



DIVISION OF SOCIAL SCIENCES

Graduate Student Handbook **Taught Programmes**

2023–24

Graduate Student Handbook

Bachelor of Civil Law and Magister Juris

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1. Introduction and General Administration

This handbook applies to students starting in Michaelmas Term 2023. The information in this handbook may be different for students starting in other years. There are separate handbooks for students of the Faculty's other postgraduate courses (MSc in Taxation, MSc Law and Finance, DPhil in Socio-Legal Studies, MPhil in Socio-Legal Research, PG Diploma in Intellectual Property and Practice, MSc in Intellectual Property, MSc in International Human Rights Law, MPhil and DPhil in Law; MSc in Criminology and Criminal Justice, and the MPhil and DPhil in Criminology).

This handbook seeks to provide information about all aspects of the BCL and MJur – options available, forms of assessment, teaching provision etc. – as well as serving as a source of reference for more general information about the Faculty and the various services of the University that are likely to be of relevance to BCL and MJur students.

The Examination Regulations relating to this course will be available at the following webpage: [Regulations for the Degrees of Bachelor of Civil Law and Magister Juris \(ox.ac.uk\)](https://www.ox.ac.uk/regulations/degrees/bachelor-civil-law-and-magister-juris)

If there is a conflict between information in this handbook and the Examination Regulations, then you should follow the Examination Regulations. If you have any concerns, please contact Paul Burns (paul.burns@law.ox.ac.uk).

The information in this handbook is accurate as of 21 September 2023. However, it may be necessary for changes to be made in certain circumstances, as explained at: <https://www.ox.ac.uk/admissions/graduate/courses/changes-to-courses>.

If such changes are made the Faculty will publish a new version of this handbook together with a list of the changes and students will be informed.

We strongly recommend you save this document among your files, as you may find it convenient to revert to it throughout the year.

Versioning

This is Version 1.0 of the 2023-24 handbook. If there are any *minor* changes to the handbook, then a new version – 1.1 – will be made available on the BCL/MJur Canvas pages. If there are any *major* changes, then the new version will be renumbered as Version 2.0 and you will be informed of the changes in question.

You can find a great deal of further information on our website: [Faculty of Law \(ox.ac.uk\)](https://www.ox.ac.uk/faculty-law).

I wish you all an intellectually enriching, interesting and enjoyable year.

Luke Rostill
Course Director for the BCL & MJur

Key Contacts

For the most part, your key contacts will be your college tutors and administrators. However, on occasion you may have a need to contact the Faculty, in which case the principal contacts are:

Dr Luke Rostill	Course Director for the BCL & MJur	luke.rostill@law.ox.ac.uk	279917
Lilit Rickards	BCL/MJur Course Administrator	lilit.rickards@law.ox.ac.uk	281876
Marianne Biese-Williams	Student Administration Office	marianne.biese@law.ox.ac.uk	281051
Paul Burns	Academic Administrator and Disability Contact	paul.burns@law.ox.ac.uk	271495
Geraldine Malloy	Graduate Studies Officer	geraldine.malloy@law.ox.ac.uk	271496
Luke Webster	Timetabling and Events Assistant	luke.webster@law.ox.ac.uk	271491

Luke Rostill is based in Trinity College, while Paul, Lilit, Marianne and Luke Webster have offices in the St Cross Building. As a rule, you should in the first instance direct queries to the BCL/MJur Course Administrator (Lilit) or the Academic Administrator (Paul). They can then relay them to Luke if the matter in question requires his involvement. Geraldine is primarily involved with matters relating to graduate research students, but you may have cause to contact her, particularly if you are seeking to progress to the MPhil or DPhil after the BCL/MJur. The timetabling and events assistant deals with the lecture list so should be able to help you with any queries about the timetabling of particular events.

Please be advised that email is likely to be the best way to make initial contact with staff, given that there are some days when staff work on site in the office and some days when they may be working from home. There are various other members of the Faculty and of its administrative staff whom you might have cause to contact at one point or another:

Professor John Armour	Dean of the Law Faculty	dean@law.ox.ac.uk	by email
Charlotte Vinnicombe	Head of Administration and Finance	charlotte.vinnicombe@law.ox.ac.uk	271560
Emma Gascoigne	Personnel Officer	personnel@law.ox.ac.uk	281622

Helen Garner	Bodleian Law Librarian	helen.garner@bodleian.ox.ac.uk	271451
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The Role of the Faculty, College, and University

Students taking law programmes at Oxford are members of their college, of Oxford University generally, and of the University's Law Faculty.

At graduate level, it is the Faculty which plays the principal role in organising student's teaching and supervision and monitoring their academic progress. The Faculty consists of all college and University academics who are involved in the teaching of law. Its members meet regularly to discuss its affairs. There are also research groups within the Faculty consisting of members with a particular interest in the various subjects.

Colleges provide support of a more pastoral nature, mainly through the College Advisor, as well as accommodation and meals, sports, social, and welfare facilities. They normally have IT facilities, and a college library, with a collection of law books sufficient for most undergraduate needs. The colleges describe their arrangements and facilities in their entries on the university website (many also have their own prospectus), and, in much more detail, in the material which they supply to students who are their members.

The University contributes to the overall academic structure within which the various programmes run (it is responsible for defining syllabuses, for example, and running official examinations). It also provides sports, welfare, careers, language teaching and IT facilities. It describes its arrangements and facilities on the University website (and in particular the information under the 'Oxford students' link on the homepage), and, in more detail, in the literature which students receive upon or after entry, such as the Student Handbook.

The Administrative Structure of the Faculty

From a graduate student perspective, the elements of the administrative structure which it is useful for you to be familiar with are the following:

BCL & MJur Committee

The BCL/MJur has its own management committee which meets six times a year and reports to the Faculty's Graduate Studies Committee (GSC). The committee's membership includes academics who deliver the BCL/MJur core courses and it is chaired by the Course Director. The meeting is also attended by the student representatives.

