



School of Law



Direct Entry Second Year

***Provisional Level 2 Module Information 2019/20**

Students will take six modules in total in their second year; three in Semester 1 and three in Semester 2. This document contains details of the Level 2 modules that will run in 2018-19. This document applies to students who will have completed a module in Contract Law at their current institution prior to studying at Queen's University Belfast.

***Please be advised that this information is provisional at this stage. It is possible there may be changes to module content, teaching and method of assessment.**

SEMESTER 1 MODULES	Equity
	Introduction to the Law of Torts
	European Constitutional Law

SEMESTER 2 MODULES	Contemporary Issues in Property Law
	Land Law
	European Internal Market Law



Module Name	Equity
Module Coordinator	Dr Mary Dobbs
<p>Module Summary</p> <p>In selecting topics for study in this module, we try first to set the scene and establish some basic principles, and then to give you a clear sense of a range of equitable doctrines that have particular relevance to contemporary society.</p>	
<p>Learning Outcomes</p> <p>By the end of the module students should be able to:</p> <ul style="list-style-type: none"> • Understand the equitable jurisdiction and the broad principles underlying it. • Critically discuss particular aspects of the law relating to Equity, such as the beneficiary principle, breach of trust, accessory and recipient liability for breach of trust, constructive trusts and charitable trusts. 	
<p>Objectives</p> <ol style="list-style-type: none"> 1. To provide a general understanding of the nature of the equitable jurisdiction, and the nature of the trust. 2. To examine in detail the law relating to the creation of trusts; types of trust (express, resulting and constructive trusts); the beneficiary principle; trustee liability for breach of trust (personal and proprietary claims); third party liability for assisting in breach of trust and for receiving trust property; and the law of charitable trusts, with particular reference to the <i>cy-près</i> doctrine. 3. To encourage critical study of the law in context. 	
<p>Skills</p> <ol style="list-style-type: none"> 1. Handling case law and statutes. 2. Dealing with complex issues systematically and creatively. 3. Analysing, evaluating and interpreting information. 4. Synthesising information from a variety of sources. 5. Applying conceptual information to practical legal problems. 6. Developing and defending reasoned opinions. 	
Assessment	Coursework (75%), Examination (25%)

Module Name	Introduction to the Law of Torts
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Module Coordinator	Dr Ciara Hackett
<p>Module Summary</p> <p>Torts are essentially civil wrongs, the word being derived from the Latin, tortum, meaning wrong. Torts are essentially those actions which the courts decide should be prohibited in the interests of society. What do we mean by this? What actions do we have in mind and on what basis do the courts decide which actions should be discontinued? How is liability assessed, what should be the remedy? Essentially these are the questions answered by the study of Tort law.</p> <p>This module is focussed on some selected torts. In imposing liability, four possible purposes are served:</p> <ul style="list-style-type: none"> • <i>Compensation</i>: In many cases, the injured party seeks damages to compensate him or her for personal injury, property damage, financial loss or infringement of civil or personal rights caused by another's 'tortious' act. • <i>Deterrence</i>: The imposition – or possible imposition – of tort liability may be designed to deter, or to have the effect of discouraging, undesirable conduct or to encourage desirable conduct. • <i>Justice</i>: Making a wrongdoer 'pay' by imposing tort liability may appeal to a basic sense of justice that a wrongdoer should put right the 'wrong' which he or she has done. "...the determination of liability is one of the objects of the proceedings" <i>Grant v Roche Products (Ireland) Ltd and others</i> [2005] IEHC 161 • <i>Setting standards</i>: Tort cases frequently involve a judicial determination as to whether a defendant, (regardless of who that defendant is) has acted reasonably. The imposition – or possible imposition – of tort liability may operate to encourage 'reasonable' standards of conduct. <p>In sum, this module examines the law of torts with respect to these differing purposes and with particular reference to the imposition of liability and the provision of remedies for 'injuries' of various kinds arising from negligence and related matters, nuisance, trespass to the person and defamation.</p>	
<p>Learning Outcomes</p> <p>The objective of this course is to enable students to achieve an in-depth understanding of the principles governing the law of torts. By examining in detail a number of selected torts, it is envisaged that students will develop a capacity for critical thinking in relation to principles and torts examined. Although the primary focus is the position of tort law in the UK, students will frequently be expected to be aware of the position in other common law jurisdictions in order to make comparative analysis and understand how the principles governing this area have been informed by the direction of the law in other jurisdictions. Guidance on this will be provided in lectures, tutorials and in your own self-directed learning.</p> <p>The overall objective of this module is to enable you to</p> <ol style="list-style-type: none"> demonstrate knowledge and understanding of the wide range of legal concepts, values, principles, rules and procedures surrounding the law of torts; demonstrate a comprehensive and accurate knowledge and understanding of the detail of the law of torts, the theoretical rationale involved and relationship to the relevant economic, social, commercial and political context in which the law of torts operates. 	
Assessment	Coursework (100%)

