changes; where appropriate, reference will be made to the position in Europe. The course seeks to look at general principles, as well as develop awareness of the issues involved. It encourages students to consider the problems in company law.

By the end of the course, students should have:

- (a) a general understanding of the areas of corporate law discussed in the course;
- (b) a detailed and specific knowledge of some particular areas of law within this broader framework;
- (c) an introduction to major corporate law issues and debates; and
- (d) a basic grounding in research skills and techniques in corporate law.

The Course looks at the Companies Act 2006 in detail.

### Assessment

The course will be assessed by two essays, as follows:

- (i) First Essay – this essay is worth 40% of the final mark, and is to be no more than 4,000 words.
- (ii) Second Essay – this essay is worth 60% of the final mark, and is to be no more than 6,000 words.

### Preliminary Reading

There is no prescribed preliminary reading. However, the following books are recommended reading for the course:

J Dine and M Koutsias, *Company Law* (2010, MacMillan) 7th ed. (a useful introductory text);  
 D French, S Mayson, & C Ryan, Mayson, *French & Ryan on Company Law* (2010/2011, OUP) 27th ed. (new edition forthcoming);  
 S Girvan, *Charlesworth's Company Law* (2010) 18<sup>th</sup> edn;  
 N Grier, *Company Law* (2009) 3<sup>rd</sup> edn;  
 D Kershaw, *Company Law in Context – Text and Materials* (2009)  
 LS Sealy & S Worthington, *Cases and Materials in Company Law* (2010, OUP) 9th ed. (“Sealy - Cases”); and  
 PL Davies, Gower and Davies’ *Principles of Modern Company Law* (2008) 8th ed.

## Contract Law in Europe

Course Organiser: Laura Macgregor  
Timetable: Wednesday 11:10 - 13:00

Pre-requisites: A pass at undergraduate level in contract law.

This course aims to analyse fundamental concepts of contract law, comparing them from a civil law and a common law perspective. In order to do so, the contractual rules of certain legal systems are analysed: principally Scots/English law, French law and German law. European harmonisation initiatives, such as the Draft Common Frame of Reference prepared by the Study Group on a European Civil Code and the Research Group on EC Private Law also form a key focus of the seminars.

Although the law in the UK, France and Germany forms that basis of analysis, it is not necessary for each student to have prior knowledge of those particular systems. It would, however, be helpful (if not absolutely necessary) if students had studied contract law of one European Union legal system prior to undertaking this course.

By the end of the course students should be able to identify the major issues faced by any legal system in developing a rational system of contract law. Students should be able to identify whether there are certain characteristics which are typical to civilian systems on the one hand and common law systems on the other; and to identify the policies which may underlie the choice of any given contract law rule.

### Assessment

Assessment is by way of written answers to two seen problems. The first written answer is worth 40% of the final mark, and the second written answer is worth 60% of the final mark.

### Preliminary Reading

J Gordley, *Foundations of Private Law: Property, Tort, Contract, Unjust Enrichment* (2006, Oxford University Press) (contract parts only)

## EU Competition Law

Course Organiser: Dr Robert Lane  
Timetable: **Class A:** Tuesday 14:00 – 15:50  
**Class B:** Thursday 11:10 - 13:00

Pre-requisites: Prior knowledge of EU law will help, but it is not compulsory.

The purpose of the course is to impart to students an understanding of the rationale behind competition regulation in the European Union, the substantive and procedural rules which comprise EU competition law, and their place within the scheme of the Treaties – they being ‘fundamental provision[s] ... essential to the accomplishment of the tasks entrusted to the [Union] and, in particular, the functioning of the internal market’ (Case C-126/97 *Eco Swiss China Time v Benetton International* [1999] ECR I-3055, para 36).

It is the private law side of Union integration and a mirror of the law of the internal market – put otherwise, the commercial law of the EU. Appropriate comparisons with the equivalent laws of the member states, in particular those of Germany (the GWB) and the United Kingdom (the Competition Act 1998; the Enterprise Act 2002), will be drawn throughout the course.

### Assessment

Two essays, worth 40 % (1st semester) and 60 % (2nd semester).

### Preliminary Reading

Swann, *The Economics of the Common Market* (most recent edition)

## European and International Human Rights Law

Course Organiser: Dr Cormac Mac Amhlaigh  
Timetable: **Class A** Semester 1: Thursday 11.10–13:00  
**Class A** Semester 2: Thursday 09.00-10.50

**Class B:** Thursday 14:00 – 15:50

Pre-requisites: None

The objective of the course is to enable students through research, teaching, discussion and writing to acquire a thorough knowledge of the theory behind and the law protecting human rights. The course takes a critical approach to human rights where the law is a starting point for more in-depth analysis of human rights-related issues.

By the end of the course students should have (1) overall awareness of the history and theory of human rights (2) familiarity with the major human rights protection systems at international, regional and domestic levels (3) detailed knowledge of specific substantive human rights including prohibition on torture and freedom of expression, (4) an awareness of contemporary debates in the human rights field and (5) familiarity with the specialised tools of research into human rights law.

### Assessment

The course is assessed by way of two essays (40% and 60% of total marks respectively).

### Preliminary Reading

H. J. Steiner and P. Alston and Goodman, *International Human rights in Context: Law, Politics, Morals; Text and Materials* (3rd edition)

Any good book on ECHR law e.g. Ovey and White; Janis, Kay and Bradley.

## Financial Models and Derivatives in a Legal Context

Course Organiser: Dr. Dorit Samuel and Dr Gillian Black Course taught by Dr. Dorit Samuel

Timetable: **Class A:** Tuesday 16:10 – 18:00  
**Class B:** Wednesday 11.10-13:00

Pre-requisites: None

The goal of this course is to introduce law students to basic concepts in finance. It focuses on an analysis of “derivative” instruments, how to use them in different economic situations, and the benefits/consequences of helping clients set up contracts employing them when investing or conducting business, both locally and globally. The instruments are analysed from two separate points of view: speculative and hedging. Tools and basic models that help in understanding the appropriate usage of different derivatives in different situations will also be introduced and examined. Through the course analysis, students will develop a thorough understanding of the models that influence and eventually determine the relationships among different derivative instruments. Cases are used to analyse actual situations and explore different possible solutions using derivatives, determining the best choice for the particular risk exposure in the case. The course will be taught on the assumption that the students have no prior knowledge of these financial instruments. The first part of the course introduces the student to basic understanding of financial models. This knowledge forms the basis of analysis for the derivatives concept and it is an integral part of the course.

### Assessment

The course will be assessed by two essays, as follows:

- I. First Essay – this essay exercise is worth 40% of the final mark, and it consists of several topics to be analysed in no more than a total for the essay of 4,000 words.
- II. Second Essay – this is a case analysis essay and is worth 60% of the final mark, and is to be no more than 6,000 words.

### Preliminary Reading

There is no prescribed preliminary reading.

## Fundamental Issues in International Law

Course Organiser: Professor Alan Boyle  
Timetable: **Class A:** Friday 11:10 - 13:00  
**Class B:** Friday 14:00 – 15:50

Pre-requisites: None

This is a course in which fundamental elements of public international law are studied at an advanced level. It is intended to be suitable both for students who are new to the study of international law, as well as for those who may have taken a basic undergraduate course but who wish to explore the issues in greater depth.

The course will focus on contemporary scholarship and will try to address the issues in a broad legal and theoretical context.

### Assessment

LLM students are assessed by (a) a written assignment of not more than 4000 words, counting for 40% of the final mark, and (b) an essay of not more than 6000 words, chosen from an assigned list, counting for 60% of the final mark.

### Preliminary Reading

Higgins, *Problems and Process: International Law and How We Use It* (OUP, 1994)

## **International Criminal Law**

Course Organiser: Dr Stephen Neff  
Timetable: Monday 16:10 - 18:00.

Pre-requisites: None

This course will focus on the study of selected aspects of international and transnational criminal law and international co-operation in the administration of justice.

### Assessment

Assessment is based on two essays. There is no written examination.

### Preliminary Reading

There is no single prescribed book for this course. Reading assignments will be distributed in advance on a weekly basis.

## **International Environmental Law**

Course Organiser: Professor Alan Boyle  
Timetable: Thursday 16:10 - 18:00

Pre-requisites: None

The principal aim of this course is to give students an understanding of contemporary developments in international law with regard to the protection of the environment and the sustainable utilisation of natural resources. Particular attention will be paid throughout the course to the processes of international law-making, regulation and institutional management.

### Assessment

LLM students are assessed by (a) a written assignment of not more than 4000 words, counting for 40% of the final mark, and (b) an essay of not more than 6000 words, chosen from an assigned list, counting for 60% of the final mark.

### Preliminary Reading

Boyle and Chinkin, *The Making of International Law* (OUP, 2007)

## The Law of International Trade

Course Organiser: Dr. Simone Lamont-Black  
 Timetable: Tuesday 14:00 – 15:50

Pre-requisites: A degree in law; students with a non-law background are discouraged from choosing this course, which is built upon a firm knowledge of legal concepts

This course examines the legal aspects of international trade in a broad context. The legal framework of the course is English law as well as the relevant international conventions and standard terms. The course examines international sale of goods which are transported by ship/road/air with emphasis on sea transport. It investigates the trade terms used in international sale contracts (in the context of English common law and Incoterms in particular) and analyses the resulting obligations of the parties regarding payment methods (with emphasis on letters of credit and bills of exchange), transportation of the goods and marine cargo insurance in the manner in which these relate to one another. Due to the international nature of each of these transactions the relevant aspects of international private law and dispute resolution are examined.

By the end of this course students will be able to

- Demonstrate a thorough understanding of the legal principles of international trade transactions in general.
- Critically evaluate and analyse the laws and rules regulating international sale of goods, carriage of goods, marine cargo insurance, documentary credits & bills of exchange, and international private law and dispute resolution.
- Select and apply the appropriate legal rules to provide solutions to complex legal problems.

### Assessment

The course will be assessed by two essays, as follows:

- First Essay – this essay is worth 40% of the final mark, and is to be no more than 4,000 words.
- Second Essay – this essay is worth 60% of the final mark, and is to be no more than 6,000 words.

### Preliminary Reading

There is no prescribed preliminary reading.

However the following books are recommended reading for the course:

Carr, *International Trade Law* (4<sup>th</sup> ed, Cavendish-Routledge, London, 2009)

Chuah, *Law of International Trade* (4<sup>th</sup> ed, Sweet & Maxwell, 2009)

D'Arcy, Murray, Cleave, *Schmitthoff's Export Trade: The Law and Practice of International Trade* (11<sup>th</sup> ed, Sweet & Maxwell, 2007)

S Schnitzer, *Understanding International Trade Law* (LawMatters Publishing, Exeter, 2006)



**20 Credit courses  
(Semester 1)**

## **Banking and Finance Law**

Course Organiser: Dr Parker Hood  
 Timetable: Tuesday, 11:10 - 13:00

Pre-requisites: None. However, it would be helpful if students have done Commercial Law in their home jurisdiction. Knowledge of contract law and/or company law and/or property law would be useful.

### **If you take this course, you may not take Commercial Banking and Financial Markets in Semester 2.**

The aims and objectives of this course are to:

- introduce students to certain general principles of banking law in both a UK and international context, and
- examine: (i) the law applicable to a particular area; (ii) the issues and problems that arise; and (iii) the attempts to deal with the issues or solve the problems.

By the end of the course, students should have:

- a general understanding of the areas of banking and financial law discussed in the course;
- a detailed and specific knowledge of some particular areas of banking and finance law within this broader framework;
- an introduction to some important issues and debates regarding banking and financial law; and
- a basic grounding in research skills and techniques in banking and financial law.

### Assessments

A 5000 word essay worth 100% of the final mark

### Preliminary Reading

There is no set preliminary reading. Suggested books are:

- (i) Ross Cranston, *Principles of Banking Law* (2002) 2nd ed;
- (ii) Ellinger, Lomnicka and Hooley, *Ellinger's Modern Banking Law* (2006) 4th ed; and.
- (iii) A Hudson, *The Law of Finance* (2009).

## **Comparative and International Trust Law**

Course Organiser: Professor George Gretton

Timetable: Tuesday, 14:00 – 15:50

Pre-requisites: None

This course examines the essential nature of the trust, and also addresses specific issues in trust law, especially topical issues. It is not limited to any particular system of trust law, but is international and comparative in its approach. The mainstream trust jurisdictions are considered, including England. The “offshore” trust systems are also looked at, as well as trusts and trust-like arrangements in traditionally “civil law” systems.

This course does not require any previous knowledge of trust law. But it does presuppose a basic knowledge of the law of obligations, of property law, of insolvency law and of international private law.

The aim of the course is to familiarise students with the advanced study of the law of trusts, and to encourage them to analyse national solutions to the problems of trust law in comparative perspective. Students will be encouraged in seminars to discuss problem areas and to suggest and evaluate the theories by which they may be resolved. They will not only develop oral skills in class discussion but they will also be assisted in refining legal writing skills, in the form of essay-based assessments.

By the end of the course students should be able to demonstrate (1) a critical knowledge and understanding of the law of trusts; (2) an appreciation of the comparative approach to legal study; (3) an ability to comment critically and engage in debate on the issues examined; (4) problem-solving skills in formulating solutions to the problems considered.

### Assessment

One essay.

## Comparative Environmental Law

Course Organiser: Dr Elisa Morgera  
 Timetable: Tuesday 11:10 – 13:00

Pre-requisites: None

This course aims to explore the main elements and different options adopted, as well as the challenges faced, by countries, in particular developing ones, in drafting national environmental legislation. Students will, on the one hand, discuss the role of national law in implementing international environmental law, with particular emphasis on the use of international guidelines and other soft law instruments by national legal drafters. On the other hand, students will familiarize themselves with methodological issues related to comparative analysis, legal drafting techniques and participatory approaches.

Students will explore key areas of environmental and natural resources law (such as on protected areas, environmental impact assessment, forests, wildlife, fisheries and aquaculture, land, water, mountain development and bioenergy), and in doing so the inter-linkages with other areas of national law.

At the end of the course students will have:

- gained an understanding of the commonalities and experimentation in national environmental law, as well as of persistent and emerging challenges in developing effective national environmental law;
- developed specialist skills in critically appraising and comparing rules, approaches and legal tools used at the national level in the environmental field;
- developed awareness of the potential and actual tensions between environmental and other areas of national law, and of the interactions between national and international environmental law.

### Assessment

A written exercise worth 20% of the final mark; and an essay worth 80% of the final mark.

### Preliminary Reading

There is no prescribed preliminary reading or single textbook for this course. Students may familiarize themselves with comparative environmental law issues by consulting Food and Agriculture Organization of the United Nations (FAO), *Law and Sustainable Development since Rio: Legal Trends in Agriculture and Natural Resource Management*, FAO Legislative Study No. 73, Rome 2002 (which is freely available online at: <http://www.fao.org/DOCREP/005/Y3872E/Y3872E00.HTM>) and browsing the following websites:

- <http://www.ecolex.org/start.php>
- <http://www.fao.org/legal/pub-e.htm>
- [http://www.iucn.org/about/work/programmes/environmental\\_law/](http://www.iucn.org/about/work/programmes/environmental_law/)

## **Comparative Property Law**

Course Organiser: Professor Kenneth Reid

Timetable: Thursday, 9:00 – 10:50

Pre-requisites: None

This course seeks to explore some of the commonalities and some of the differences between systems of property law in Europe and beyond. Both movable and immovable property are considered. The emphasis is on doctrinal law, but some attention will also be given to more theoretical issues, and to issues of legal policy. Among the topics which may be considered are: the structure of property law; the common law/civil law divide; transfer of ownership; land registration; servitudes; neighbourhood law; accession; and acquisitive prescription.