Graduate Studies Committee

The principal body responsible for making decisions on graduate matters is the Faculty's Graduate Studies Committee (GSC), which meets in weeks one and six each term. Its membership is made up of Faculty members with particular interests in graduate studies, and student representatives for each graduate law course (see Student Representation under the Feedback section below for more information about how student representatives are appointed and on what bodies they serve). GSC is chaired by the two Associate Deans for Graduate Studies (taught and research) to whom the Committee delegates certain responsibilities.

Law Faculty Board

On certain matters, GSC has the power to act autonomously; on others, it makes recommendations to the Law Faculty Board which is the governing body of the Law Faculty. The Law Board includes the Associate Deans for Graduate Studies; most other members are elected from the Faculty, and student representatives attend its meetings. The Law Board is responsible for administering and overseeing all teaching and examining in the Faculty, and for facilitating legal research. It meets twice a term in second and seventh weeks, and in the summer vacation. It is chaired by the Dean of the Law Faculty, Professor John Armour.

Social Sciences Division/University Education Committee

Whilst the Law Board has authority to make decisions about most student-related matters, or delegate those decisions to GSC, there are certain occasions on which it is required to seek approval from one of the Committees of the Social Sciences Division which itself may then need to refer the matter to the University Education Committee (a typical example would be the introduction of a new BCL/MJur option).

Other Committees

The Committee for Library Provision deals with matters relating to the functioning of the Bodleian Law Library. There are also a number of Faculty committees which deal with matters less directly associated with graduate student concerns (Planning and Resource Committee, Development Committee, Personnel Committee).

Administrative Officers

The Faculty's Head of Administration and Finance (Charlotte Vinnicombe) is responsible for day-to-day administration of faculty activities and the Law Faculty Office and there are individuals with responsibilities for different aspects of graduate student administration: the Academic Administrator (Paul Burns) is responsible for day-to-day administration of academic affairs for graduate students; the BCL/MJur Course Administrator (Lilit Rickards) is responsible for the on-course administration of BCL and MJur students; the Graduate Studies Officer (Geraldine Malloy) is responsible for the administration of research students and the progression of those students through the degree programmes; the MLF Course Administrator (Catherine Chandler) is responsible for all matters pertaining to MLF students; and the Student Administration Officer (Marianne Biese-Williams) is responsible for certain student-related events and general course administration. In addition, the Timetabling and Events Assistant (Luke Webster) deals with the lecture lists, room bookings and other events-related matters.

Paul Burns and Geraldine Malloy can offer general advice to graduate students across all courses.

The Law Faculty and the St Cross Building

The Faculty's physical location is the St Cross Building, on the corner of St Cross Road and Manor Road (see <https://www.law.ox.ac.uk/about-us/about-faculty/location-st-cross-building> for further directions).

To find the Faculty Office, follow the flight of steps up the outside of the building to the second landing and go through the sliding door on your left. Report to reception, and you will be guided to the Faculty Office.

The building houses the administration of the Faculty, and its principal lecture and seminar rooms – the Gulbenkian Lecture Theatre, the White & Case Lecture Theatre, the Cube, and Seminar Rooms D, F, G and L. During the year, you may see these venues mentioned on the lecture list (see below for further details).

At the top of the building is the Bodleian Law Library. As well as holding the library's collection of legal texts, it also houses the IT training room. Further information about the Library is provided in the section of this handbook entitled 'Support'.

Induction Events

Registration for BCL and MJur students with the Faculty begins on Tuesday 26 September. Induction events then run through the remainder of that week and week 0 of Michaelmas term. For 2023-24, Faculty induction events will be in-person.

The Lecture List

The lecture list is published at the beginning of each term and includes both undergraduate lectures and graduate seminars. It may be accessed at <https://www.law.ox.ac.uk/current-students/lecture-list>. Corrections and changes to the timetable are also provided on that webpage and students are notified by email as and when they occur. **Please check this link regularly** – inevitably there are occasions when lectures are cancelled or rescheduled and information about such changes is put on this page as soon as it is available.

You are entitled to attend any lectures, classes and seminars except those where it is otherwise indicated on the lecture list. The list includes lectures and seminars designed for the undergraduate, BCL, MJur, and MSc syllabuses, and also for the Course in Legal Research Methods. Lectures on the undergraduate ("Final Honours School") sections of the lecture list may be useful to graduate students; it is best to consult your Academic Advisor for advice (on the role of Academic Advisor, please see below).

All the faculties publish lecture lists, and you may attend lectures in other faculties. There is also a "Special Lecture List" listing lectures by visiting speakers, which is circulated by way of a weekly 'events email' sent out by the Faculty.

Student Self Service

Student Self Service provides web access to important information that you will need throughout your academic career. You are able to register, view and update your personal and academic information throughout your studies at Oxford. For further information, see <http://www.ox.ac.uk/students/studentselfservice/>

Student Handbook

There is a generic Student Handbook that covers information which applies in common to all students; it covers information about such things as student welfare, exams, disciplinary procedures etc. It can be found at <https://www.ox.ac.uk/students/academic/student-handbook?wssl=1>

College Handbooks

Each college will have its own handbook relating to college matters of one sort or another. These will be available on your college's webpages, though most colleges will also give you a printed copy at the start of your course.

Academic Dress

The full regulations concerning academic dress can be found at:

<https://www.ox.ac.uk/students/academic/dress>

Residency Requirements

Information concerning residence requirements can be found at:

<https://www.ox.ac.uk/students/life/residency>

The basic requirement you need to be aware of is that you are expected to be in residence for the eight weeks of each academic term.