Module Name	European Constitutional Law

Module Coordinator	Dr Clemens Rieder
<p>Module Summary</p> <p>The purpose of the European Constitutional Law module is two-fold. First, it is intended to provide students with a critical understanding of EU constitutional law, including the legal and political relationship between the European legal order and the national legal orders of the Union's member states. Accordingly students should gain an appreciation of the important influence that the EU has had upon domestic law. Secondly, the module is intended to provide students with a foundation for studying Internal Market Law, which addresses issues of economic and social governance, the relationship between them, and the role of law in the processes of economic integration.</p>	
<p>Learning Outcomes</p> <p>The aims of the module are as follows:</p> <ul style="list-style-type: none"> To provide students with a firm grounding in the constitutional rules and institutions of the EU. To enable students to, inter alia, understand: <ul style="list-style-type: none"> the operation of the EU legal system and the ways in which Union Law impacts on the national law of the member states. The constitutional issues and agendas that are frequently implicit in cases arising before the ECJ and national constitutional courts. The interaction between EU law and domestic law, with the emphasis placed on direct effect and supremacy of EU law. The effective judicial protection and remedies in EU law; The main issues in the EU's supranational system of constitutional justice, especially conflicts and cooperation between the European Court of Justice and top judicial bodies of Member States The EU law on the protection of fundamental rights. To enable students to discuss critically aspects of the EU law in essay type questions. To enable students to identify, in the context of essay or problem-based questions, the relevant area(s) of EU Constitutional Law, and critically assess and/or apply the relevant law in detail and with precision and accuracy. 	
Assessment	Coursework (50%) Examination (50%)

Module Name	Contemporary Issues in Property Law
Module Coordinator	Dr Peter Doran

Module Summary

The Module *Contemporary Issues in Property Law* will introduce students to the central importance of 'property' in the history of our legal tradition and role of property law. There will be a focus on contemporary debates about the central role that property plays in law and society, using a problem-based approach, ranging from issues of 'slavery', 'the body' to our relationship with the natural 'environment' and 'the commons'.

Property is one of the many fundamental distinctions entrenched in law (e.g., 'persons' vs. 'things', 'public' vs. 'private', 'resources' vs. 'nature'). With rapid socio-economic change in a globalizing world, the scope of the application and contestation of property rights is expanding. The Module is designed to allow students to study contemporary issues in property law, building in particular on equity and integrating elements of land law.

The course begins with a critical and conceptual introduction to the nature of private law in the twenty-first century. Students will have an opportunity to study discrete and topical areas of property law including:

- cultural property;
- property rights in body parts and human tissue;
- property in persons ('slavery', 'trafficking');
- property in animals ('animal rights');
- the commons;
- property rights as enclosure (origins of the ecological crises);
- human rights and property rights;
- accumulation and unjust enrichment.

Learning Outcomes

Building on earlier substantive private law modules (in particular Equity, and also Contract) and learning in conjunction with Land Law, students will acquire a deeper knowledge and understanding of:

1. Contemporary and topical issues in property law, focusing on discrete areas not covered in the other private law modules at this Level; students will be introduced to the constitutive or formative role of the phenomenology of property in the construction of the Western legal tradition and the privileging of the public (state) and private (market) dichotomy;
2. The theoretical context of these specialized areas of property law, and their practical application;
3. The underlying social, economic, legal and political factors which influence these areas, including an introduction to the phenomenology of ownership. Another key objective of the module is to lay the foundations for studying these specific topics at a more advanced level in optional modules available at Level 3 of the degree programme.