The course is designed mainly for those students who have already studied the law of property in their own system. Those who have not may still apply for a place in the course, but they should be aware that additional study may be required.

### Assessment

One essay

### Preliminary Reading

None, but students will find it helpful to refresh their knowledge of property law in their own system.

## **EU Constitutional Law**

Course Organiser: Professor Niamh Nic Shuibhne  
Timetable: Monday, 11:10 - 13:00

Pre-requisites: Study of European Union law at undergraduate level.

The principal aims and objectives of the course are to consider and analyse European Union constitutional law and the evolving principles underpinning its development.

The course is broadly divided into two parts. The first group of seminars addresses the constitutionalisation of the EU treaties, focusing on the pivotal constitutional doctrines developed by the Court of Justice in its legal order-building capacity. In the second part of the course, contemporary debates on the nature of EU constitutionalism (for example, constitutional pluralism) will be explored. Here, we assess constitutional 'elements' such as democracy, legitimacy, fundamental rights and citizenship in their 'EU versions'.

Overall, students will acquire in-depth knowledge of EU constitutional law and engage with theoretical perspectives on non-state constitutionalism more broadly.

### Assessment

One Essay

### Preliminary Reading

There is no prescribed preliminary reading for this course but it would be helpful if students could familiarise themselves with the Lisbon-amended Treaty on European Union and Treaty on the Functioning of the European Union.

## European Procurement Law

Course Organiser: Dr Robert Lane / James McLean  
Timetable: Friday, 11.10 – 13.00

Pre-requisites: A pass at undergraduate level in contract law.

The economic ‘pillar’ of the European Union aims to create and maintain a single market, where the operation of competition is undistorted by unacceptable and irrelevant considerations, such as economic nationalism. This means that the purchasing power of public bodies must be exercised in a way that accords equality of treatment to potential contractors supplying goods and services and carrying out works.

In this course the roles of public purchaser and private or public provider are analysed and identified, the applicable provisions are examined and their application is illustrated. The role of the EU in the implementation of the WTO Agreement on Government Procurement is explained.

The course will show students to recognise procurement situations, to distinguish them from self-supply. They will see how rules are fashioned from principles and are then applied. They will gain an understanding of the tensions between notions of economic competition and social objectives and of approaches to the reconciliation of real and apparent conflicts between them. The aim is to teach the student to see not just what the law is but what it is seeking to achieve and how, so that the student is equipped to keep up with the law as it evolves.

### Assessment

An essay worth 100% of the final mark

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## General Principles and Institutions of International Economic Law

Course Organiser: Dr Gracia Marín Durán  
 Timetable: Thursday, 14.00-16.00

Pre-requisites (if any): None

The purpose of the course to introduce students to the key legal concepts, principles and institutional actors of the international economic system, as well as to the main policy issues raised by the globalisation of the world economy. The course is primarily designed as an introductory (and compulsory) course within the LLM in International Economic Law, but may also be of interest to students wishing to acquire an understanding of global economic governance.

Students will begin by reflecting on the theoretical arguments for and against economic globalisation and on the role of law in international economic relations. Students will then consider the key principles of international trade and investment law. On the institutional front, attention will first be placed on the origins and structure of World Trade Organisation, which has played a central role in promoting and regulating international trade liberalisation, including through its unique system for the resolution of international trade disputes. Students will also examine the history and functions of the other two main institutions of the international economic system, the International Monetary Fund and the World Bank, which are at the forefront of managing international financial relations. The final sessions of the course will provide students with an opportunity to put into practice the knowledge they have gained and to develop their own legal argumentation on key issues of the international economic system by means of individual oral presentations in class.

### Assessment

- Oral Presentation (20% of the final mark)
- Essay (maximum 4000 words, 80% of the final mark)

### Preliminary Reading

- S. Charnovitz, 'What is International Economic Law?' (2011) 14(1) *Journal of International Economic Law* 3-32.
- J. H. Jackson, 'Global Economics and International Economic Law' (1998) 1 *Journal of International Economic Law* 1-23.
- J. E. Stiglitz, *Globalisation and its Discontents* (Norton, 2003), chapter 1 ('The Promise of Global Institutions').

## Information: Control and Power

Course Organiser: Judith Rauhofer  
 Timetable: Tuesday, 9:00 - 11:00

Pre-requisites: None (please note that it is not necessary to have a high level of computer literacy).

This module will investigate, through a range of legal disciplines and perspectives, the growing focus placed on, and value attached to, information by society and individuals; concerns as to its control and misuse; and the impact of this on business and government, particularly in the light of the opportunities and challenges of evolving – and converging - technologies. The module will consider legal regimes relating to privacy, freedom of information and data protection; the extent to which present regulatory, co-regulatory and self-regulatory systems conform to expectations in respect of information privacy and access; the extent to which basic data, information and content is or should be protected by intellectual property or other information rights, particularly in the light of new means of creating, obtaining, recording, sharing and exploiting that information; human rights law and policy, with particular reference to (online) privacy, electronic surveillance, access to information and the conflict between freedom of expression and reputation and image rights; the ability of competition law and policy to intervene in respect of misuse of information and its control by individuals, companies and groups, by the use of existing and ground breaking technologies; the impact of the WTO and the possible impact of different regulatory structures. A wide ranging international approach will be adopted, with contributions sought from students in respect of their own jurisdictions.

### Assessment

90% essay; 10% online exercise

### Preliminary Reading

There is no one text which covers the subject matter of the course.

An interesting overview of the field and other matters can be obtained from Edwards L and Waelde C, *Law and the Internet*, 3rd ed, Oxford ; Portland, Or.: Hart (2009)

The following blogs and websites may also be helpful:

<http://out-law.com>

<http://www.law.ed.ac.uk/ahrb/script-ed/>

<http://ipandit.practicallaw.com/> (on campus access only)

<http://technollama.blogspot.com/>

<http://www.theregister.co.uk/>

<http://ipkitten.blogspot.com/>

<http://blogscript.blogspot.com/><http://www.datonomy.eu/>

## Intellectual Property 1: Copyright and Related Rights

Course Organiser: Dr Smita Kheria  
 Timetable: **Class A** Friday, 9:00-10:50  
**Class B** Friday 14:00 – 15:50

Pre-requisites: None. However, please note that this course welcomes both students who have no previous knowledge of Intellectual Property Law as well those who do. Consequently, the course will include discussion of both the basics of the substantive law in relation to the below mentioned rights as well as certain complex and topical issues.

The purpose of this course is to consider the law relating to copyright, design rights, breach of confidence, and performers' rights within their institutional setting at international, European and national level. Recent years have witnessed an expansion in the scope of intellectual property rights, and having examined the institutional setting in which policy is formed, the reach and impact of these rights within individual territories will be analysed as will the impact of European competition law on the exercise of these. The teaching sessions will also highlight areas of particular topicality such as: moral rights; personality rights; and the interaction between copyright and the internet.

By the end of this course, the student will be able to:

- appreciate the variety of institutions involved in the field of copyright and related rights and understand their role and functions in policy making;
- identify the rights in practice, explain their scope and indicate when and how those rights may be infringed;
- critically assess the development of the law and how changes affect different interests;
- explain current developments in the law and contribute in an informed manner to ongoing debate as to the proper role of these rights.

### Assessment

One essay (Maximum 5000 words worth 80% of the mark) and one other piece of assessment worth 20%. This could be a 48 hour take-home exercise and might be a problem question; a response to a policy consultation; preparation of a poster; preparation of a PowerPoint presentation; or might be a presentation in class.

Preliminary reading:

- P Drahos, The Universality of Intellectual Property Rights: Origins and Development, (1999) available at <http://www.wipo.int/tk/en/hr/paneldiscussion/papers/pdf/drahos.pdf>
- WIPO Handbook on Intellectual Property (Chapter 5 only) available at <http://www.wipo.int/about-ip/en/iprm/>
- If you are not familiar with law in the European Union, then please read relevant parts on European community law in I, McLeod, Legal Method, Palgrave Macmillan Law Masters, 8th edition, 2011; and, also refer to brief guides like Andreas Staab, The European Union Explained, Indiana University Press, 2<sup>nd</sup> edition, 2008.

- The recommended core text for this course is MacQueen et al, Contemporary Intellectual Property: Law and Policy, 2<sup>nd</sup> edition, 2010.

## International Climate Change Law

Course Organiser                      Navraj Singh Ghaleigh  
 Timetable:                                Monday; 11.10 – 13.00

Pre-requisites:                            Students are expected to have some familiarity with public international law.

This course explores the problematic of global, anthropogenic climate change and the legal solutions that have sought to address it. This is an area of legal regulation that has developed most influentially in the realm of Public International Law in the form of the UN Framework Convention on Climate Change and its Kyoto Protocol, and the ongoing negotiations in that forum. Commencing with a detailed exploration of the UNFCCC and its position in PIL (seminars 1-3), this course moves to detailed analysis of the Kyoto Protocol and in particular its key mechanism, the Clean Development Mechanism (seminars 4-6). The particularities of compliance in the climate change regime are addressed in seminar 7. The final three seminars will consider the relationship that legal sub-disciplines and concepts such as human rights (seminar 8), justice and ethics (seminar 9, in the context of geoengineering) and intellectual property (seminar 10, in the context of technology transfer) have, and may have, with climate law.

*International Climate Change Law* is avowedly inter-disciplinary, drawing on insights from economics, ethics, international relations theory and the physical sciences. These perspectives are essential if lawyers are to understand issues such as climate change negotiations and common but differentiated responsibilities. The goal is to give lawyers a detailed understanding of the legal mechanisms that seek to tackle climate change and a similarly familiarity with their broader context. To this end readings will regularly explore these approaches and some teaching may be shared with students from other schools.

A feature of this course is its close relationship to fundamental research that is undertaken across the University. In addition to the course organiser, certain seminars will be taken by colleagues with research interests in aspects of the course. There is also a wide range of seminars, public lectures and conferences in the climate change area in the Schools of Law, Politics, Business and Geosciences – student participation is encouraged in such events.

The library has strong holdings in climate law as well as subscriptions to the two leading specialist journals, *Carbon and Climate Law Review* and *Climate Law* (of which the course organiser is on the editorial board).

Students with an interest in regional and national climate change law, instruments such as carbon capture and storage, and legal debates surrounding issues such as markets for pollution should note that these matters are addressed in detail in my Semester 2 course, *EU and National Climate Change Law*.

### Assessment:

This course is assessed by one essay of no more than 5000 words in length.

### Course Teachers:

Navraj Singh Ghaleigh, Alan Boyle, Francisco Ascuri (Business School) and Dave Reay (School of Geosciences)

Preliminary Reading:

There is presently no legal text that covers the range of issues which this course addresses (I am working on one presently!). Accordingly, no book is recommended for purchase but both of the following background texts MUST be read in advance of the course:

Sir David King & Gabrielle Walker, *The Hot Topic: How to Tackle Global Warming and Still Keep the Lights On* (Bloomsbury, 2008) £8.99

Lord Nicholas Stern, *Blueprint for a Safer Planet: How to Manage Climate Change and Create a New Era of Progress and Prosperity* (Bodley Head, 2009) £14.99

Both are cheaply available from Amazon resellers.

## International Commercial Arbitration

Course Organiser: Dr. Simone Lamont-Black  
 Timetable: **Class A** Monday 11:10-13:00  
**Class B** Monday 14:00 – 15:50

Pre-requisites: None

The world is a global market place as never before. Legal individuals contract with others across the globe. Parties can choose where and how to resolve their transnational disputes and in doing so protect their investment by international arbitration. Parties can benefit from a judgment of an arbitral tribunal – termed an Award - that is generally more effective and enforceable than a judgment of a National Court.

The course aims to provide a firm grounding in the legal aspects of ad hoc and institutional international arbitration as well as offering practical skills on how to conduct such arbitrations. The course will include a range of topics including an introduction to arbitration, applicable laws, arbitration clauses, the arbitral tribunal, the jurisdiction of the arbitral tribunal, the conduct of arbitral proceedings, the role of the national courts, the award, challenges to the award, and recognition and enforcement of the arbitral award.

This course is aimed at those who are interested in acquiring a detailed understanding of how transnational disputes are resolved and knowledge of the legal environment which facilitates such a process. The primary focus will be on international commercial arbitration in practice, combining a substantive legal understanding together with a practitioners' perspective.

By the end of the course, students will have a firm substantive and practical understanding of international commercial arbitration, a firm understanding of the inter-relationship between arbitration, national laws and international treaties and how to enforce such awards worldwide, and a firm understanding of ad hoc and institutional arbitration.

### Assessment

A 5000 word essay worth 100% of the final mark.

### Preliminary Reading

There is no prescribed preliminary reading for this course.

The recommended core text for this course is Redfern, Hunter, Blackaby, Partasides, *Law and Practice of International Commercial Arbitration* (5<sup>th</sup> ed, OUP: Oxford, 2009).

## International Investment Law

Course Organiser: Dr. James Harrison  
Timetable: Tuesday, 9.00-10.50

Pre-requisites: None

This course will give an introduction to the major themes and issues of international investment law. The focus of study is the network of bilateral and multilateral treaties on investment, as well as the growing number of arbitral awards in this area. Students will analyse the substantive principles of investment law, such as most-favoured nation treatment, fair and equitable treatment, and the prohibition on expropriation. They will also study mechanisms for dispute settlement in the context of investment disputes, particularly investor-state arbitration. Throughout the course, students will consider how international investment law interacts with other fields of international law, such as environmental law and human rights law.

### Assessment

An essay of up to 5000 words.

### Preliminary Reading

M. Sornarajah, *The International Law on Foreign Investment* (Cambridge University Press, 3rd edition, 2010), chapter 1 OR

R. Dolzer and C. Schreuer, *Principles of International Investment Law* (Oxford University Press, 2008), chapter 1.

## International Law of the Sea

Course Organiser: Dr. James Harrison  
Timetable: Wednesday, 11:10 - 13:00

Pre-requisites: None

The aim of the course is to introduce students to the contemporary challenges in the regulation of the world's seas and oceans. The focus of the course is on the legal framework contained in the 1982 United Nations Convention on the Law of the Sea and related instruments. Students will be introduced to the various zones of maritime jurisdiction created under the 1982 Convention, including the territorial sea, the exclusive economic zone, the high seas, the continental shelf, and the International Seabed Area. They will also study the way in which the law of the sea is developed by a variety of international institutions and how states have tackled new issues that have arisen since the conclusion of the 1982 Convention. Finally, the course will cover the settlement of maritime disputes through the compulsory dispute settlement provisions of the 1982 Convention.

### Assessment

One essay of up to 5000 words.

### Preliminary Reading

R. Churchill and V. Lowe, *Law of the Sea*, (Manchester University Press, 2nd edition, 1999), chapter 1 OR  
D. R. Rothwell and T. Stephens, *The International Law of the Sea*, (Hart Publishing, 2010), chapter 1.