Dates of Term

Information about term dates can be found at:

<http://www.ox.ac.uk/about/facts-and-figures/dates-of-term>

Key Dates and Deadlines

27 September – 29 September 2023: deadline for sign-up for BCL/MJur options.

Oxford Students Website and Oxford Transition Support

For general information about all aspects of student life – academic matters, fees, social activities, health and welfare, please refer to the University's webpage 'Oxford Students' at: <http://www.ox.ac.uk/students>. This is a very useful resource, covering information from all sorts of areas of the University's activities and is a good starting point if you have queries on almost any subject which does not pertain specifically to the Law Faculty itself. For more information about other useful University resources, please refer to the sections on Facilities and Support that appear later in this handbook.

Further resources on making the move to Oxford can be found via **Oxford Transition Support** (<https://www.ox.ac.uk/students/new/oxford-transition-support>) which provides guidance on making the most of your wider student experience - for example, taking advantage of student-led activities; and information on the welfare support available to you.

Visa Information

For information about all matters relating to visas, please refer in the first instance to the webpage at:

<http://www.ox.ac.uk/students/visa>

Working Whilst Studying

The BCL and MJur are very intensive courses which make great demands on students' time. Consequently, the Faculty regards it as inadvisable for BCL and MJur students to undertake any paid

work for the duration of the course.

The University's guidelines at <https://academic.admin.ox.ac.uk/policies/paid-work-guidelines-graduate-students> permit PGT students to work for up to eight hours per week; graduate students undertaking paid work, who do not hold home student status should be aware of the regulations regarding working while studying and the implications for those on visas (see <http://www.ox.ac.uk/students/visa/during/work> for further details). Please also refer to the section entitled 'The Role of the Student' under 'Teaching and Learning' below for information about the amount of time students are expected to spend studying.

Funding Opportunities

General information about funding, including details of fees and potential sources of funding, can be found on the University webpages at:

<https://www.ox.ac.uk/admissions/graduate/fees-and-funding>

Details of Faculty and college scholarships for which law students are eligible can be found at: [Graduate Scholarships | Faculty of Law \(ox.ac.uk\)](#). The Graduate Studies Officer or Academic Administrator can also advise.

Graduate Prizes

There are a number of named prizes available for BCL and MJur students. Some examples are:

Vinerian Scholarship Overall best BCL

Vinerian Scholarship Proxime Accessit (second)

Herbert Hart Prize in Jurisprudence and Political Theory

John Gardner Prize for Philosophical Foundations of the Common Law

Peter Birks Prize in Restitution of Unjust Enrichment

Ralph Chiles CBE Award in Comparative Human Rights

Law Faculty Prize for Corporate Insolvency Law

Volterra Fietta Prize for International Law of the Sea

Winter Williams Prize in International Economic Law

There is also a Law Faculty prize for the best performance in each option not covered by one of the named prizes listed above.

2. The Course

Full titles and FHEQ levels

The BCL and MJur's full titles respectively are Bachelor of Civil Law and Magister Juris. Their FHEQ level is 7 (FHEQ stands for Framework for Higher Education Qualifications – it is used to identify the level of qualifications offered by universities in England, Wales, and Northern Ireland).

The Aims of the BCL and MJur

The BCL and MJur degree programmes aim to:

- bring students into advanced intellectual engagement with some of the most difficult issues in law and legal theory, an engagement distinguished by rigour, depth and conceptual sophistication, and requiring immersion in law as an academic discipline as well as informed openness to neighbouring disciplines;
- raise students to the highest level of professionalism in analysis and argument, equipping them intellectually for legal practice or work as a legal academic at the highest level, as well as for a wide range of other intellectually demanding roles;
- constitute an intense learning experience characterised by a demanding schedule of independent study, highly participative round-table seminars, and a complementary diet of close individual or small-group contact with tutors;
- (MJur only) give students from non-common law backgrounds an opportunity to explore some of the distinctive methods, practices and doctrines of the common law.

Intended Learning Outcomes

The intended learning outcomes of the BCL and MJur are as follows:

- A thorough knowledge and deep understanding of four new legal or legally-related subjects (or potentially a greater number of subjects for those who select half options)– these being subjects which, at undergraduate level, were either not studied at all, or were only studied in a more elementary way;
- A knowledge and understanding of neighbouring academic disciplines sufficient for a mature appreciation of the place of law in the world and a mature critical attitude towards law;
- A knowledge and understanding of the values and techniques of advanced legal scholarship and/or the advanced interdisciplinary study of law.

Teaching Arrangements

Teaching for each BCL and MJur course option is provided by the following means:

Seminars: Seminars are organised at Faculty level and are open to all students taking the BCL/MJur courses and (in general) to any other interested postgraduate students from the Law Faculty and beyond. Many seminars are convened jointly by two or three members of the relevant subject group. Some seminars have a tradition of attracting senior academic visitors and research students in addition to BCL and MJur students. Some attract postgraduate students from other faculties (e.g. politics,

philosophy). Such intellectual and international cross-pollinations are welcomed and encouraged by many subject groups. In most courses there is one core seminar series closely corresponding to the syllabus; in two courses the syllabus is covered by a selection of different seminar series from which the students take their pick according to interest and intended intellectual emphasis. BCL/MJur students taking some interdisciplinary courses are encouraged to attend seminars in other relevant faculties. Every BCL/MJur seminar series is accompanied by published reading lists that are used by students in preparing for the seminars and in organising their study. Many students use the seminar reading lists as starting points for their own self-prescribed research and reading, rather than regarding the listed materials as sufficient for real mastery of the subject. However, the listed materials in each course do represent the level and range of materials which the examiners are entitled to expect the students to have mastered.

At a seminar – typically one-and-a-half to two hours long – the topic will be introduced by one of the conveners, or one of the students, or sometimes an invited speaker. There will then ensue detailed and intense questioning and argument involving, so far as possible, the whole group. Depending on the course, seminars range in size from a handful to upwards of 40 participants. Conveners allow seminars to develop in a more orchestrated or spontaneous way depending on the size of the group and the nature of the material or ideas under discussion.