Assessment

Coursework (100%)

Module Name

Land Law

Module Coordinator

Dr Heather Conway

Module Summary

Land is central to everyday life. In a physical sense it provides our homes, our places of work, study and relaxation. Historically, land constituted the primary source of wealth, and ownership of land was regarded as a measure of social standing and political power. However, the role of land (and hence land law) has changed dramatically over the centuries. Land is no longer regarded as the primary source of wealth, but as just one type of investment. The fact that land is now treated as a marketable investment means that a key policy objective of our land law system is to keep land transferable. Another is the need to facilitate what landowners want to do with their land, while reconciling this with broader social ideals and maximising the use of land as a valuable commodity. Finally, because of the value of land and the need for legal certainty, transactions involving land and grants of rights over it require certain formalities which also form a key element of our law.

Land ownership is still a basic societal ideal, as evidenced by the emergence of home ownership as a twentieth century phenomenon and the ramifications of the recent global credit crunch. However, lawyers are concerned with *rights in respect of land*- who owns land, what rights can be created over it (both for the owner and for the benefit of others), and how the law regulates the creation and disposition of those rights. These issues form the basis of our Land Law module.

Learning Outcomes

The general aims and objectives of the module are that you will acquire a critical knowledge and understanding of the key aspects of land law which are dealt with in the module. The primary focus will be on the current laws in Northern Ireland and in England & Wales; where appropriate, you will be able to differentiate the rules of these jurisdictions in a critical and comparative context.

Skills

Land Law is intended to develop and enhance a range of skills including:

- the acquisition of knowledge through critical study of primary and secondary sources
- understanding and analysing legal and policy issues through a combination of case law analysis, statutory interpretation and appraisal of policy documents, academic commentaries and other relevant literature
- the application of relevant principles of land law to various factual situations and 'real life' problems
- the ability to distinguish relevant material from irrelevant material
- the formation of individual ideas and arguments, and critically assessing their merits
- the ability to think critically about the material, and to form independent opinions and conclusions
- the communication of ideas and arguments (both written and oral), and presenting them in a way which is comprehensible to others
- enhancing legal research skills, and in particular gaining proficiency in using electronic legal research tools
- the ability to work independently, and engage in self-directed study and learning as a means of tutorial preparation
- effective time management, self-motivation and the ability to prioritise.

Assessment

Examination (100%)

Module Name	European Internal Market Law
Module Coordinator	Dr Billy Melo Araujo

Module Summary

The course will focus on the core of the substantive law of the European Union, and in particular: 1. The concept of the internal market and the scope of the relevant EU competence; 2. The four fundamental freedoms i.e. the free movement of goods, services, persons (including workers, economically inactive citizens, and establishment), and capital (including the Economic and Monetary Union); and 3. The interaction, including convergences and divergences, between the fundamental freedoms of the internal market.

Learning Outcomes

Students will acquire detailed knowledge and critical understanding of 1. The key principles of the law of the EU internal market and its impact on the domestic legal systems of the Member States; 2. The sources of the EU internal market law; 3. The concept and the scope of the internal market, including its legal, historical, economic and political dimensions; 4. The scope and limits of the EU competence in the field; 5. The scope, effect and limitations of the fundamental freedoms of the internal market, i.e. the free movement of goods, services, persons and capital, and their interaction; 6. The contribution of the EU institutions, both political/law-making and judicial, to the evolution of the internal market; 7. The scope of discretion left by (primary and secondary) EU law and by the case law of the European Court of Justice to the Member States to restrict the exercise of any of the four fundamental freedoms in their territory on public interest grounds; 8. How to identify, in the context of essay or problem-based questions, the relevant area(s) of the law of the EU internal market, and critically assess and/or apply the relevant law in detail and with precision and accuracy.

Students will develop and enhance understanding of the wider legal, political, economic and social contents in which the law operates.

Assessment

Coursework (50%), Examination (50%)