## Law and New Technologies: Artificial Intelligence, Risk and the Law 1

Course Organiser: Professor Burkhard Schafer

Timetable: Friday 11:10 - 13:00

Pre-requisites: No knowledge whatsoever of computer technology or AI is required. But an openness to read and engage with texts from non-law disciplines such as cognitive science, computing science and informatics is necessary.

This course aims to give students a broad understanding of how computer technology can help legal professionals in different roles (investigators, prosecutors, lawyers and judges) to perform their task more efficiently and reliably. It introduces approaches to represent legal knowledge and expertise in a way that a computer can replicate them. The course also discusses the legal, ethical, political and economic problems that these technologies raise. There will be possibilities to respond to student interest in the choice of technologies discussed. In the past these included topics such as online dispute resolution, regulatory compliance in law firms and forensic computing. The focus of this module will be criminal law, the investigative process and the evaluation of evidence for both criminal and civil (commercial) proceedings. It shows how technology can be used to identify links between criminals; to discern temporal or geographical patterns in crimes; to assist in identity recognition from biometrics; to help investigators consider multiple scenarios rather than focusing too closely on one hypothesis; and to understand the context of evidence extracted from databases to avoid potential miscarriages of justice. The module also covers methods for fraud prevention and detection, and for legal compliance, in a commercial environment; the use of electronic discovery methods for analysing large volumes of online documents; searching the Internet for 'suspect' websites; and issues surrounding technologies for facial reconstruction.

### Aims & objectives

The aims of this module are to:

raise awareness of how computing techniques can help the investigation and evidence process; develop an understanding of how various techniques can be used in investigations, with their respective strengths and weaknesses; raise awareness of software that supports the investigation and evidence process.

### Learning outcomes

By the end of this module, you will be able to:

critically discuss and assess the use of AI applications for the legal domain;  
describe the strengths and weaknesses of these techniques;  
identify future application areas and develop ideas for suitable software.

### Assessment

The course will be assessed by 1 essay, (worth 5000 words)

### Preliminary Reading

There is no prescribed preliminary reading. However, the following books are helpful material and will be referred to throughout the course:

J. Zeleznikow, D. Hunter: *Building Intelligent Legal Information Systems*. Kluwer Law International 1994

Jesus Mena: *Investigative data mining for security and criminal detection*. Amsterdam 2003

P Casanova et al: *Computable Models of the Law*. Springer 2008

## Legal Challenges of Information Technologies

Course Organiser: Judith Rauhofer  
 Timetable: Monday, 11:10 - 13:00

Pre-requisites: None (please note that it is not necessary to have a high level of computer literacy).

This course aims to deliver a challenging perspective on the wide range of legal questions posed by information technologies as they continue to develop.

After exploring different approaches to regulation and to the protection of rights in software, the course will consider the ongoing relevance of intellectual property in cyberspace, including peer generated content, downloading and enforcement, liability for online content and trademark protection in the digital economy. The use of personal data for commercial purposes in the content of social media and other Web 2.0 services will be considered, together with other issues, like net neutrality and media convergence, that affect the electronic communications infrastructure and the delivery of online services to end users.

### Assessment

90% essay; 10% peer assessment

### Preliminary Reading

Edwards L and Waelde C, *Law and the Internet*, 3rd ed, Oxford ; Portland, Or.: Hart (2009)

Also helpful starting points if they are available to you are Murray A, *Information Technology Law: The law and*, Oxford University Press, Oxford (2010) and Reed and Angel, *Computer Law* (6th ed, Oxford, 2007). Note that where relevant this will be revisited in class.

The following blogs and websites may also be helpful:

<http://technollama.blogspot.com/>

<http://blogscript.blogspot.com/>

<http://ipkitten.blogspot.com/>

<http://www.out-law.com/>

<http://www.intgovforum.org/>

## Principles of Competition Law for Innovation

Course Organiser: Dr Arianna Andreangeli

Timetable: Tuesday, 16:10 – 18:00

Pre-requisites: This module is open to students who have prior knowledge of EU Competition law.

This module examines the principal issues arising from the application of Articles 101 and 102 TFEU to practices aimed at furthering innovation and investment. At the end of the course students will be able to critically analyse the most common arrangements leading to the emergence of new products and technologies in light of the EU competition rules, to discuss possible implications of the application of Articles 101 and 102 to them to case scenarios and to suggest solutions.

### Syllabus

The module will include a consideration of the following topics:

- Article 101 TFEU: current approaches to prima facie anti-competitive agreements in general; legal implications of joint venture arrangements and the application of Article 101(3) to individual cases; the current Block Exemption on Technology Transfer Agreements.
- Article 102 TFEU: current approaches to abuses of dominant position generally—the 2009 Enforcement Priorities’ document; abuse of dominance in innovative industries—the problem of network effects; issues arising from the application of Article 102 to “industry leaders”—refusals to deal and to license.

### Assessment

100% essay

### Recommended textbook

Students must familiarise themselves with the relevant Treaty articles and legislative rules as well as with the Commission’s regulations and policy statements. These are available from the EU Commission website or in any Competition law statute book, such as Middleton (Ed), Blackstone's UK and EC Competition Documents, in their most updated edition.

There is no set textbook for the module. Students may choose among the available EU competition law textbooks in their most updated edition, such as: Jones and Sufrin, EU Competition Law: text, cases and materials, OUP; Whish, Competition Law, OUP; Furse, Competition Law in the EU and the UK, OUP; Ezrachi, EU Competition Law: an analytical guide to the leading cases, Hart; Rodger and Mac Culloch, Cases and materials on EU and UK Competition Law, OUP; Graham, Competition Law in the EU and the UK; Routledge; Goyder and Albers—Llorens, Goyder’s EU Competition Law, OUP.

Specific reading will be assigned for each seminar.

## **Principles of Internal Market Law**

Course Organiser: Professor Niamh Nic Shuibhne

Timetable: Tuesday 11:10 - 13:00

Pre-requisites: Study of European Union law at undergraduate level

This course 'steps back' from the detail of EU internal market law in order to study the principles that underpin its development and application. Looking across the different aspects of EU free movement law (goods, persons, capital, services), the course explores concepts such as: discrimination and market access; Member State justification/derogation; the scope of application of internal market law in both public and private spheres; and the framework within which internal market interests and standards can be legislatively harmonised. Specific case-studies (e.g. case law on students) will also be used to demonstrate the application of internal market law in practice.

The course traces the evolution of internal market law over time, and asks whether the current regulatory framework can meet contemporary challenges, such as digitalisation and globalisation. Important questions about balancing market and other (e.g. social, environmental) interests will also run across seminars. This notion of balance looks at both the values embedded in the Treaties themselves and, also, the potential for conflict between EU and national values.

The course aims to provide students with in-depth understanding of how internal market has developed and changed, and of the core principles guiding the implementation and evolution of EU internal market law against that background.

### Assessment

One essay

### Preliminary Reading

There is no prescribed preliminary reading for this course but it would be helpful if students could familiarise themselves with the Lisbon-amended Treaty on European Union and Treaty on the Functioning of the European Union.

## **Principles of International Tax Law**

Course Organiser: Dr Heidi Poon  
Timetable: Friday, 11:10 - 13:00

Pre-requisites: Some knowledge of tax law at a domestic level

The course is designed to give students an introduction to the principles and practical issues of international tax law. It looks at the problems that arise when national tax systems overlap, and the focus is on direct taxation.

Students will be given an overview of international tax treaties through an examination of the OECD model and will be expected to apply this to practical situations. They will also be encouraged to develop written and oral skills through class discussion and assessments. A sustained analysis of a practical problem will form a significant component of the final assessment of this course.

At the end of the course, students will have:

- knowledge and understanding of the issues surrounding overlapping tax jurisdictions and the range of solutions to these problems;
- developed the analytical skills to assist them in researching the tax implications of a practical situation;
- developed written and oral skills through essay writing and presentation.

### Assessment

One essay (90%) and class presentation (10%). The class presentation will take the form of a PowerPoint presentation, which will be supported by a written document.

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## **Regulatory Governance in the EU**

Course Organiser: Professor Drew Scott  
Timetable: Thursday 16:10 – 18:00

Pre-requisites: None

This course focuses on the role of the European Union as a regulatory authority. The EU has become a source of regulation governing the conduct of economic activities within its space and beyond. The course reviews this in theoretical terms, and via an examination of specific instances of EU regulatory activism.

This course is intended to complement existing courses by examining the regulatory framework of the European Union and will focus on particular regulatory activities. The course will equip students with the critical skills required to understand EU governance and policy, thereby going beyond the learning outcomes conventionally expected to result from the study of EU law. Accordingly, it will assist place EU law in the context of the economic challenges confronting the EU, and the governance structure within which the EU develops capacity to meet and respond to such challenges.

### Assessment

One essay

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## Sport and the Law

Course Organiser: Dr. Rachael Craufurd Smith  
 Timetable: Thursday 14.00-15.50

Pre-requisites: None

This course examines the impact of law on the organisation, practice, and funding of sport. It considers the role of domestic and international law in shaping sporting activities, and the relationship between professional rules and legal rights and responsibilities.

Substantively, the course focuses on three main issues:

- Domestic and international dispute resolution systems.
- Professional sanctions for injury caused by, or for the misconduct of, participants in sport, together with the operation of domestic and international law in this context. Consideration will here be given to the problem of doping.
- The commercial exploitation of rights connected to sport, including: the rights of sportsmen and women to exploit their image; the exploitation of sports' brands; and the sale and purchase of broadcasting and new media rights to sporting events.

Throughout, students will be encouraged to consider the role of sport in society and to critically engage with the policy issues that underpin the development of the law in this area.

The course is intended to develop a number of transferable skills, including:

- communication skills, oral and writing;
- intellectual skills of collecting, organising, evaluating, synthesising and presenting material and arguments;
- general skills, in managing time, working independently and in groups, and taking responsibility for your own work.

The seminars will be chaired by staff from across the law school with specialist knowledge in the field or fields covered. In addition, professionals with direct experience in the field will run a number of guest lectures.

### Assessment

One problem based written assignment constituting 20% of the final mark, and One written essay constituting 80% of the final mark.

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## Theories and Philosophies of Legal Research

Course Organiser: Dr Claudio Michelon  
Timetable: Monday, 14:00 - 15:50

Pre-requisites: None

The course is designed to give students an overview of the full range of types of and approaches to legal research, and to introduce them to thinking about the nature of legal research as intellectual endeavour. The material covered by the course ranges from traditional doctrinal research, through law in context work, to socio-legal and empirical legal studies, and theoretical and philosophical research on legal phenomena.

By the end of the course students will:

- have an understanding of the range of types of and approaches to legal research undertaken by legal scholars;
- have developed intellectual tools to help them understand where the research which they wish to undertake (or have previously undertaken) fits within these typologies;
- have developed skills of reading and critical analysis enabling them to evaluate the work of others;
- have developed written and oral skills, including the clear and succinct expression of ideas.

### Assessment:

Assessment will be by essay (80%) and class presentation (20%) in Week 11 of the semester.

## Tort and Delict

Course Organiser: Professor Elspeth Reid  
 Timetable: Monday, 11:10 - 13:00

Pre-requisites: None

This is an advanced level course on the law of delict. It will examine the treatment of key areas of liability in Scots and English law. The approach adopted will be comparative and reference will be made throughout to other Anglo-American and European legal systems. Fundamental conceptual structures will be compared, as well as specific problems, with a view to illuminating not only differences but also the common features of those systems. Particular attention will be given to the impact of Human Rights law on the law of delict and current debates on the extent of the constitutionalisation of private law. Recent initiatives to establish a common European law of torts will also be discussed.

The course is designed mainly for those students who have already studied the law of obligations in their own system. Those who have not may still apply for a place in the course, but they should be aware that additional study may be required.

The aim of the course is to familiarise students with the advanced study of the law of delict/tort, and to encourage them to analyse national solutions to delictual problems in comparative perspective. Students will be encouraged in seminars to discuss problem areas in delictual liability and to suggest and evaluate the theories by which they may be resolved. They will not only develop oral skills in class discussion but they will also be assisted in refining legal writing skills, in the form of essay-based assessments.

By the end of the course students should be able to demonstrate (1) a critical knowledge and understanding of the law of delict; (2) an appreciation of the comparative approach to legal study; (3) an ability to comment critically and engage in debate on the issues examined; (4) problem-solving skills in formulating solutions to the problems considered.

### Assessment

One essay

### Preliminary Reading

ONE of the following:

C von Bar, *The Common European Law of Torts*, 2 vols (1998 and 2000)

W van Gerven, *Cases Materials and Text on National, Supranational and International Tort Law* (2000)

C van Dam, *European Tort Law* (2006)

G Brüggemeier, *Common Principles of Tort Law* (2004)

## Traditions of Legal Enquiry

Course Organiser: Dr. Claudio Michelin  
Timetable: Tuesday, 14:00 - 15:50

Pre-requisites: None

Legal concepts change through time as a result of reflection on the appropriateness of conceptual structures to help regulate and shape the social world. That reflection is carried out in different forms and at a different pace by courts, legal doctrine and legal theorists. Theoretical reflection and historical research are, therefore, intertwined as complementary aspects of any investigation on the foundations of any given legal concept, including the concept of law.

The idea of legal traditions of rational inquiry brings that connection between legal theory and legal history home. The course aims at investigating precisely what a tradition of rational inquiry is and also at identifying paradigmatic examples of rational traditions of legal inquiry.

### Assessment

One essay

### Preliminary Reading

There is no prescribed preliminary reading for this course.



**LLM 20 credit  
courses  
(Semester 2)**

## **The Anatomy of Public Law**

Course Organiser: Dr Cormac Mac Amhlaigh

Timetable: Tuesday, 09:00 -10:50

Pre-requisites: None

The course sets out to provide a deep understanding the historical and philosophical foundations of the modern branch of law known as 'public law' Historically, the course examines how the origins of the modern understanding of public law are bound up with the growth of the modern state, the development of a conception of 'constitutive' or constitutional law, and the emergence of a distinction between private and public domains of life and regulation. Philosophically, the course asks whether there are certain key conceptual and doctrinal elements that are definitive of and distinctive to public law (e.g. sovereignty, fundamental rights, judicial review, discretionary power) In a third and final section, the course looks at whether and how the idea of public law is affected by the development of the many new and emerging forms of public authority that are no longer state-centred but are instead situated in trans-state, supra-state or sub-state domains.

### Assessment

One Essay

### Preliminary Reading

There is no prescribed preliminary reading.

## **The Anatomy of Private Law**

Course Organiser: Dr. Paul Du Plessis/Dr. Claudio Michelon

Timetable: Tuesday, 14:00 -15:50

Pre-requisites: None

The course helps the student to understand private law as a rational tradition. In doing so, it tries to make sense from a conceptual point of view of aspects of our legal experience, an experience that takes the shape of a slow and imperceptible build-up of interrelated rules of law over time. A study of the process whereby these rules were created and expanded provides a fascinating glimpse of the legal past of Europe and permits scholars of private law to predict possible future developments.

This course is concerned with the development of legal doctrine in European private law, both from the point of view of understanding how we got where we currently stand and from the point of view of the underlying justification(s) for this evolution and for the status quo.