Tutorials: In Oxford, a tutorial is a meeting lasting one hour or longer, at which a single member of the teaching team (the tutor) meets with between one and five students. The tutorial system is the second major teaching/learning component of the BCL/MJur programme. In view of the extensive diet of seminars, BCL/MJur tutorials do not generally provide full coverage of the course: instead, the two methods of course delivery complement one another – the tutorial demanding in-depth scrutiny of a particular aspect or aspects of a field of law that have been covered in more general terms through a seminar.

Students are either prescribed or invited to nominate around four topics for tutorial discussion, typically using the seminar reading lists as the basis of preparation. Each selected tutorial topic is also typically associated with an essay question, or a legal problem question (or a choice of such questions) suggested by the tutor, which might be drawn from a past examination paper or specially devised. Students will normally write an essay or problem answer for each tutorial, which is then used as the basis for tutorial discussion.

Often, although not always, tutorials are provided at or near the end of the seminar provision for the year so as to allow for consolidation and revision.

Please note that tutorials are an absolutely crucial part of the course, and you are expected both to ensure that you are free to attend them at the times agreed with your tutors and to submit written work for the tutorials as required by your tutors.

Lectures: Lectures are typically less central to the learning experience of BCL/MJur students than that of their undergraduate counterparts. However, lectures are more often provided in those BCL/MJur courses in which there is a great deal of new legal information to master.

MJur students who have chosen to take an option from the undergraduate course will typically attend lectures relating to that option, but more generally, all BCL and MJur students are welcome to, and often do, attend undergraduate lectures to update and refresh their basic knowledge in subject areas in which they are now working at a more advanced level. Some BCL/MJur students also attend lectures in other faculties to assist with their grasp of neighbouring academic disciplines.

The number and mix of seminars, tutorials, and lectures varies from option to option, but in most cases, students can expect that any given option will involve something in the region of eight to sixteen seminars

and/or lectures and four to six tutorials. There are one or two exceptions, but in these cases, a balance will be struck between seminars and tutorials (i.e., an option involving more tutorials will involve fewer seminars). MJur students taking an undergraduate option will have their teaching provided via lectures and tutorials.

Details of the various lectures and seminars (but not tutorials) offered by the Faculty can be found in the termly [lecture list](#), available through your college or on the Faculty website (please note that timings may occasionally vary from term to term, for example a seminar series that runs on Thursdays in Michaelmas term may run on Tuesdays in Hilary term, though this is relatively unusual).

The default position is that BCL/MJur students are expected to attend all lectures, seminars and tutorials. Only in-person attendance will be possible. Hybrid (live) online sessions will not take place in 2023-24 and recordings will only be made available for lecture series, not seminars, taking place at Law (mainly undergraduate lectures). Attendance at all classes should be prioritised over extra-curricular activities.

Information about the subjects available in the BCL and MJur (and the permissible combinations of subjects) is given at a later point in this handbook.

Timetable

Because the BCL and MJur comprise approximately 40 options, from which students can take any combination of four (or more in the event of half options being selected), it is not possible to present a single timetable applicable to all students, but it is possible to give some general guidelines about the timing of seminars and tutorials. The standard model employed by most options is as follows:

- A programme of seminars (typically two-hour sessions every week of term) during Michaelmas and Hilary terms
- One tutorial in Michaelmas term and further tutorials in Hilary and Trinity terms
- A revision class or classes during Trinity term

Some options will supplement the seminars with lectures as noted in the section on teaching above.

Registering/Changing Your BCL/MJur Option Preferences

Registration for options takes place in late-September. It is completed using the Faculty's online registration system, details of which will be shared by email and via Canvas. Registration opens on Wednesday 27 September and closes on Friday 29 September, 5.00pm.

It is possible to change options later (any time up to the end of Michaelmas term week 4, which is when you submit your examination entry form through your college) but changing your option choice after week 1 will incur the risk of additional timetable clashes in Hilary term or Trinity term.

Changes will also only be possible providing there is space for additional students in the option you wish to join. The Faculty Office must be informed of all option changes, please contact the BCL/MJur Course administrator if you wish to do so.

If you wish to change an option, we strongly recommend seeking the advice of your Academic Advisor and/or relevant Course Convenor(s) beforehand.

In exceptional circumstances, it is possible to change your options after week 4 of Michaelmas term. If you need to do this, you should contact the Course Administrator who will explain the relevant procedures. **Please note that changes of course after the Friday of week 1 of Hilary term are**

prohibited. For courses that contain a submission assessment, students are also prohibited from switching after the release of question papers.

Course Requirements and Permitted Combinations of Courses

If you are a BCL student, you choose either:

- a) four full options from List I, or
- b) three full options and two half-options, or
- c) two full options and four half-options.

You may also undertake a dissertation, provided your proposal is accepted, in place of one full option or two half-options.

The same applies to MJur students but they may also select an option from List II in place of one full option/two half-options from List I.

The timetable for BCL/MJur teaching is crowded and some combinations of courses are impossible. The impossible combinations have been chosen to minimise the number of students typically affected.

You can find the latest list of incompatible courses on Canvas:

<https://canvas.ox.ac.uk/>.

From here, select 'Bachelor of Civil Law and Magister Juris (BCL/MJur) 2023-24 Academic Year', from here, click on the BCL/MJur Course Clashes timetable document.

List 1 – Options Available to Both BCL and MJur Students

The following options are available to both BCL and MJur students. The symbol * next to the course title indicates courses for which a prior knowledge of the relevant aspects of English law (or another common law jurisdiction) is necessary. MJur students are advised that, if they want to take these options, they should familiarise themselves with those aspects of common law.