The main areas of investigation will be the law of property and of obligations where specific concepts such as ownership, possession, contract and delict will be discussed from a doctrinal perspective and will be related to conceptions of justice.

### Assessment:

One essay

### Preliminary Reading :

None

## Commercial Banking and Financial Markets

Course Organiser:	Dr Parker Hood. (The course is taught by practitioners from Dundas & Wilson CS LLP, Solicitors).
Timetable:	Wednesday, 11:10 - 13:00
Pre-requisites:	None. However, it would be helpful if students have done Commercial Law in their home jurisdiction. Knowledge of contract law and/or company law and/or property law would be useful.

### **You may not take this course if you have already taken Banking and Finance Law in Semester 1.**

The aims and objectives of this course are to:

- (a) to give students a broad introduction to commercial banking and financial markets in the United Kingdom, with some reference to the international aspects; and
- (b) to develop awareness of the interaction between theory and practice, and the complex issues involved in balancing the needs of banks and their customers.

By the end of the course, students should have:

- (a) a general understanding of the areas of commercial banking and finance markets discussed in the course, and the rules applicable to them;
- (b) a detailed and specific knowledge of some particular areas of law within this broader framework;
- (c) an introduction to major commercial banking and finance law issues and debates; and
- (d) a basic grounding in research skills and techniques in banking and finance law.

Assessments

A 5000 word essay worth 100% of the final mark

Preliminary Reading

There is no set preliminary reading. Suggested books are:

- (i) Ellinger, Lomnicka and Hooley, *Ellinger's Modern Banking Law* (2006) 4th ed.
- (ii) TN Parsons, *Lingard's Bank Security Documents* (2006) 4th edn; or
- (iii) A Hudson, *The Law of Finance* (2009).

## Comparative Unjustified Enrichment Law

Course Organiser: Dr Eric Descheemaeker  
 Timetable: Monday, 11:10 - 13:00

Pre-requisites: A prior knowledge of the basics of unjustified enrichment would be useful, but is not essential.

This course examines the nature of the obligation of unjustified enrichment, and its related restitutionary remedies. There will be an examination of the Roman law origins of the idea of unjustified enrichment, and its development in the medieval *ius commune*. The principal focus will be on the modern law of a number of European systems, including Scotland, England, and Germany, these systems being compared and contrasted with each other. The elements of a claim in each jurisdiction will be analysed, as well as the remedies and defences to an action. Possible future harmonisation of unjustified enrichment will be considered, particularly in the light of model private law codes such as the Draft Common Frame of Reference. As a subsidiary but related issue, the course will also consider the obligation of *negotiorum gestio*.

The course aims to familiarise students with the principle of unjustified enrichment, and the various actions based upon that principle, within an historical and comparative perspective. Students will be encouraged to reflect upon the difference in approach between the jurisdictions studied, and to formulate ideas about possible ideal approaches in the field. They will also be encouraged to see how unjustified enrichment relates to the other obligations and to related fields such as property and trust law. They will develop oral skills in class discussions, as well as the critical faculties required for advanced legal research and writing.

### Assessment

One essay

### Preliminary Reading

Those with no prior knowledge of the subject can start with the following short book, focusing on Scots law but with a strong comparative dimension:

H MacQueen, *Unjustified Enrichment* (2nd ed., W Green, 2009)

To go beyond, one or more of the following books (at this stage, try to understand the 'big picture' of the law and do not worry about the details):

P Birks, *Unjust Enrichment* (2nd ed., Oxford, OUP, 2005)

J Beatson and EJH Schrage (eds.), *Cases, Materials and Text on Unjustified Enrichment* (Oxford, Hart Publishing, 2003)

D Visser, *Unjustified Enrichment* (Juta, 2008)

## Corporate Social Responsibility and the Law

Course organiser: Professor Doreen McBarnet  
 Timetable: Wednesday, 9.00-10.50

Pre-requisites: None

Corporate social responsibility, once seen as just a matter of voluntary good practice or indeed PR, has now become very much a legal issue. Company law has begun to adopt a wider framework than the traditional focus on directors' duties to shareholders, in 2011 international human rights law explicitly brought corporate responsibility into its domain, and private law is increasingly used to enforce what were once seen as voluntary or extra-legal commitments. The result is a widening of the legal concept of corporate responsibility, and with it, both the legal accountability and the legal liability of business, nationally and internationally.

This course analyses the new approach to corporate responsibility, tracing its origins and exploring pertinent current developments in, and new uses of, company law, contract, tort, international human rights, environment, intellectual property and European law, as well as recent policy proposals on securities and tax law enforcement. As this list demonstrates, the course is wide-ranging, though always focussed on the specific issue of corporate responsibility. It draws on legislation and cases from the UK, Europe, further jurisdictions and international law, sets analysis of legal developments in a wider context of social and economic analysis, and explores case studies on themes such as human rights and environmental issues in the oil industry, and the banking crisis.

The course should be of both practical and broader analytical interest. Corporate lawyers need increasingly to be able to advise their business clients on their widening legal liability, while lawyers for non-governmental organisations, employees or government, seeking on one issue or another to hold companies to legal account, should be aware of the widening range of legal tools at their disposal.

More generally, those interested in understanding the role of law in society will find in recent developments in CSR a prime example of a broader approach to governance than that of traditional legal regulation, while issues in business ethics and professional responsibility are also raised.

### Assessment

One essay (5,000 word maximum)

### Preliminary reading

For some background to the development of CSR and the law see D McBarnet, 'Corporate Social Responsibility beyond law, through law, for law' in McBarnet D, A Voiculescu, T Campbell (eds) *The new corporate Accountability: Corporate Social Responsibility and the law*, Cambridge University Press, 2007, paperback 2009, and on ssrn as <http://ssrn.com/abstract=1369305>

## Data Protection and Information Privacy

Course Organiser: Dr Gillian Black  
 Timetable: Tuesday, 11:10 - 13:00

Pre-requisites: None. However, it would be helpful if students have some awareness of data protection legislation and of the privacy provisions in the European Convention on Human Rights.

Our personal information is of increasing importance and value – yet it is also under threat from government and private enterprises who wish to collect ever more personal data for their own ends, often justified on grounds of public interest or national security. This course seeks to examine the role of data protection law in the UK, and in its wider European context, in seeking to find a balance between individuals' interests and wider interests. We will also consider protection of personal information under Article 8 ECHR and confidentiality.

The course will start with a detailed review of data protection law, before moving on to confidentiality and privacy in the context of information. Seminars will also focus on specific problems with protecting personal data by way of case studies and sector-specific concerns.

The aims and objectives of this course are to:

- (a) introduce students to certain general principles of data protection law in a UK, European and international context,
- (b) introduce students to certain general principles of confidentiality and privacy in relation to information, also in a UK, European and international context
- (c) examine: (i) the law applicable to a particular area; (ii) the issues and problems that arise; and (iii) the attempts to deal with the issues or solve the problems
- (d) have developed written and oral skills, including the clear and succinct expression of ideas

By the end of the course, students should have:

- (a) a general understanding of the areas of data protection and information privacy discussed in the course;
- (b) a detailed and specific knowledge of some particular areas of data protection and information privacy within this broader framework;
- (c) an introduction to some important issues and debates regarding data protection and information privacy, including the tension between privacy and openness; and
- (d) a basic grounding in research skills and techniques in the area of data protection and information privacy.

### Assessments

An essay worth 100% of the final mark

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## EU and National Climate Change Law

Course Organiser                      Navraj Singh Ghaleigh  
 Timetable:                                Monday; 14.00 – 15.50

Pre-requisites:                            None

This course explores the problematic of global, anthropogenic climate change from the perspective of the legal responses to it taken at the regional (mainly, EU) and national level. To this end we will undertake detailed explorations of the EU's very distinctive approach of climate change mitigation and adaptation (seminars 1-2), and in particular the EU's emission trading scheme (seminar 3). This segues into a discussion of the very particular role that climate change litigation has had, and continues to have both in the EU and beyond (seminar 4). The legal responses to climate change at national and sub-national level are of interest for their content but in particular for what they reveal about constitutional processes and administrative law. The focus herein will be on the UK, Scotland and experiences in the American states (seminars 5 & 6), but students from other jurisdictions are strongly encouraged to bring these to the discussion. The remainder of the course adopts a more thematic approach engaging with law's understanding of markets for pollution (seminar 7) and the regulation of carbon capture and storage (seminar 8). The content of the final two seminars will be agreed in conjunction with the seminar participants and according to their interests and expertise.

*EU and National Climate Change Law* is avowedly inter-disciplinary, drawing on insights from economics, ethics, international relations theory and the physical sciences. These perspectives are essential if lawyers are to understand issues such as climate change negotiations and common but differentiated responsibilities. The goal is to give lawyers a detailed understanding of the legal mechanisms that seek to tackle climate change and a similarly familiarity with their broader context. To this end readings will regularly explore these approaches and some teaching may be shared with students from other schools.

A feature of this course is its close relationship to fundamental research that is undertaken across the University. In addition to the course organiser, certain seminars will be taken by colleagues with research interests in aspects of the course. There is also a wide range of seminars, public lectures and conferences in the climate change area in the Schools of Law, Politics, Business and Geosciences – student participation is encouraged in such events.

The library has strong holdings in climate law as well as subscriptions to the two leading specialist journals, *Carbon and Climate Law Review* and *Climate Law* (of which the course organiser is on the editorial board).

### Assessment:

This course is assessed by one essay of no more than 5000 words in length.

### Course Teachers:

Navraj Singh Ghaleigh

## **EU Criminal Law**

Course Organiser : Professor Bill Gilmore  
Timetable : Wednesday 11.10-13.00

Pre-requisites : None

This course will focus on the evolution of the European Union as an actor in the sphere of criminal law and criminal justice. Among other matters it will address competences and principles, the relevant institutional architecture of the Union, harmonisation, mutual recognition and cooperation with third states and organisations.

### Assessment

One essay of up to 5,000 words.

### Preliminary Reading

There is no single prescribed text for this course and reading assignments will be distributed in advance on a weekly basis.

## EU External Economic Relations Law

Course Organiser: Dr Gracia Marín Durán  
 Timetable: Thursday, 14.00-16.00

Pre-requisites (if any): None (although students will benefit from having prior knowledge of EU constitutional law and institutions)

The objective of the course is to provide students with a thorough knowledge of the legal and institutional framework governing the external economic relations of the European Union (EU), an area of EU law that has increasingly captured scholarly attention over the past two decades. Students will also gain a critical understanding of the growing and complex role of the EU as an actor in global economic affairs, including through the analysis of specific policy measures.

The course is broadly divided into two parts. The first group of seminars will address the constitutional foundations of the EU as an actor in international economic relations, examining both the EU treaties and the relevant case law of the European Court of Justice. The topics that will be covered include: the EU as an international actor with attributed powers; the EU and its Member States on the international scene; and the legal status and effect of international agreements in the EU legal order. The second group of seminars will instead look at the legal framework and instruments of the EU external economic policies, starting with the common commercial policy as the oldest and most developed EU external policy, followed by the EU development and economic cooperation policies as well as the external dimension of other EU economic policies (e.g. the economic and monetary union). Students will also explore how the EU external economic policies interact with, and are used to promote the objectives of, other EU policies (such as the common foreign and security policy or environmental policy).

### Assessment

One essay (maximum 5000 words, 100% of final mark)

### Preliminary Reading

- P. Craig and G. de Búrca, *EU Law: Text, Cases and Materials* (Oxford University Press, 5th edition, 2011), chapter 1 ('The Development of European Integration') and chapter 2 ('Institutions') particularly for students that have never studied EU law.
- M. Cremona, 'The Union as a Global Actor: Roles, Models and Identity' (2004) 41 *Common Market Law Review* 553-573.
- As an introduction to the history, institutions and policies of the EU, students may also visit: [http://europa.eu/about-eu/index\\_en.htm](http://europa.eu/about-eu/index_en.htm).

## European Environmental Law

Course Organiser: Dr. Elisa Morgera  
 Timetable: Tuesday, 11:10 - 13:00

Pre-requisites: None (although students may benefit from having prior knowledge of EU law).

This course aims to explore the competence of the European Union (EU) in environmental matters, focusing on the interactions between its internal and external dimensions. Students' attention will be drawn, on the one hand, to the way in which global commitments influence the development of EU environmental law, and on the other to the ways in which the EU seeks to influence the development of international environmental law and support its effective implementation within and outside its borders.

Students will examine the objectives, principles, key legal instruments and current challenges of EU environmental law, as well as horizontal approaches and selected substantive areas. They will further consider the interactions between EU environmental law and other areas of EU law (such as fisheries, agriculture, trade and development) and the means to ensure compliance.

At the end of the course students will have:

- gained an understanding of the multifaceted powers and resources of the EU in the field of environmental protection, as well as of persistent and emerging challenges in achieving sustainable development;
- developed specialist research skills to critically appraise rules, approaches and legal tools of the EU in the environmental field;
- developed awareness of the potential and actual tensions between environmental and other areas of EU law, and of the interactions between national, EU and international environmental law.

### Assessment

A written exercise worth 20% of the final mark; and an essay worth 80% of the final mark.

### Preliminary Reading

There is no prescribed preliminary reading and no single prescribed book for this course. Students may familiarize themselves with current EU environmental policy issues by browsing the following websites:

[http://ec.europa.eu/environment/index\\_en.htm](http://ec.europa.eu/environment/index_en.htm)  
<http://www.eea.europa.eu/>  
[http://www.europa-eu-un.org/articles/articleslist\\_s21\\_en.htm](http://www.europa-eu-un.org/articles/articleslist_s21_en.htm)  
<http://euractiv.com/en/environment>

## European Union Immigration and Asylum Law

Course Organiser: Professor Jo Shaw  
 Timetable: Monday, 14:00-15.50

Pre-requisites: None (although students will benefit from a good prior understanding of the constitutional and institutional framework of the European Union).

EU Immigration and Asylum Law is a relatively recently developed subfield of substantive EU law, which draws on many of the principles of EU law developed in other fields such as internal market law and EU citizenship law and policy. It also offers interesting case studies of the application in practice of some of the key principles of EU constitutional law relating to the scope and nature of EU competences and EU fundamental rights.

The first section of the course introduces students to the development of EU Immigration and Asylum Law, looking at how this policy area developed partly as a result of the evolution of the EU's own internal market and as a result of the evolving free movement of persons. A particular focus is placed upon how the special institutional arrangements which have been in place for Immigration and Asylum Law have developed, as well as upon Schengen, which was a system for frontier free travel developed amongst what was initially a small group of Member States, which has developed into a significant element of EU Immigration and Asylum Law. In this section we also look at the significance of fundamental rights in this context.

For a number of years, after the Treaty of Amsterdam, the relevant Treaty provisions remained little applied. Most of the legal material in the field of immigration and asylum law was soft law or political rhetoric. In recent years, however, a substantial number of directives and other measures have been adopted, which we examine in the second section of the course. The impact of these measures in Member States is a particular focus.

### Assessment

This course is assessed by one essay of no more than 5000 words in length.