Advanced Administrative Law

Overview

Advanced Administrative Law will address particularly challenging problems in the law relating to executive decision-makers and other public authorities (other than Parliament), and to institutions and processes for empowering them, regulating and investigating their conduct, and providing redress. The focus is on the law applicable in England and Wales. However, there is no need for students to have studied UK public law previously. That said, students should only choose the course if they have already studied administrative law (whether in a separate course or as part of a course in public law, or constitutional and administrative law) at the level of a first degree in law.

The course will allow students to develop advanced understanding and expertise in administrative law. The teachers will draw on doctrinal, comparative, theoretical, empirical and historical perspectives.

Assessment will be by three-hour examination during the BCL/MJur examination period at the end of the course.

Topics covered

1. Introduction: how to read an administrative law case
2. Policy and guidance
3. 'Tailored' administrative law: exploring judicial review through planning, probation, and immigration administration
4. The role of international law in administrative law
5. Administrative justice
6. Judicial review process and remedies
7. The principle of legality
8. Judicial review of the exercise of prerogative powers and the limits of administrative law
9. Public contracts
10. Compensation claims against public agencies
11. The modern history of administrative law
12. Administrative law in practice
13. Revision and examination technique session

Convenor	Joanna Bell
Name of those teaching on this option	Roderick Bagshaw Joanna Bell Anne Davies Hasan Dindjer Timothy Endicott Richard Ekins Liz Fisher Hayley Hooper Adam Perry Sir Ernest Ryder Leah Trueblood
Timing of lectures/seminars/tutorials	7 seminars in Michaelmas Term 1 tutorial in Michaelmas Term 7 seminars in Hilary Term 1 tutorial in Hilary Term 1 revision seminar in Trinity Term 2 tutorials in Trinity Term
Does this option require a prior knowledge of the common law?	This is an advanced course in the administrative law of England and Wales. Students who have studied administrative law (to the level mentioned above) in another jurisdiction are very welcome; the convenor will be glad to advise any such student on whether it would be a good idea to take this course, and how to go about it.

Advanced and Comparative Criminal Law – Half-Option

Overview

The course is deeper engagement with the doctrine and theory of criminal law. It engages with them from the English perspective, with comparative references, making it one of the only courses in the UK to do so. It takes a practical and immediate approach to comparative law method, without requiring a deep knowledge of comparative law theory.

The course focuses on a group of doctrinal difficulties, including some areas where difficulty is not yet widely acknowledged, and some the difficulty has been seen but not yet solved. Examples include the structure of offences, conditionality in fault elements and risk in respect of fault states and deception within the sexual offences. The course grounds legal reasoning equally in both practical problems and legal theory. Important questions about the role of and forms of fault, serious offences like homicide and rape, and significant conceptual problems like complicity are debated, discussed and challenged. The Course Convenor normally attends every session, whether leading the session or supporting those leading it. Specialists cover particular topics and the focus is on an engaging and collaborative experience for all.

The course does not require knowledge of English criminal law, though an awareness of criminal law in a common law country may be of advantage as examples may come more from that tradition. The course is not intended to overlap significantly with any other courses offered on the BCL/MJur. Assessment will be by open book assessed essay.

Topics covered

1. Introduction to criminal law
2. Structure of criminal legal reasoning including physical and fault components, wrongfulness or illegality; the primary comparator here is Germany.
3. Fault elements, particularly intention, recklessness, negligence, suspicion, foresight and strict liability, from an English and German perspective. The more difficult issues are in conditional intention, voluntary conduct requirements and the difference between negligence, recklessness and the German *dolus eventualis*.
4. Homicide: understanding the full range of offences relating to death, with comparisons in France and Germany.
5. Complicity: A seminar focused on difficulty issues like whether it should be easier to convict of a further crime once already an accomplice for a first; duties to act and complicity; meaning of “procuring”; defining fault elements and the role of defences. Comparisons are drawn with German, South African and Australian complicity.
6. Criminal Procedure and Criminal Law provides an overview of the key rules of criminal procedure as a basis for exploring the effect of procedural and evidential rules on the substantive rules of the criminal law. Given the scope of the material, comparative references might not be possible.
7. Sexual Offences. The doctrine of key offences relating to non-consensual and unlawful sexual activity, including definitional elements of offences, including the role of consent (if any), differentiation across forms of activity (and whether to have an offence of “rape”) and deceit. Comparisons will primarily be to common law jurisdictions and Germany.
8. Concluding and Comparative Discussion

Convenor	Matthew Dyson
Name of those teaching on this option	Matthew Dyson Jonathan Herring David Campbell Aradhana Cherupara Vadakkethil Paul Jarvis
Timing of lectures/seminars/tutorials	8x seminars in Hilary Term 2x tutorials in Hilary Term
Does this option require a prior knowledge of the common law?	No

*Advanced Property and Trusts**

Overview

The course explores the foundations of property and trusts, and also practical developments going beyond the core topics typically explored in core or undergraduate courses. It thus gives students an opportunity to study fundamental institutions of private law with wide ramifications in the social sciences and humanities. The course combines conceptual and functional analysis of doctrine with more abstract theoretical enquiry. In analysing the law, the course introduces and makes use of a range of ideas, such as the analysis of rights and economic perspectives, and it draws on comparative and jurisprudential analyses, as well as history and moral and political philosophy. It thus gives fresh insights into questions arising from undergraduate studies, broadens the knowledge of those planning to go into or return to practice, and equips those thinking of further graduate study with valuable analytical tools.

Some knowledge of the legal details of property in one or other legal system will be essential for students taking the course. Much use will be made of English law and other common law systems, but we will also draw upon civilian and civilian-derived legal systems in our explorations. Students will be exposed to the widest possible range of research and teaching in property law and trusts drawing on visiting scholars as well as Oxford faculty. The topics discussed are all ripe for exploration as areas of future research.

Students will be provided with course materials accessible through the internet and the intranet, together with material in university and college libraries. Students will explore the reading materials and address a set of thematic questions, on which they will be asked to prepare brief notes. Such reading must be done before the relevant seminar. Each seminar will last 2 hours and there will be 6 main seminars in MT and 6 in HT, with some supplementary seminars, and revision teaching in TT. At the start of each of MT and HT, lectures introducing key ideas will assist with seminar preparation. Seminars will also be augmented by tutorials; in tutorial weeks students will be asked to prepare essays on given topics and meet in small groups with teachers for debate and discussion.

The option will be assessed by a submission (coursework) at the end of the course. Candidates will be required to answer three essay questions from a wide choice of topics, which may cut across themes covered in the course. Candidates will be expected to show a detailed knowledge of relevant theoretical debates and also applicable legal materials, including judgments in cases, and statutory and constitutional provisions. They will also need to display an ability to synthesise complex materials and to present their own analyses of the arguments.

Topics covered

The course will divide into four areas:

- A. Defining Property (conceptual and functional analysis of property, including theorization of possession, domination, exclusion, assignment; 'bundle of rights' controversies; jural correlates and multital duties; the numerus clausus principle)
- B. Theories of Property (mainstream and novel defences and critiques of property in legal, philosophical and economic traditions; examination of the nature and justification of alienation)
- C. Trusts (the distinctive contribution of trusts in blurring the lines between proprietary and personal claims; asset partitioning and managerial duties evoked by trusts; the nature and effects of beneficial interests under trusts; trust systems in common law and civilian jurisdictions).
- D. Property Rights in Conflict (clashes between property rights and other forms of right, such as human rights; the different means by which common law, equity, and statute resolve priority and other disputes between different forms of property right; the goals served by priority rules).

Convenor	Luke Rostill
Name of those teaching on this option	Joshua Getzler Luke Rostill Ben Mc Farlane Andreas Televantos Aruna Nair & Various guest seminar participants
Timing of lectures/seminars/tutorials	6x 2hr seminars in MT, 6x 2hr seminars in HT, 4 x tutorials in MT/HT, introductory lectures in MT and HT
Does this option require a prior knowledge of the common law?	While a common law background is not a prerequisite, some knowledge of common law doctrines of property and trusts will be necessary to cope with the material in this course. MJur students or those with a non-common law background who are prepared to put in preparatory work are welcomed; please discuss required knowledge with the Convenor before signing on.

Civilian Foundations of Contract Law

Overview

The purpose of the course is to study the Civilian Law of Contracts, particularly the Law of Sale, as it developed from ca. 1100 AD till the end of the 19th century, with some limited comparison with the development of English law in the same period and the English use of civilian contract ideas. The Roman law of Justinian's codification, as it was picked up in the late Middle Ages, provided the basis for this development. It was the subject of mediaeval and later commentaries; study of these will show how the texts were interpreted and eventually adapted to contemporary use. Key topics are

the emergence of a general contract law with some of its aspects and the law of Sale. (In previous years the course was titled 'Roman and Civilian laws of Contract').

Learning outcomes: An understanding of how modern civilian doctrines emerged from the adaptation of Roman Law texts and how the emergence from a university environment gave these doctrines their distinct scholastic flavour. An understanding of basic concepts of the general civilian idea of 'contract' and of the civilian contract of sale in particular.

Topics covered

- I. The history of learned civil law from the high Middle Ages to the 19th century and its sources (classes 1 and 2).
- II. The emergence of a general contract concept; types of contract; the role of stipulatio; innominate contracts (classes 3 and 4).
- III. Aspects of contract law: Conditions, agency, error (class 5).
- IV. Sale contracts in particular: Formation, transfer of ownership, warranty of title (class 6); passing of risk, breach of contract, specific performance, damages (class 7); the same, ctd., and latent defects (class 8).

Convenor	Wolfgang Ernst
Name of those teaching on this option	Wolfgang Ernst Mike Macnair
Timing of lectures/seminars/tutorials	4x seminars in MT, 4x seminars in HT 1x tutorial in MT, 2x tutorial in HT, 1x tutorial in TT
Does this option require a prior knowledge of the common law?	No

Commercial Remedies*

Overview

This course aims to provide an in-depth understanding of remedies in a commercial context, interpreting that phrase in a wide sense. It will cover remedies for civil wrongs (i.e., breach of contract, tort and equitable wrongs) but will exclude any direct consideration of damages for personal injury and death. The course will build on knowledge which all law undergraduates ought to have and will enable students to look in greater depth at matters dealt with at undergraduate level. The approach will be avowedly traditional in that the focus will be on case analysis and doctrine. As with the Restitution of Unjust Enrichment course, with which this will dovetail, the anticipation is that developments at the cutting edge of the law will be constantly debated. An important and novel aspect of the course will be to consider claims at common law and equity alongside one another, so as to see the similarities and differences.

Learning outcomes: a comprehensive understanding of remedies for civil wrongs in a commercial context.

Topics covered

Compensatory damages, gain based awards, injunctions, specific performance, punitive damages, equitable relief against forfeiture, penalty clauses, the action for the agreed sum, interest awards, limitation, election, termination for breach, account in equity and equitable compensation

Convenor	Robert Stevens
Name of those teaching on this option	Robert Stevens Sandy Steel Fred Wilmot-Smith Sam Williams Timothy Liau (TBC)
Timing of lectures/seminars/tutorials	4 lectures in TT. 4 seminars in MT, 8 seminars in HT. 1 tutorial in MT, 3 tutorials in HT.
Does this option require a prior knowledge of the common law?	No, but some basic understanding of contract, tort and trusts is helpful.

Comparative Copyright – Half Option

Overview

This half-option provides a comparative analysis of copyright law across the laws of the UK, the EU (with a particular focus on France and Germany) and the United States. These jurisdictions have been chosen because they have driven the development of copyright law internationally (initially through colonialism in the case of the UK and France and subsequently through dominance in multilateral fora and in bilateral trade negotiations).