### Preliminary Reading

J. Shaw, J. Hunt and C. Wallace, *Economic and Social Law of the European Union*, Palgrave, 2007, Chapter 13 ('Towards an Area of Freedom, Security and Justice without Internal Frontiers')

P. Craig and G. de Búrca, *EU Law. Text, Cases and Materials*, OUP, 2007, 4th Edition, Chapter 7 ('The Area of Freedom, Security and Justice')

## History and Theory of International Law

Course Organiser: Dr Stephen C. Neff  
Timetable: Thursday, 11:10 – 13:00

Pre-requisites: None

The course will study separate topics in the history of international law in broadly chronological order. Among the topics to be studied are: the role and character of natural-law thought; the ancient and medieval concepts of *ius gentium*; the contribution of just-war thought; the various innovations grouped under the label of “positivism” in the Nineteenth Century; heterodoxical approaches to international law, including the nationality (or Italian) school and solidarism; the challenges of the Vienna School and of realism in the inter-War period; and a broad survey of various post-1945 developments. The focus is not intended to be not only on history as a subject of intrinsic interest, but also on the way in which historical perspectives and insights can enrich knowledge of contemporary international law.

### Assessment

One essay of up to 5000 words.

### Preliminary Reading

**None**

## Intellectual Property 2: Industrial Property

Course Organiser: Jane Cornwell  
 Timetable: **Class A** Friday, 9:00-10:50  
**Class B** Friday 14:00 – 15:50

Pre-requisites: None. Please note that this course welcomes both students who have no previous knowledge of Intellectual Property Law as well those who do. Consequently, the course will include discussion of both the basics of the substantive law in relation to the below mentioned rights as well as certain complex and topical issues.

The purpose of this course is to consider the laws relating to patents, trade marks, passing off, and breach of confidence within their institutional setting at international, European and national levels.

Recent years have witnessed an expansion in the scope of these intellectual property rights, and having examined the institutional setting in which policy is formed, the reach and impact of these rights will be analysed. The sessions will also highlight areas of particular topicality where these rights are having a particularly strong impact. These areas include: access to medicines, biotechnology, domain names and the protection of computer programs. The course will also consider from a primarily European perspective the relation between IP rights and free movement of goods.

The aims of this course are to:

- highlight the institutional framework within which policy is formulated and law is developed in the areas of patents and trade marks
- investigate how rights may be registered at international, European and national levels
- consider the impact of international policy making on the scope and exercise of the rights
- explore how the rights may be infringed
- consider the interests that the law protects and investigate the extent to which it is successful in balancing those interests with other, potentially competing, personal and public interests.

Assessment

The course will be assessed by way of one essay (5000 words worth 80% of the mark) and one other piece of assessment worth 20% of the mark. This could be a 48 hour take-home exercise and might take the form of a problem question; a response to a policy consultation; the preparation of a poster; the preparation of a PowerPoint presentation; or it might be a presentation in class.

Preliminary Reading

There is no prescribed preliminary reading for this course. The recommended core text for this course is MacQueen, Waelde, Laurie and Brown *Contemporary Intellectual Property: Law and Policy* (Oxford University Press, 2<sup>nd</sup> edn, 2010),

## Intellectual Property – Law and Society

Course Organiser: Dr Smita Kheria  
 Timetable: Thursday, 14:00-15:50

Pre-requisites: Knowledge of the core elements of Intellectual Property Law including patents, trademarks, copyright and design rights. This knowledge can be either acquired through undertaking the Intellectual Property 1 and 2 courses as part of your programme or through earlier knowledge, training or experience.

The course will examine the nature of Intellectual property from a law and society perspective. It will build on the legal knowledge acquired by the students from existing courses on the legal and international aspects of IP law and will provide a complementary inter-disciplinary perspective to the subject. It will introduce various studies and enquiries which have used, amongst others, historical, economical, sociological and anthropological approaches to question and critique important concepts and policy questions within Intellectual Property law. It will centre on several existing empirical studies to enable the students to gain an awareness of the perceptions and implications of IP law in the real world.

At the end of the course, the students will have acquired –

- An awareness of the role and importance of the law and society perspective for IP law in addition to the doctrinal approach, in understanding many key questions and concepts.
- An appreciation of how such perspectives contribute to an evaluation of IP policy and practice;
- A deeper understanding of the concepts and normative questions permeating IP law;
- A practical understanding of policy questions in IP law through carrying out a piece of non-legal research and setting it appropriately within its legal context.

### Assessment

One essay OR a written report and oral presentation of the report (maximum 5000 words worth 80% of the mark) and one other piece of assessment (worth 20% of the mark).

### Preliminary Reading

There is no one text or textbook which covers the subject matter of the course. For the first seminar (and also as general preparation for the course), **please read** the following:

- Research Methods for Law, Mike McConville and Wing Hong Chui, Edinburgh University Press, 2007 (all the chapters)
- M. Salter and J. Mason, Writing Law Dissertations. An Introduction and Guide to the Conduct of Legal Research, Pearson, 2007 (chapters 4 and 5 only)
- W.T.Gallagher, What is a 'Law and Society' Perspective on Intellectual Property?, an introductory essay to an edited collection of essays in law and society on intellectual property (available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1103681](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1103681))
- Lawrence M. Friedman, The Law and Society Movement, Stanford Law Review, Vol. 38, No. 3 (Feb., 1986), pp. 763-780
- Sally Wheeler and Phil Thomas, "Socio-Legal Studies," in Law's Future(s), ed. David Hayton, Hart Publishing, 2000

## **International Private Law: Jurisdiction and Enforcement**

Course Organiser: Professor Gerry Maher  
Timetable: Monday: 14.00 – 15.50

Pre-requisites: None

This course deals with civil jurisdiction and enforcement of judgments, issues which have been central to recent developments within International Private Law. It will consider the provisions contained in EU instruments, focusing on the Brussels I Regulation but also looking at the Insolvency Regulation and Brussels II bis Regulation. The course will also examine proposals for reform of these instruments. In addition there will be consideration of appropriate Hague Private International Law Conventions, especially the recent Choice of Court Convention and the proposals for a general Convention on jurisdiction and enforcement of judgments.

### Assessment

One essay

### Preliminary Reading

Useful reading is Adrian Briggs, *The Conflict of Laws* (Oxford University Press, 2002), chapters 3 & 4.

## **Inter-State Conflict and Humanitarian Law**

Course Organiser: Dr. Stephen Neff  
Timetable: Monday 11:10 - 13:00

Pre-requisites: None

### Aims & objectives

The course will comprise the study of conflict in international law. It will be concerned with the law relating to the unilateral resort to armed force by states. The law relating to self-defence will be studied. There will also be a focus on humanitarian law – including the law relating to entitlement to combatant status, the law regulating the conduct of hostilities between opposing forces and the law on the protection of civilians in armed conflict. In addition, there will be a study of post-conflict issues.

The aim of the course is to equip students with a critical understanding of the fundamental concepts of international law as it relates to conflict.

### Assessment:

One 5000 word essay

### Preliminary Reading:

**None**

## Law and New Technologies: Artificial Intelligence, Risk and the Law 2

Course Organiser: Professor Burkhard Schafer

Timetable: Friday 11:10 - 13:00

Pre-requisites: No knowledge whatsoever of computer technology or AI is required. But an openness to read and engage with texts from non-law disciplines such as cognitive science, computing science and informatics is necessary.  
It is recommended that students have taken the Semester 1 course; however, it is not a pre-requisite.

This course aims to give students a broad understanding of how computer technology can help legal professionals in different roles (investigators, prosecutors, lawyers and judges) to perform their task more efficiently and reliably. It introduces approaches to represent legal knowledge and expertise in a way that a computer can replicate them. The course also discusses the legal, ethical, political and economic problems that these technologies raise. There will be possibilities to respond to student interest in the choice of technologies discussed. In the past these included topics such as online dispute resolution, regulatory compliance in law firms and forensic computing. It examines technology systems that are available to support lawyers, law enforcement officials and judges from the point at which a case is prepared to the point of sentencing. It looks at systems to support mediation; systems that represent legal arguments graphically; systems that support case preparation, case management, documents and intelligent information retrieval; systems that can be used in courtrooms; and systems to support sentencing. The course looks at the principles underlying each of these systems, from game theory to semantic indexing and from deontic logic to ontology.

### Aims & objectives

The aims of this module are to:

- be aware of technology applications available to support case preparation and presentation; sentencing; and out of court negotiation
- understand how legal arguments can be described in a systematic manner, and represented visually
- be aware of some techniques for presenting acceptable statistically based arguments in cases
- understand how technology can assist in the preparation of a case
- be aware of a range of existing IT systems that support legal reasoning
- be aware of systems and techniques that can support presentation of case in court
- understand the principles used by IT systems for sentencing support.

### Learning outcomes

By the end of this module, you will be able to:

- critically discuss and assess the use of AI applications for the legal domain;
- describe the strengths and weaknesses of these techniques;
- identify future application areas and develop ideas for suitable software.

### Assessment

The course will be assessed by 1 essay, worth 5000 words

### Preliminary Reading

There is no prescribed preliminary reading. However, the following books are helpful material and will be referred to throughout the course:

J. Zeleznikow, D. Hunter : *Building Intelligent Legal Information Systems*. Kluwer Law International 1994

Jesus Mena: *Investigative data mining for security and criminal detection*. Amsterdam 2003

P Casanova et al: *Computable Models of the Law*. Springer 2008

## Law of E-Commerce

Course Organiser: Judith Rauhofer  
 Timetable: Monday, 11:10 - 13:00

Pre-requisites: None (please note that it is not necessary to have a high level of computer literacy).

This course aims to provide the student with an in-depth look at the legal issues surrounding electronic commerce, particularly Business-to-Consumer (B2C), Business-to-Business (B2B), and Consumer to Consumer (C2C). It will review traditional legal issues surrounding business in an electronic format, particularly the formal validity of electronic transactions, security and authentication, contract formation and electronic payment systems; online consumer protection issues; the impact of online advertising and marketing and of online fraud on internet users, challenges and strategies relating to disputes, such as online dispute resolution and jurisdiction; and finally the more contemporary legal topic of cloud computing.

### Assessment

90% essay; 10% group exercise

### Preliminary Reading

Edwards L and Waelde C, *Law and the Internet*, 3rd ed, Oxford ; Portland, Or.: Hart (2009)

Also helpful starting points if they are available to you are Edwards (ed), *The New Shape of European E-Commerce Regulation* (Hart, 2006) and Todd P, *E-Commerce Law*, Routledge-Cavendish (2005). Note that these will be revisited in class.

The following blogs and websites may also be helpful:

<http://www.technollama.co.uk/>  
<http://blogscript.blogspot.com/>  
<http://www.out-law.com/>

## Legal Research Methods

Course Organiser: Dr Claudio Michelin  
Timetable: Tuesday, 14:00 - 15:50

Pre-requisites: None

This course is intended to support the development of students' skills in legal research by introducing students to the methodologies and methods which can be used to conduct research in international, European and domestic legal studies, using a variety of different intellectual approaches. It will provide students with a thorough grounding in the nature and practicalities of legal research and writing, including the construction of research proposals, questions and strategies, and will equip students with the necessary capabilities to conduct independent legal research.

By the end of the course, students will:

- be familiar with the range of methodologies and methods which can be used to undertake legal research;
- will be capable of constructing a research proposal and designing appropriate strategies to conduct research into their chosen topic;
- will have acquired the skills necessary to use a variety of methods for legal research, and will have developed familiarity with using empirical methods such as surveys, questionnaires and interviews, as well as doctrinal and documentary approaches;
- will be capable of identifying appropriate methodologies and methods to undertake research on their chosen topics.

### Assessment

TBC

### Preliminary Reading

None

## Principles of European Tax Law

Course Organiser: Sandra Eden  
 Timetable: Friday, 11:10 - 13:00

Pre-requisites (if any): Some previous knowledge of tax law is required. Completion of the first semester course, Principles of International Tax Law, will be useful although not necessary.

The course will cover the main developments of EU tax law, looking at the principles of the EU treaty as applied through the case law of the ECJ, legislative progress and 'soft law'. It will consider the impact of the EU on personal tax, corporation tax and VAT. It will also consider the impact of e-commerce on the tax systems of the member states. Proposals for reform will be critically considered.

The objective of the course is to enable students through research, teaching, discussion and writing to acquire a thorough knowledge and understanding of European tax law. By the end of the course students should have (1) knowledge of the institutional competence of the EU in tax matters, (2) an awareness of the historical impact of the institutions of the EU on the tax systems of member states (3) detailed knowledge of both legislation and case law as it affects the main direct and indirect taxes, (4) detailed knowledge and critical understanding of the proposals for reform and (5) familiarity with the tools of research into EU law in general.

### Assessment

One essay, maximum 5000 words

### Preliminary Reading

Bond et al, *Corporate tax harmonisation in Europe – a guide to the debate*

Students who have not taken Principles of International Tax Law should read at least chapters 1, 2, 3 and 6 of McIntyre, *International Tax Primer* 2nd ed.

## Principles of Insurance Law

Course Organiser: David Cabrelli  
 Timetable: **Weeks 1-7:** Wednesday 14:00 – 15:50  
**Weeks 8-11:** Monday, 14.00 - 15.50

Pre-requisites: A pass in Contract Law where a student seeking entry to the course is not registered under the Commercial Law LLM Programme.

The course is designed to introduce students to the general principles of insurance law in the UK. This will include an overview of a range of topics which comprise the subject of insurance law, including insurable interest, the law of misrepresentation, breach of warranty, non-disclosure of material facts, the indemnity principle, subrogation, the proximate cause principle and European Insurance Law. Where relevant, the course will distinguish between English law and Scots law. The seminar will be delivered by a mixture of practitioners and academic staff in the School of Law.

By the end of the course, students should have: -

- a general understanding of the areas of insurance law discussed in the course;
- a detailed and specific knowledge of some particular areas of insurance law within this broader framework;
- an understanding of major insurance law issues and debates;
- developed skills of reading and critical analysis enabling them to evaluate the work of key scholars writing in the field of insurance law;
- developed written and oral skills, including the clear and succinct expression of ideas; and
- a basic grounding in research skills and techniques in insurance law.

### Assessment

One essay (100%)

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## Regulation of Innovation: Advanced Issues in Competition and Intellectual Property Law

Course Organiser: Dr Arianna Andreangeli  
 Timetable: Tuesday 16:10 – 18:00

Pre-requisites: This course is open to students who have taken the Semester I course on Principles of Competition law for Innovation or are taking the EU Competition law course. Students who have prior knowledge of competition law and are registered on other LLM programmes offered by the School are allowed to enrol subject to the approval of the programme director.

This module examines the economic dynamics of and the legal implications arising from the application of the EU competition rules to innovative industries. At the end of the course students should be able to analyse the impact of competition law on innovation trends, to critique the reasoning at the basis of specific decisions, both judicial and administrative and to compare them with those reached in other jurisdictions and to apply these rules and principles to case scenarios.

### Syllabus

The course will include the following topics:

- The economic dynamics of innovative industries: compatibility, network effects and the emergence of “common platforms”;
- Legal implications of “technological integration”: from Hilti to Microsoft;
- Intellectual Property and competition law: complementary or antagonistic?
- Refusals to license: from Magill to IMS Health;
- Refusals to license in the IT industry: Microsoft;
- The Intel case in the EU and the US;
- Mergers in the IT industry: Oracle/PeopleSoft and WorldCom/MCI.