The course is arranged thematically and is structured around the issues and dilemmas that all copyright systems have to confront. What sorts of creation attract copyright protection? What rights do we give to copyright owners? Who owns copyright and should freedom of contract be given primacy, or should authors be protected from entering into disadvantageous agreements? When does some overriding goal of public policy justify the provision of a defence? The course will look at the conceptual frameworks, assumptions and matters of general legal policy that have produced the most noticeable areas of divergence. The course will also emphasise the need to be wary of crude and isolated comparisons and illustrate how countries can use superficially very different policy levers to produce outcomes that may not be all that different in practice.

Learning outcomes: a critical understanding of areas of convergence and divergence in copyright policymaking; a solid grasp of the international copyright system (including the provisions of the Berne Convention and TRIPS Agreement); and an appreciation of the philosophical, ethical and cultural differences that are said to make harmonisation of copyright laws problematic.

Topics covered

1. History & Theory; Harmonisation and Divergence
2. Subject Matter and Authorship
3. Economic Rights
4. Moral Rights
5. Licences, Assignments and other Transactions
6. Defences

Convenor	Robert Burrell
Name of those teaching on this option	Robert Burrell Emily Hudson
Timing of lectures/seminars/tutorials	8x seminars 4x tutorials
Does this option require a prior knowledge of the common law?	No

Comparative Equality Law

Overview

The right to equality is ubiquitous in human rights instruments in jurisdictions throughout the world. Yet the meaning of equality and non-discrimination are contested. Is equality formal or substantive, and if the latter, what does substantive equality entail? Which groups should be protected from discrimination and how do we decide? How do we capture conceptualisations of equality in legal terms and when should equality give way to other priorities, such as conflicting freedoms or cost? The aim of this course is to examine these and other key issues through the prism of comparative law. Given the growing exchange of ideas across different jurisdictions, the comparative technique is a valuable analytic tool to illuminate this field. At the same time, the course pays attention to the importance of social, legal and historical context to the development of legal concepts and their impact.

The first half of the course approaches the subject thematically, while the second half of the course addresses individual grounds, ending with a consideration of remedial structures. Theory is integrated throughout the course, and the relationship between grounds of discrimination and other human rights is explored. The course will be predominantly based on materials from the US, Canada, South Africa, India, the UK, EU, and ECHR, although some materials from other Commonwealth countries or

individual European countries will be included. International human rights instruments are also examined. Employment related discrimination is generally dealt with in the Human Rights at Work course. The course does not require previous knowledge of equality or discrimination law. Students are encouraged to participate in the activities of the Oxford Human Rights Hub, which is directed by Professor Fredman. The Hub website features daily blogs on cutting edge new developments in human rights and equality law, and students on the course are encouraged both to read and to contribute to the blog. The Hub also produces webinars and podcasts on pressing current issues in comparative human rights and equality law.

Topics covered

See overview.

Convenor	Sandra Fredman
Name of those teaching on this option	Sandra Fredman Barbara Havelkova
Timing of lectures/seminars/tutorials	7x seminars in MT, 7x seminars in HT 1x tutorial in MT, 1x tutorial in HT, 2x tutorials in TT
Does this option require a prior knowledge of the common law?	No

Comparative Human Rights

Overview

Human rights issues are both universal and contested. As human beings, we should all have human rights; yet there remains deep disagreement about the meaning and application of human rights. Courts in different jurisdictions face similar human rights questions; yet the answers often differ. At the same time, there is a growing transnational conversation between courts, with cases in one jurisdiction being discussed and cited in other jurisdictions. This course uses comparative methodology to examine the ways in which central human rights questions are addressed in different jurisdictions. On the one hand, the shared language of human rights and equality suggests that there should be similar solutions to comparable problems. On the other hand, there are important differences between legal institutions, socio-economic development, history and culture.

The course uses comparative human rights jurisprudence to examine these issues. Our main materials are judgments in different courts and the fascinating ways in which these difficult questions are decided. We are not a course in theory, but we use theory to understand the jurisprudence of different courts. We also use case-law to revisit our theory, even if this means radically different understandings of what a human right is. The course is unusual in that we contest the division between socio-economic rights and civil and political rights. So, when we address the right to life and security, we look at capital punishment and abortion as well as the right to health, housing and welfare. When we look at liberty rights, such as freedom of expression, we also look at the right to education. We are primarily court-centred, but we also take a critical look at a court-centred approach, by considering what constraints this might place on human rights, and by comparing to non-legal methods. The course integrates international and comparative human rights materials on a thematic basis: we look at a number of jurisdictions – primarily the USA, Canada, India, and South Africa – but we also look at international

and regional instruments (specifically the European Convention on Human Rights) for the substance of the rights.

Students are encouraged to participate in the activities of the Oxford Human Rights Hub, which is directed by Professor Fredman. The Hub website features daily blogs on cutting edge new developments in human rights and equality law, and students on the course are encouraged both to read and to contribute to the blog. The Hub also produces webinars and podcasts on pressing current issues in comparative human rights and equality law.

Teaching for this subject comprises of seminars and tutorials. In general, the seminars aim to encourage extensive class participation and extended high-level discussion of particular topics of importance. Tutorials provide the opportunity to write essays and discuss essay and examination technique. The course as a whole, aims to contribute to the legal education of the student by providing the opportunity for comparative study, during which the appropriateness and utility of comparative legal techniques will be considered.

Learning outcomes: an understanding of theoretical concepts of human rights and of how those concepts relate to legal concepts and are applied in different jurisdictions.