### Assessment

100% essay

### Recommended textbook

Students must familiarise themselves with the relevant Treaty articles and legislative rules as well as with the Commission’s regulations and policy statements. These are available from the EU Commission website or in any Competition law statute book, such as Middleton (Ed), Blackstone's UK and EC Competition Documents, in their most updated edition.

There is no set textbook for the module. Students may choose among the available EU competition law textbooks in their most updated edition, such as: Jones and Sufrin, EU Competition Law: text, cases and materials, OUP; Whish, Competition Law, OUP;

Furse, *Competition Law in the EU and the UK*, OUP; Ezrachi, *EU Competition Law: an analytical guide to the leading cases*, Hart; Rodger and Mac Culloch, *Cases and materials on EU and UK Competition Law*, OUP; Graham, *Competition Law in the EU and the UK*; Routledge; Goyder and Albors—Llorens, *Goyder's EU Competition Law*, OUP.

Specific reading will be assigned for each seminar.

## State Aid

Course Organiser: Laura Macgregor / James McLean  
 Timetable: Friday, 11:10 – 13:00

Pre-requisites: A pass at undergraduate level in contract law.

The economic ‘pillar’ of the European Union aims to create and maintain a single market, where the operation of competition is undistorted. One source of distortion is overt or covert subsidy. At the same time the law does recognise that ‘market failure’ do occur and that sometimes state aid may be acceptable.

The course is designed to introduce students to the EU law of state aids, its purpose and application. . It will show students how to recognise actual and potential aid situations and to see how state aid law fits into the wider competition law of the European Internal Market. It will cover the wider and narrower legal instruments and the procedures that they require. This will involve a range of topics including the concepts of ‘economic activity’, state aid and public service compensation, notification, exemption and complaint

By the end of the course, students should have:

- a general understanding of the principles of EU state aid law;
- an understanding of how state aids law fits into the internal market laws of the European Union;
- a detailed and specific knowledge of particular areas of state aid law within this broader framework;
- developed skills of reading and critical analysis enabling them to analyse the activities of public bodies and relate these to procurement;
- developed written and oral skills, including the clear and succinct expression of ideas; and
- a basic grounding in research skills and techniques in EU state aids law.

### Assessment

An essay worth 100% of the final mark

### Preliminary Reading

European Commission Directorate –General for Competition : Vademecum on State Aid - at this web address:

[http://ec.europa.eu/competition/state\\_aid/studies\\_reports/vademecum\\_on\\_rules\\_09\\_2008\\_en.pdf](http://ec.europa.eu/competition/state_aid/studies_reports/vademecum_on_rules_09_2008_en.pdf)

## Theories of Regulation of the Finance Industry

Course Organiser: Laura Macgregor  
 Timetable: Friday: 9.00 – 10.50

Pre-requisites: None. However, it would be helpful if students have some awareness of banking law and financial services law and regulation

This one semester course, which runs in semester 2, aims to explore how and why the financial services industry is regulated both in the UK and in the wider global context. The financial crisis has left many questions about whether the sector was adequately supervised and regulated and there has been much discussion of the so called 'light touch' regulatory approach which allowed market forces to regulate themselves. The market approach argues that if you over-regulate, business will be curtailed and move to a market with more favourable regulation. The course aims to explore what the regulatory system was before the crisis and whether the motivation or theory behind it was protection of the market or the protection of investors.

The course analyses changes in approach with a new regulatory regime in the UK, US and EU and considers whether these changes indicate a theoretical or cultural change in the manner of regulation and whether there is a genuine move to protect or if the changes are simply designed to support the market. Consideration will also be given to more informal means of changing the industry and whether the development of a strong corporate governance culture is indicative of a changing of attitude or different approach to regulation. Pensions law and Islamic banking will also be considered.

In addition to theory, students will explore how the regulations are enforced in the UK and consider whether financial crime is the same as any other crime.

By the end of the course, students should have:-

- (a) a general understanding of the areas of financial regulation discussed in the course;
- (b) a detailed and specific knowledge of some particular areas of financial regulation within this broader framework;
- (c) an understanding of major issues and debates in the field of financial regulation;
- (d) developed skills of reading and critical analysis enabling them to evaluate the work of key scholars writing in the field of financial regulation;
- (e) developed written and oral skills, including the clear and succinct expression of ideas; and
- (f) a basic grounding in research skills and techniques in the law of financial regulation.

### Assessment

One essay (100%)

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## WTO Law

Course Organiser: Dr Gracia Marín Durán  
 Timetable: Tuesday, 9.00-11.00

Pre-requisites (if any): General Principles and Institutions of International Economic Law (first semester) is an advantage for all students and a *requirement* for students of the LLM in International Economic Law

The aim of the course is to provide students with a theoretical and practical understanding of the regulatory framework of the world trading system, focusing on the substantive law of the World Trade Organisation (WTO). The origins and institutional structure of the WTO, including its dispute settlement system, will not be covered in this course but in first-semester course on 'General Principles and Institutions of International Economic Law'.

Students will first explore the key legal disciplines relating to international trade in goods and services, such as most-favoured nation treatment, national treatment, market access commitments and rules on dumping and subsidisation. Students will then engage with other substantive areas of WTO law, such as the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights and the principle of special and differential treatment of developing countries. In addition, students will consider how WTO law interacts with other areas of international law and the extent to which WTO members can use trade measures to pursue other (non-trade) values, such as environmental protection. Students will be further exposed to some of the contemporary challenges facing the WTO, including the impasse of the Doha Round of multilateral trade negotiations and the proliferation of regional trade agreements.


### Assessment

One essay (maximum 5000 words, 100% of the final mark)

### Preliminary Reading

-P. Van den Bossche, *The Law and Policy of the World Trade Organization* (Cambridge University Press, 2nd edition, 2008), chapter 1 for all students -and chapters 2 and 3 for students that have not taken the first-semester course on 'General Principles and Institutions of International Economic Law'.

-A. Narlikar, *The World Trade Organization: A Very Short Introduction* (Oxford University Press, 2005).



**MSc 20 Credit  
courses  
(Semester 1)**

## **Global Crime, Justice & Security: Theories and Frameworks**

(Please note: this course is organised by the School of Social and Political Science)

Course Organiser: Dr Andy Aitchison  
Timetable: Thursday: 14.00 - 15.50

Pre-requisites: None

This foundational core course, designed for the MSc in Global Crime, Justice and Security, will introduce students to theoretical frameworks from law and the social and political sciences through which they will be able to understand and interpret issues raised in the second semester core course and in other non-core courses.

The course aims to give students a firm grasp of a number of theoretical perspectives and concepts utilised by legal, social and political scholars to describe, explain and understand issues of crime, justice and security in a global context. By the end of the course students should:

- be able to identify and understand key concepts and theories in legal, social and political scholarship;
- know and understand academic debates and in the field of global crime, justice and security;
- be able to critically engage with scholarly work in the field of global crime, justice and security, and, particularly, to summarise and evaluate examples of such work;
- be in a position to anticipate the application of concepts and theories to a range of contexts in which crime, justice and security have a global, transnational or international element.

### Assessment

One short bibliographic exercise; one longer essay with accompanying PowerPoint slides.

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## Criminal Justice and Penal Process

Course Organisers: Fiona Jamieson and Dr Anna Souhami  
 Timetable: Thursday, 9:00 - 10.50

Pre-requisites: None; this is a core course for the MSc in Criminology and Criminal Justice

This course will introduce students to the conceptual functioning of the institutions of criminal justice and to the relevant policy frameworks, dilemmas and debates about them. While the jurisdictions of Scotland and England & Wales will serve as the primary model for discussions, an international, comparative approach is encouraged. By the end of this course, students should be able to describe the functioning of criminal justice and penal institutions; explain the rationale of key developments in policy and practice and critically analyse these institutions and developments.

The course also has the methodological and practical aim of providing opportunities for students to practise the research skills necessary to discover and critically assess academic and policy research which describe and inform current criminal justice approaches.

Assessment is by means of two short essay questions. Students will be asked to discuss and critique current policy developments or controversies, drawing on reading and discussions conducted throughout the course.

Preliminary reading :

There is no one textbook that covers the whole course, but you may find the following useful:

**Maguire, M., Morgan, R. and Reiner, R. (2007):** The Oxford Handbook of Criminology (4th edn). Oxford: OUP. This is a good review of research in British Criminology.

**Sanders, A and Young, R.: (2007),** Criminal Justice (3rd edition). Oxford: OUP. This is a comprehensive and clear overview of the criminal justice system and key stages in the penal process, and provides a useful critical analysis of some major controversies underlying its operation.

**Zedner, L (2004),** Criminal Justice. Oxford: OUP. A valuable series of essays on the core concepts, structures and processes of the criminal justice system

## Theoretical Criminology

Course Organiser: Dr. Alistair Henry  
 Timetable: Tuesday, 9:00 - 10:50

Pre-requisites: None; this is a core course for the MSc in Criminology and Criminal Justice

The aim of this course is to assist students in thinking theoretically about crime, criminal justice and social control, focusing in particular on the articulation between theoretical constructs, research strategies and claims to knowledge. We thus seek to provide clarification of the ways in which the theoretical resources of the social sciences can be brought to bear upon the phenomena of crime and criminality, their occurrence and distribution, and their contested character.

The course considers certain key dimensions within the field of criminology, broadly understood – the interpretation of action in context; the structuring of the field by inequalities and hierarchies of various kinds; issues of institutional continuity and change; and questions of cross-cultural and transnational variation, comparison and convergence. We then look at the application of these perspectives in, for example, understanding the place of crime in contemporary urban experience; at the representation of crime and justice in mass media and political culture; and at specific examples of current problems of security and social regulation. By the end of the course students should have gained a greater understanding of the historical and contemporary scope and aims of criminological theory and its relations with other species of social scientific thinking. Our primary objectives are to enable students to address theoretical claims in a critical and reflective manner and to deploy concepts in the development of their own research work.

### Assessment

One essay

### Preliminary Reading

Garland, D. (2002), 'Of crime and criminals: the development of criminology in Britain', in Maguire, M., Morgan, R. and Reiner, R. (eds), *The Oxford Handbook of Criminology* (3<sup>rd</sup> ed) Oxford: Oxford University Press.  
 Vold, G. et al (2002), *Theoretical Criminology* (5th edition) Oxford: Oxford University Press.  
 Melossi, D. (2008), *Controlling Crime, Controlling Society*. Cambridge: Polity Press.



# **MSc 20 Credit Courses (Semester 2)**

## **Criminological Research Methods**

Course Organiser: Dr. Alistair Henry  
 Timetable: Friday, 14:00 - 15:50

Pre-requisites: This course is mandatory for MSc Criminology and Criminal Justice students.

This course aims to inform students about the data and methods used in criminological research, and provide an introductory knowledge of how to use these in specific research projects. A further aim is to enable students to evaluate the methodological strategies adopted by other researchers and develop a critical appreciation of the problems and possibilities presented by different research methods, techniques and data.

A key learning outcome is to develop critical awareness of the most appropriate methods to use to answer different criminological questions, while taking account of ethical issues which arise in conducting criminological research.

### Assessment

This course is assessed through a short research presentation based on a small-scale piece of empirical research carried out by the student.

### Preliminary Reading

V. Jupp et al. (2000) *Doing Criminological Research*. Sage Publications, Chapters 1 and 2; R. King & E. Wincup (eds). (2008) *Doing Research on Crime and Justice*, 2<sup>nd</sup> edition OUP, Chapter 1.

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## Cybercrime

Course Organiser: Dr Richard Jones  
Timetable: Thursday, 11:10 - 13:00

Pre-requisites: None, though Theoretical Criminology is recommended.

Cybercrime is becoming an increasingly important area of criminology as more social activities take place online. This course on cybercrime will provide you with an introduction to the criminological and sociological study of crime on the internet ('cybercrime'), including its commission, motivations, patterns of occurrence, detection, policing, and prevention.

The course is primarily criminological, sociological and socio-legal in content and approach. You will explore different types of internet-related crime; study relevant computing and network technologies, especially where used either in the commission or detection or prevention of cybercrime; analyse policing, legal, electronic, and other measures designed to combat cybercrime and considers their main strengths and weaknesses; and assess recent sociological and socio-legal theories of cyberspace and apply these theories to the specific field of cybercrime. Other topics covered include sex offenders' use of the Internet; and the ways in which children might better be protected while online.

### Assessment

One essay

### Preliminary Reading

M. Yar (2006), *Cybercrime and Society*. London: Sage.  
D. Wall (2007), *Cybercrime*. Cambridge: Polity Press.

## **Gender Crime and Criminal Justice**

Course Organiser            Dr. Alistair Henry  
Timetable:                    Tuesday, 16:10 -18:00

Pre-requisites:              None

### Short Description / Learning Outcome:

The course will be organised around two case study topics. Each topic will be explored in detail over four weeks. Preliminary and core readings will be identified and will provide a starting point for class discussions. Students will also be given the opportunity to identify and focus attention upon specific themes and issues of particular interest to them. They will then conduct their own independent research (individually and in groups) into these themes in order to build up and develop the case studies. This year the case study topics will be domestic violence and prostitution.

### Assessment

One essay -

### Preliminary Reading

Edwards, S. (1989), *Policing 'Domestic' Violence: Women, the Law and the State*. London: Sage.  
Matthews, R. (2008), *Prostitution, Politics and Policy*. Abington: Routledge-Cavendish.

## **Global Crime, Justice and Security in Context**

Course Organiser: James Chalmers  
 Timetable: Monday, 11.10 - 13.00

Pre-requisites: None

(It is assumed that students taking this course will have taken Global Crime, Justice and Security: Theories and Frameworks, although this is not a pre-requisite. Students not having taken this will be expected to complete some pre-course reading; please contact the course organiser for further details.)

This core course will examine crime, justice and security in a global and transnational context, the way in which these are constructed as problems to be dealt with by legal and political means, and the domestic and international responses.

The course aims to enable students to develop analytical perspectives on various settings in which crime, justice and security can be understood in an international dimension. By the end of the course students should:

- be able to identify and understand key contexts in which crime, justice and security have a global, transnational or international element;
- know and understand academic research in law and social and political science applied to the field of global crime, justice and security;
- be able to critically engage with scholarly work in the field of global crime, justice and security, and, particularly, to describe, analyse and evaluate developments in law and policy in the field of global crime, justice and security;
- be confident in the application of concepts and theories to a range of contexts in which crime, justice and security have a global, transnational or international element.

### Assessment

One essay or equivalent

### Preliminary Reading

There is no prescribed preliminary reading for this course.

## Media and Crime

Course Organiser: Professor Richard Sparks  
 Timetable: Thursday, 9:00 - 10:50

Pre-requisites: None, though Theoretical Criminology is recommended.

The Media and Crime course offers you the opportunity to explore the portrayal of crime in the media. Examining both factual and fictional representation of crime, you will be able to study a range of types of media. The course will provide you with an introduction to sociological theories of media and representation, as well as to the politics of the media. In addition to discussing conceptual frameworks for analysing media and their influences or effects, you will encounter various techniques for interpreting specific examples of media representations of crime.

Examples of the forms of media you will be able to analyse include newspaper crime reports, television news, talk radio, television drama series (for example, about policing or forensics), movies (for example, about prisons or detectives), computer and video games, and websites (for example, online sex offenders registers, or of victim support groups).

Among the issues you will have the opportunity to explore are: narrative and genre, and the shaping of crime representations; changing historical representations of crime; research on the effects of violent imagery; and the role of the media in the politics of law and order.

### Assessment

One essay of 2,500 words and one review essay (on an approved example or topic of your choice) of 2,500 words.

### Preliminary Reading

Y. Jewkes (2004), *Media and Crime*. London: Sage.

## Mental Health and Crime

Course Organiser: Dr. Alistair Henry  
 Timetable: Wednesday, 9:00 -10:50

Pre-requisites: None

The aim of this course is to examine the relationship between mental health and crime and explore issues relating to the appropriate treatment of mentally disordered offenders in the criminal justice system. Different forms of mental disorder will be analysed (including psychotic illnesses, personality disorders and the mental health problems associated with substance misuse) and their links to crime evaluated.

Key objectives are also: to trace the history and development of mental health law; to explore the nature of criminal justice and other disposals for mentally disordered offenders (comparing Scotland with England/Wales); and to assess the nature and limits of offender profiling.

A visit will be arranged to the State Hospital at Carstairs, where students will meet staff and patients and gain an insight into clinical practice and the day-to-day running of a secure institution. The course will conclude with a mock trial, where students will act as prosecution, defence agents and jury and the staff as judge, defender and expert witnesses.

A visit will be arranged to the Orchard Clinic (a medium secure unit located in the Royal Edinburgh Hospital), where students will meet staff and patients and gain an insight into clinical practice and the day-to-day running of a medium secure institution.

### Assessment

One 5000 word essay

### Preliminary Reading

McManus, J. and Thomson, L.D.G. (eds.) (2005), *Mental Health and Scots Law in Practice*, W. Green & Sons, Edinburgh.

## Penal Politics

Course Organiser: Professor Richard Sparks  
 Timetable: Wednesday, 11:10 - 13:00

Pre-requisites: None.

The Penal Politics course is designed to introduce and explore this important topic. The field of criminal justice today is often politicised in various significant ways, from political party policy, to policy formation, media coverage, public debate, and sentencing policy. Indeed it frequently invites highly-charged debate. The aim of the course is to study, understand, explain and analyse the politics of punishment and criminal justice. The course offers you the opportunity to study some of the important different political positions on punishment, their derivations from the philosophy of punishment, but also their complexity and changing logics today; to examine the roles of pressure groups in penal policy formation; to consider the extent or limits of media influence on penal politics; to examine the significance of supra-national political forces in shaping penal policy; to study penal politics comparatively, and to account for international patterns but also variations in penal policy.

Among the topics likely to be covered on this course are the party politics of punishment, policy formation, penal populism, penal moderation, the role of experts (including criminologists) and pressure groups, the restorative justice movement, and penal abolitionism.

### Assessment

One essay of 2,500 words and one analysis or advocacy essay (on an approved penal political topic of your choice) of 2,500 words.

### Preliminary Reading

M. Cavadino and J. Dignan (2006), *Penal Systems*. London: Sage.  
 I. Loader and R. Sparks (2010), *Public Criminology?* London: Routledge.

## Police and Policing

Course Organiser: Alistair Henry  
 Timetable: Thursday, 14:00 -15:50

Pre-requisites: None

The course aims to introduce students to the substantial sociological literature on public constabularies and their history, governance, organisation and effectiveness, as well as to more recent theoretical analyses which have drawn attention to the fact that ‘policing’ is something that is carried out by a diverse range of public and private actors, and not just the police. Students will develop a thorough understanding of the organisation and practice of policing in Scotland and the UK, a critical awareness of the political nature of ‘policing’ (and its capacities to both include and exclude), and an understanding of important contemporary debates around policing (including the development of transnational policing structures, issues around police legitimacy and rule of law, the expansion of the private security sector, and the nature and efficacy of community engagement).

### Assessment

One essay

### Preliminary Reading

Henry, A. and Smith, D.J. (2007), *Transformations of Policing*. Aldershot: Ashgate.  
 Newburn, T. (2008) *Handbook of Policing*. Cullompton: Willan Publishing.  
 Reiner, R. (2010), *The Politics of the Police*. Oxford: Oxford University Press.

## Surveillance and Security

Course Organiser: Dr Richard Jones  
Timetable: Monday, 14:00 -15:50

Pre-requisites: None

This course introduces you to the study of surveillance and security. The course draws from the fields of surveillance studies, security studies, and situational crime prevention, and examines topics such as CCTV and Internet surveillance, checkpoint security, counter-terrorism, and industrial espionage. The course explores how surveillance and security can and should be implemented and regulated.

### Assessment

Two essays, each of no more than 2,500 words, with each counting 50% towards the final mark. The first essay will be on a topic relating to surveillance and security, chosen by you from a short list of prescribed essay titles. The second essay will be an academically-referenced and analytic 'case study', on an approved topic of your choice, analysing security and/or surveillance in a specific place, area, field or topic.

### Preliminary Reading

Lyon, D. (2007), *Surveillance Studies*. Cambridge: Polity Press.  
Schneier, B. (2008), *Schneier on Security*. Indianapolis: Wiley, Inc.

## Youth, Crime and Justice

Course Organiser: Dr Anna Souhami  
 Timetable: Tuesdays, 11:10 – 13:00

Pre-requisites: None

### Aims and Objectives:

The aims of this module are to: explore patterns of offending and desistance from crime amongst children and young people; examine theories which have been put forward to explain offending in childhood and adolescence; and assess the interventions and institutions which have been developed to deal with youth crime. The module will consider the ways in which notions of childhood and youth offending have been depicted in academic, political and popular discourses and assess the extent to which these various discourses have influenced the response of youth justice systems to both child offenders and the victims of youth crime. Taking a historical and comparative approach, it will explore the competing aims, principles, and strategies underpinning responses to offending behaviour and examine the diverse ways in which these have influenced contemporary juvenile justice systems across the UK and elsewhere. In particular, the course will investigate the relationship between theory, research and policy in the shaping of youth justice policy and practice. Throughout, the course will draw closely on both ethnographic and quantitative data from current research in youth justice.

### Learning Outcomes

By the end of the module students should be able to: understand and interpret contemporary patterns and trends in youth crime; describe and summarise the main theories which have been forward to explain offending in childhood and adolescence and be able to assess their strengths and weaknesses; summarise the main features of a range of models of youth justice which have evolved across the UK and understand the social, political and cultural processes which have shaped such models; and, assess the contributions and limitations of different methodologies in youth justice research.

Assessment: This course is assessed by means of an essay of no more than 5000 words

### Required reading:

There are no textbooks which fully cover all aspects of the course. However the following has an excellent selection of readings:

Muncie, J, Hughes, G, and McLaughlin, E (2002) (eds): *Youth Justice: Critical Readings*. London: Sage.

The following are particularly good introductions to the topic of youth justice:

Muncie, J. and Goldson, B. (eds.) (2006) *Comparative Youth Justice*

Muncie, J (2009): *Youth and Crime: A Critical Introduction*. Third edition. London: Sage

## ***Part C: Courses Taught Outside the School of Law (other schools)***

This section contains descriptions of courses which are taught outside the School of Law but form part of LLM or MSc programmes offered by the School.

### **Business Response to Climate Change**

The course aims to provide students with knowledge about the science, policy and business implications of climate change. It will also provide an indication of the business responsibility for climate change and the attitudes and values necessary in the business community to mitigate it.

### **Climate Change and Corporate Strategy**

In this course, climate change is approached from the lenses of organisational decision-makers who are time-starved and must juggle a complex array of information and priorities. Thus, more than an environmental challenge, in this course climate change is viewed as a trigger of market transition, where controls on greenhouse gas emissions will affect virtually all sectors of the economy to varying degrees. For some this transition represents risks and constraints, for others, an opportunity. This provides students with the tools to enable them to become world class strategists.

### **Climate Change Impacts and Adaptation**

This course first introduces the underlying science of human-induced and naturally-occurring climate change, using the IPCC's Fourth Assessment Report as its basis. It examines predictive models of climate change and its impacts. It goes on to examine projected impacts globally, regionally and, using the UK as a case-study, nationally and locally. It then explores the potential for adaptation at these different scales. Finally it covers the economic implications of such impacts and adaptation strategies, drawing on the Stern Review, and the ethical implications of human induced climate change and national responsibility for mitigation of a global problem.

### **Climate Change, Justice and Responsibility**

This course will consider how the problem of climate change tests and expands fundamental ideas in political philosophy. What moral responsibility do we have for the harm done through climate change, as members of rich nations, voters in powerful democracies or shareholders in and customers of polluting corporations? What duties does this give us, collectively and individually? Are these duties enforceable, and by whom? Are we required to cut emissions by the claims of justice of vulnerable communities, future generation or even other species?

### **Core Quantitative Data Analysis 1 and 2**

The course will cover descriptive and exploratory data analysis principles of inference, measures of association and elementary multivariate analysis. Course content will include:

the structure of social science data - cases, variables, values, data sets and missing data; levels of measurement, univariate data analysis including frequency distributions and the graphical representation of data; measures of central tendency, dispersion and variability; normal distribution, standard scores and regrouping variables; distributions and confidence intervals and population variance; hypothesis testing and significance tests; tabular data and measures of association between categorical variables, correlation and regression; the use and interpretation of multivariate data and data management and analysis using statistical software (SPSS).

## **Culture, Ethics and Environment**

This introductory, inter-disciplinary course explores whether an understanding of our cultural and ethical assumptions can provide for better decision-making than technical and managerial analyses of environmental issues alone. We typically draw on introductory material in: environmental anthropology; animal and environmental ethics; ecological economics; human ecology and community activism; and the sociology and practice of environmental education. Experts in these areas from across the university and beyond teach the course. The course is designed to introduce a wide range of perspectives for students with backgrounds in the natural sciences, arts, or specialist social sciences. Students with backgrounds in wider or integrated social sciences should consider the familiarity of the range of topics and the intended depth of coverage with care.

## **Economics for Postgraduates**

This course is intended for postgraduate students enrolled in taught and research postgraduate programmes throughout the University who have little previous exposure to economics, but who might find economics to be beneficial for their career and research purposes.

The course's major objective is to introduce students to economists' way of thinking and equip them with tools for tackling a variety of economic issues ranging from simple household and firm decisions through industry regulation and economy-wide stimuli to societal welfare and global economic policies.

The course begins with a brief overview of the main economic principles (scarcity, opportunity cost, comparative advantage, interdependency), and introduces the major tools of economic analysis (marginal analysis, optimization, supply and demand analysis, cost-benefit analysis, expected utility, game theory). It then proceeds to cover market structure, externalities, free trade, market and government failure, welfare, efficiency and equity, and the principles of regulation. It then reviews basic macroeconomic aggregates (aggregate output, unemployment, inflation), business cycles (expansion, recession, depression, stagflation), and fiscal and monetary policies.

Depending on the course enrolment, student interest and staff expertise, the final part of the course will focus on current economic events and/or applied economic issues. The list of potential applications to be covered includes but is not limited to issues in global and political economy (economic growth and inequality, economic development, international trade and capital flows); issues in macroeconomic policy and business cycles; issues in game theory and asymmetric information (moral hazard, adverse selection, principal-agent problem, contracts); cost-benefit analysis, project appraisal and evaluation.

## **Energy Policy and Politics**

This course provides a broad introduction to social and policy issues in energy, with the emphasis on important current topics, particularly in resource use, technological innovation and environmental impacts. It covers a range of primary energy forms, conversion systems, domains of use, problems and controversies. It deploys and critically reflects on a variety of perspectives from social science disciplines and from interdisciplinary fields like science and technology studies. It focusses particularly on the knowledge claims made about current and future energy provision and the knowledge used in evaluating options and making decisions on energy and environment matters. It develops some familiarity and experience with techniques and procedures used in policy analysis and formulation, decision-making and assessment.

## **The European Union in International Affairs**

The precise nature of the European Union (EU) has long been in question in international affairs. Non-members have had difficulty understanding and dealing with an actor that is neither a traditional state nor truly an international organization. While the EU has significant decision-making authority in certain policy areas, it lacks any influence in others. This mix of competencies in external relations has not only confused non-members, it has also strained relations among EU member states and the Union's 'supranational' institutions. This course will investigate the complexities of the EU's role and authority in international affairs.

## **Foundations in Ecological Economics**

This course examines the principles of economics and how they might be applied to environmental and resource-use issues. The course should appeal to students who would like to obtain a grounding in economics from first principles so as to assist in decision-making and problem-solving. This course assumes no prior knowledge of economics.

## **Integrated Resource Management**

The course includes both soft and hard centred techniques together with background policy approaches appropriate for the management and control of natural resource use, particularly at a macro level. It draws on applied examples of resource use and misuse and provides students with the opportunity to inspect and resolve problem cases. It includes tool such as socio-economic flowcharts, stakeholder analysis, resource valuation methods, strategic environmental assessment, multi-criteria decision analysis, decision trees and cost benefit analysis. It also examines alternative instruments governing resource use within the context of current government policies. Case studies and computer practicals are included.

## **International Development**

The course will consider knowledge and technology that contribute to international development. The Millennium Development Goals will form the framework for the course and students will develop critical analytical and professional skills to consider how

sustainable development can be promoted internationally using examples of relevance to participants from all countries.

### **International Political Economy**

This option introduces the main schools of thinking about International Political Economy by focusing upon the patterns of evolution in the global political economy since the Second World War. The course considers the main theoretical approaches to understanding IPE, before considering the subject areas of trade, transnational corporations, international finance, development, globalisation and regionalisation. It is designed for students with no prior experience of the subject or of economics.

### **International Relations Theory**

The course is designed to introduce the student to the major theoretical and conceptual paradigms of international relations and to encourage him/her to apply these critically to international events, developments and issues. The key objective of the course is to introduce students to the most significant orthodox and critical theoretical approaches within international relations. A critical assessment will be made of the principal propositions and arguments of the theories drawn from the traditions of realism/neorealism, the English School of IR, liberalism/neoliberalism, and marxism/structuralism. Students will also be encouraged to engage with recent theoretical developments such as feminism, critical theory and social constructivism. Furthermore, the course will introduce students to the so called cosmopolitan communitarian debate in IR theory. The course will end by exploring the main propositions of the Ethics of War and students will be asked to identify arguments for and against humanitarian intervention.

### **Management of Sustainable Development**

This course introduces the diversity of topics and tools currently in use to assist in the transition towards sustainable development. The topics considered include energy, waste, food, transport and travel. The tools considered include international governance, national institutions, economic instruments, environmental regulation, technological innovation, new policy initiatives and grassroots participation.

The course considers various different scales for thinking about sustainable development, from global agreements to households and individuals. Some of the key themes that run through the course are the inter-relation and balance between economic and environmental decision-making; the consequences of upstream and downstream interventions; the imposition or adoption of regulations and incentives for environmental change; power and control over decision-making; and the role of experts and trust in information.

The use of these approaches at different levels of governance in a range of key sectors is considered, mainly on a case study basis. The course encourages a strongly interdisciplinary approach to the understanding of sustainable development and seeks to foster critical thinking and debate.

The course is largely delivered through outside experts speaking on their particular topic or interest area, and leading group work and discussions.

### **Political Ecology**

The global scale and complexity of current environmental issues has prompted a number of critiques of mainstream environmentalism. This course explores a range of different theoretical approaches to nature-society issues within Geography and related disciplines including: political and cultural ecology, social nature(s), animal geographies, environmental ethics and environmental feminisms. The ways in which environmental problems intersect with issues of social justice are a central focus of this course. In addition, the manner in which theory shapes our understanding of what counts as environmental issues will be emphasised.

### **Politics and Theories of International Development**

This course presents the main social scientific theories which have underpinned international development since the 1950s. It follows the historical evolution of dominant and alternative theories which seek to explain economic, social and political transformation in developing countries over the last sixty years, critically analysing the premises upon which these theories are built. These theories emerged within complex international political contexts and we go on to explore how international, governmental and non-governmental actors and institutions engage with development theories as they seek to shape development debates and to translate theory into workable strategies and frameworks.

### **Principles of Environmental Sustainability**

The course is intended for students from any discipline interested in gaining a broad and holistic understanding of sustainable development. It is particularly suitable for students wishing to work in government, local authorities, environmental consultancy, environmental NGOs or education.

The course is designed to explore the potential of 'sustainable development' to overcome the environmental and social challenges facing humanity in the 21st century. By examining key drivers such as population growth, market economics, technological innovation, consumption patterns and public attitudes, the course investigates the complex causes of current global concerns. The promise of sustainable development as a way forward is assessed by examining the application of its core principles. Those considered include: environmental protection; equity within and between generations; the precautionary principle; the polluter pays principle; public participation in governance; and policy integration. The variety of viewpoints on questions of sustainability is emphasised through the discussion of controversies and case studies. The course encourages a strongly interdisciplinary approach to the understanding of sustainable development and seeks to foster critical thinking and debate. For full information on the content of the course, see: <http://xweb.geos.ed.ac.uk/~sallen/pes/>

## **Research Skills in the Social Sciences: Data Collection**

The course aims to train social science postgraduate students in a range of key research skills. In particular it aims to ensure that all students completing the course are able, in the ESRC's phrase, to 'demonstrate proficiency' in certain key methods of data collection. The course will cover all the areas of data collection prescribed in Section E (Framework for Methods Training) in the 2001 edition of the ESRC Postgraduate Training Guidelines.

## **Society and Development**

This course aims to provide a theoretical foundation for understanding the relationships between development and society. It is intended to give a general, working knowledge of where 'development' has been, where it is going, and why it has encountered so many problems along the way. The overwhelming objective of this course is to help students reconsider the links between theories of development and practices 'in the field'.

## **Sociology of the Environment and Risk**

Sociology has traditionally paid little attention to environmental issues and ecological risks. Yet in the final decade of the twentieth century environmental groups such as Greenpeace, Friends of the Earth and the rest were claiming to have won the support of something like 8 per cent of the UK population, a membership far greater than that of the political parties. Elsewhere in Europe, 'Greens' were elected to parliament and the European Commission pressed ahead with environmental reforms, affecting such issues as air quality and drinking water standards. Media interest in the issue seemed unbounded. Environmentalism had become a major social issue. And it has stayed that way, in part thanks to anxieties over issues such as climate change and GM foodstuffs.

In the course, sociological perspectives on the relationship between human societies and their natural environments are explored via:

- discussion of 'pessimistic' and 'optimistic' views of that relationship
- sociological analyses of the rise of environmentalist and animal rights movements
- discussion of the relationship between gender and the environment
- analyses of the role played by science in environmental debates
- sociological analysis of 'carbon markets'

There will also be sessions on the processes underpinning perceptions of risk, and on the light that sociological analysis can throw on the extent of the proneness of technological systems to catastrophic accidents. Other relevant topics - such as Marxist perspectives on the environment and applying sociological analysis to 'greening' technology - will not be discussed in the lectures, but nevertheless can be explored in essays.

Postgraduates attend a two-hour session each week, joint with undergraduates, and in addition have their own 90-minute seminar each fortnight, in which it is possible to discuss in greater depth, e.g., the application of perspectives from science and technology studies to environmental issues.

## **Values and the Environment**

This course examines issues related to two important modes of human valuing of nature, the ethical and the aesthetic. The first part of the course covers key concepts and theories in environmental ethics, including: anthropocentrism and nonanthropocentrism; animal ethics; holistic and biocentric theories; and recent attempts to develop an urban environmental ethic. In the second part we examine aesthetic and landscape values in our engagement with wild nature, rural environments and other cultural landscapes, and conflicts that arise between aesthetic and ethical valuing of natural environments in both theory and practice.

## ***Part D: Courses Taught Outside the School of Law (e-learning)***

On-campus School of Law LLM students may be permitted to take individual distance learning modules, as listed below. Further details of the rules governing selection of distance learning courses can be found in the preliminary pages of this handbook.

### **International Intellectual Property Law (semester 1)**

The purpose of this course is to examine the International Intellectual Property system (IIPS) with a particular focus on how the framework is changing in response to challenges posed by international trade and rapid digital innovations.

The IIPS began developing in the 19th Century in response to the then advances in international trade. As intellectual property laws are territorial, so some mechanism had to be found through which protection could be accorded to authors and inventors as their works were traded abroad. The response, over the ensuing 150 years, was the establishment of a number of international bodies responsible for the development and oversight of a variety of Treaties and Agreements providing both formal and substantive norms which were (and are) in turn translated into domestic law. These measures have had a significant impact on the shape of domestic laws. The development of the Treaties has quickened with the growth in international trade coupled with innovative digital advances. The purpose of this module is to examine the IIPS with a particular focus on patents, copyright and trade marks and within the domains of information and communication and international trade. Having analysed the architecture of the IIPS and considered the ways in which the laws are developed, this module will go on to look in depth at formal and substantive aspects of those Treaties. Particular emphasis will be laid upon the ways in which developments are occurring in response to trade and digital advances.

### **Information Technology, Investigation and Evidence (semester 1)**

This module deals with the interaction of artificial intelligence (AI) and the law. It highlights the impacts, opportunities and problems arising from the use and design of AI applications for the legal domain.

The "Information technology, investigation and evidence" module covers the process of criminal investigation from the commission of the first crime to the point at which a charge can be brought against a suspected criminal, focusing on technology support for the gathering of evidence for crimes.

It shows how technology can be used to identify links between criminals; to discern temporal or geographical patterns in crimes; to assist in identity recognition from biometrics; to help investigators consider multiple scenarios rather than focusing too closely on one hypothesis; and to understand the context of evidence extracted from databases to avoid potential miscarriages of justice.

The module also covers methods for fraud prevention and detection, and for legal compliance, in a commercial environment; the use of electronic discovery methods for

analysing large volumes of online documents; searching the Internet for 'suspect' websites; and issues surrounding technologies for facial reconstruction.

The sessions of this module cover:

- link analysis;
- situational crime prevention;
- surveillance and databases;
- identity & identity fraud;
- text & document analysis.

## **Law and Medical Ethics 1 - Fundamentals in Consent and Negligence (semester 1)**

The primary function of the course is to discuss the relationship between the law and the practice of medicine with particular emphasis on modern developments in the latter. The law must be founded on sound moral principles; moreover, medicine is, in many ways, running in advance of legal precedent. On both counts, therefore, the issues must also be considered on an ethical plane and this aspect will be emphasised repeatedly. In this course there is a basis for concentration on fundamental or generally applicable issues in medicine as a field which raises many moral issues. Several controversial areas will be covered, particular importance being laid on current concepts of consent to and refusal of medical treatment, human rights, negligence and mental health.

## **International Public Health Law & Security (semester 1)**

The primary function of this module is to gain a solid grounding in the fundamental elements of public health, the social pursuits which impact on public health, and the primary international institutions which administer public health programmes and/or respond to public health needs, and to explore the relationship(s) between commerce, conflict, contagion and health.

The first session offers an introduction to the international public health framework, both institutional and conceptual. The following three sessions explore some of the major public health determinants with a view to (1) examining the range of public health measures open to governments and how they have been and are being deployed, and (2) gaining some insight into the politics and security implications of certain determinants. Sessions 5-7 examine in some detail some of the more powerful modern tools for advancing public health, with a particular emphasis on how they impact on privacy. Sessions 8 and 9 look at how health research is regulated and how the clinical setting interacts with and advances or hinders public health. The last session investigates the role of commercialisation in development and delivery of public health goods, focusing on commercial regulation and the role of intellectual property in healthcare innovation and access to medicines.

## **Managing Intellectual Property (semester 2)**

This module is designed to enable the student to apply knowledge of IP law in a practical context. The course will equip the student with an understanding of how IP is identified, managed protected and exploited in a commercial setting as well as introducing the student to litigation mechanisms through which rights can be enforced. The role of

competition law in commercialisation of IP rights will also be studied. International, European and national materials will be used in addition to case studies which will enable the student to gain an appreciation of the complexities involved in managing intellectual property in practice.

### **Information: Control and Power (semester 2)**

This module will investigate, through a range of legal disciplines and perspectives, the growing focus placed on, and value attached to, information by society and individuals; concerns as to its control and misuse; and the impact of this on business and government, particularly in the light of the opportunities and challenges of evolving – and converging - technologies.

The module will consider legal regimes relating to privacy, freedom of information and data protection; the extent to which present regulatory, co-regulatory and self-regulatory systems conform to expectations in respect of information privacy and access; the extent to which basic data, information and content is or should be protected by intellectual property or other information rights, particularly in the light of new means of creating, obtaining, recording, sharing and exploiting that information; human rights law and policy, with particular reference to (online) privacy, electronic surveillance, access to information and the conflict between freedom of expression and reputation and image rights; the ability of competition law and policy to intervene in respect of misuse of information and its control by individuals, companies and groups, by the use of existing and ground breaking technologies; the impact of the WTO and the possible impact of different regulatory structures.

A wide ranging international approach will be adopted, with contributions sought from students in respect of their own jurisdictions.

### **Forensic Computing and Electronic Evidence (semester 2)**

The purpose of the "Forensic Computing and Electronic Evidence" module is to provide an introduction to the practical aspects of forensic computing investigations, and to offer a legal overview of legislation and the main legal issues related to cyber-crime and computer forensics.

The aims of this module are to:

- investigate cyber-crimes and the electronic evidence that they generate
- describe ways of finding, recovering and analyzing electronic evidence from individual computers and from networks
- explore legislation related to cyber-crime, including some substantive and procedural law provisions from US, Europe and UK
- recommend procedural approaches to evidence gathering, to presenting evidence in court, and to making preparations for potential cyber-crime incidents.

### **Law and Medical Ethics 2 - Start and End of Life Issues (semester 2)**

The function of the course is to discuss the relationship between the law and the practice of medicine in relation to unique issues arising at the start and end of life. As with the 'fundamentals' course, moral and ethical principles will be emphasized in relation to the

legal and medical questions considered.

Reproduction and related technological developments such as genetics research, have featured in many high publicity debates of late. At the end of life, attitudes to death are changing while, at the same time, there have been very significant advances in resuscitation techniques and in the medical capacity to influence the natural process of dying; as a result, the subject of euthanasia now stands very high on the medico-legal agenda. Several controversial areas will be covered, particular importance being laid on current concepts of life, the moral status of the embryo and foetus and medical futility.

### **Biotechnology, Law & Society (semester 2)**

This course examines the role played by law in the regulation of biotechnology. The course draws out two central problems relating to the use of law in this dynamic field. First, it is often difficult for regulators to keep pace with rapid advances in biotechnology and the life sciences. This means that existing legal concepts and regulatory frameworks can soon appear outmoded and inadequate. Second, in an age of moral pluralism, it can be difficult for stakeholders to secure social consensus on how new biotechnologies should be controlled and exploited. As a result, the regulation of biotechnology has often been a site of sharp political disagreement. This module examines how these fundamental tensions are mediated within the legal and regulatory structures governing biotechnology at both the national and international level.



## LLM/MSc TIMETABLE 2011-12

Semester 1	Full Year		Semester 1 only		Semester 2 only		MSc Courses			
	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday
9am-11am		Theoretical Criminology					Criminal Justice and Penal Process			Intellectual Property 1: Copyright and Related Rights - Class A
		Information: Control and Power					Comparative Property Law			
		International Investment Law					Introduction to European Union Law			
11am-1pm	Company Law	Banking and Finance	Contract Law in Europe	EU Competition Law – Class B			EU Competition Law – Class A			Fundamental Issues in International Law – Class A
	Delict and Tort	Comparative Environmental Law	Financial Models and Derivatives – Class A	European and International Human Rights Law – Class A						European Procurement Law
	EU Constitutional Law	Principles of Internal Market Law	International Law of the Sea							Law and New Technologies: Artificial intelligence, Risk and the Law 1
	International Climate Change Law									Principles of International Tax Law
	International Commercial Arbitration – A									
	The Legal Challenges of Information Technologies									
	International Commercial Arbitration – B	EU Competition Law – Class A					General Principles and Institutions of International Economic Law			Fundamental Issues in International Law – Class B
2pm-4pm	Theories and Philosophies of Legal Research	The Law of International Trade					Sport and the Law			Intellectual Property 1: Copyright and Related Rights - Class B
		Comparative and International Trust Law					European and International Human Rights Law – Class B			
		Traditions of Legal Inquiry								
4pm-6pm	International Criminal Law	Financial Models and Derivatives – Class B		International Environmental Law						
		Principles of Competition Law for Innovation		Regulatory Governance in the European Union						

Semester 2	Full Year		Semester 1 only		Semester 2 only		MSc Courses	
	Monday	Tuesday	Wednesday	Thursday	Friday			
9am-11am		The Anatomy of Public Law	Mental Health and Crime	Media and Crime	Intellectual Property 2: Industrial Property - Class A			
		WTO Law	Corporate Social Responsibility and the Law	European and International Human Rights Law – Class A	Theories and Regulation of the Finance Industry			
11am-1pm	Company Law	Youth Crime and Justice	Contract Law in Europe	EU Competition Law – Class B	Fundamental Issues in International Law – Class A			
	Comparative Unjustified Enrichment Law	Data Protection and Information Privacy	Financial Models and Derivatives – Class A		Law and New Technologies: Artificial intelligence, Risk and the Law 2			
	Global Crime, Justice and Security in Context	European Environmental Law	Penal Politics	Cybercrime	State Aid			
	Inter-State Conflict and Humanitarian Law		Commercial Banking and Financial Markets	History and Theory of International Law	Principles of European Tax Law			
	Law of E-Commerce		EU Criminal Law					
2pm-4pm	Surveillance and Security	EU Competition Law – Class A	Principles of Insurance Law (weeks 1-7)	Police and Policing	Fundamental Issues in International Law – Class B			
	EU and National Climate Change Law	The Law of International Trade		EU External Economics Relations Law	Criminological Research Methods			
	EU Immigration and Asylum Law	Legal Research Methods		Intellectual Property - Law and Society	Intellectual Property 2: Industrial Property - Class B			
	International Private Law	The Anatomy of Private Law		European and International Human Rights Law – Class B				
	Principles of Insurance Law (weeks 8 - 11)							
4pm-6pm	International Criminal Law	Financial Models and Derivatives – Class B		International Environmental Law				
		Gender, Crime and Criminal Justice						
		Regulation of Innovation: Advanced Issues in Competition and Intellectual Property Law						