Topics covered

1. What is a Human Right?
2. Comparativism in Human Rights Law
3. Civil and political rights and socio-economic rights
4. Justiciability and Democracy
5. Death Penalty
6. Abortion
7. The Right to Health
8. The Right to Housing
9. Free Speech
10. Right to Education
11. Freedom of Religion
12. Privacy
13. Enforcement

Convenor	Sandra Fredman
Name of those teaching on this option	Sandra Fredman Nick Bamforth
Timing of lectures/seminars/tutorials	7x seminars in MT, 7x seminars in HT 1x tutorial in MT, 1x tutorial in HT, 2x tutorials in TT
Does this option require a prior knowledge of the common law?	No

Competition Law

Overview

We live in a society characterised by ample choice, smiling service providers and reasonably priced goods. Sure, things can always improve. No doubt. But pause for a second and appreciate one of the key drivers that make this environment possible – the competitive process. It is the rivalry between

businesses and traders that delivers the abundance of choice, the lower prices, the increased innovation, and the better quality of goods and services. It is this process of competition which enables your money to go the extra step: to buy more for less.

As a society, we strive to protect the beneficial dynamics of competition as a means to enhance consumer welfare, deliver efficiencies, and encourage innovation. At times, society has to work hard to maintain the abundance that comes with competition. While competition benefits us, the consumers, it makes the life of producers, sellers and service providers rather difficult. And so, at times, these sellers and service providers may look for ways to dampen the competitive process. Think, for example, of price-fixing cartels or market sharing agreements which result in us paying more and getting less. Think of powerful companies that might abuse their power to distort the market, for example, by stopping their customer from buying from other companies. Or maybe large merger transactions between two giant companies that could leave us dealing with a single dominant seller that benefits from concentrated power.

Our antitrust and competition laws are designed to address these risks, remedy possible market failures, and safeguard consumer welfare. Our competition agencies and courts are tasked with enforcing the law. As they do so, they face the challenge of correctly identifying what amounts to an anti-competitive activity and curtailing it to ensure dynamic and competitive markets.

The objective of the course is to explore these challenges and provide students with an understanding of competition law, together with the ability to subject it to critical legal and economic analysis. The course aims to cover the main substantive laws relating to competition within the EU, including the control of monopoly and oligopoly; merger control; anti-competitive agreements; and other anti-competitive practices.

The course also explores new frontiers in enforcement, including the application of competition laws to the digital platform economy, the role of sustainability in competition enforcement, the relationship between competition and economic inequality, and the interface between competition and democracy.

The emphasis is placed predominantly on EU competition law to reflect the importance it assumes in practice. UK competition law is also taught, both because of its value in providing a comparative study of two systems of competition law and because of its importance to the UK practitioner. The antitrust laws of the USA and recent enforcement actions are explored to offer a comparative perspective and insight into the wider international dimension.

Visiting speakers: There is a programme of visiting speakers details of which are found on the CCLP website.

Learning outcomes: a comprehensive understanding of the core principles of competition law, its application in the EU, UK, US and elsewhere, and the policy debate surrounding its scope and limitations. At the end of the course, students should be able to critically reflect upon the law, economics, and policy underpinning competition law enforcement.

No prior knowledge of economics is required.

Topics covered

- Competition policy and enforcement choices.
- Market definition and the scope of competition.
- The abuse of market power.
- Anticompetitive agreements.
- Cartel enforcement
- Oligopolies and tacit collusion
- Horizontal and vertical agreements.
- Merger control.
- Public enforcement by the competition agencies.
- Private enforcement and collective actions in court.
- Competition, digitalisation, and artificial intelligence.

- Competition and sustainability.
- Competition and democracy
- Comparative analysis of EU, UK, and US competition/antitrust laws.

Convenor	Ariel Ezrachi
Name of those teaching on this option	Ariel Ezrachi Aidan Robertson Simon Holmes
Timing of lectures/seminars/tutorials	4x2hr introductory lectures in MT 8x 2hr seminars in MT, 7x 2hr seminars in HT 2x 1.5 hr tutorials in HT, 2x 1hr tutorials in TT
Does this option require a prior knowledge of the common law?	No
Does this option require a prior knowledge of economics?	No

Conflict of Laws

Overview

This course involves a study of key aspects of the Conflict of Laws in England and Wales.

The Conflict of Laws, or Private International Law, is concerned with private (mainly commercial) law cases, where the facts which give rise to litigation contain one or more foreign elements. A court may be asked to give relief for breach of a commercial contract made abroad, or to be performed abroad, or to which one or both of the parties is not English. It may be asked to grant relief in respect of an alleged tort occurring abroad, or to resolve competing claims to tangible or intangible property, and so on. In each case, the court must decide whether to apply laws of English or foreign origin to determine the matters in dispute. This exercise in identifying the law applicable is the second of three areas around which this course in the Conflict of Laws is centred. Prior to this comes the issue of jurisdiction; that is, when an English court will find that it has, and will exercise, jurisdiction over a defendant who is not English, or over a dispute which may have little to do with England or with English law. Closely allied to this is the question of what, if anything, may be done to impede proceedings which are underway in a foreign court but which (in the view of one of the parties or of the court) really should not be there at all. The remaining element of the course is concerned with the recognition and enforcement of foreign judgments, to determine what effect, if any, these have in the English legal order.

In England, the subject was significantly influenced by EU law from the 1980s onwards. Brexit notwithstanding, that strong influence remains today, in particular in the area of choice of law for contractual and non-contractual obligations but also with respect to some of the rules governing the jurisdiction of the English courts. As well as studying these elements of English law, some other aspects of the EU instruments (no longer applicable in the United Kingdom) will be used

comparatively, to show that conflict of laws problems can be approached and addressed in different ways. We will also study the Hague Choice of Court Convention (2005), as implemented in the United Kingdom, and the Hague Judgments Convention (2019) (not yet in force), which also provide contrast with the common law rules.

The main purpose of the course is to examine the areas studied by reference to case law and statute, and to aim at acquiring an understanding of the rules, their operation and inter-relationship, as would be necessary to deal with problems arising in practice in litigation with a cross border element. Those taking the course will gain an understanding of the concepts and practical applications of private international law as it applies in legal systems around the world. The final seminar will study of a small number of specialist topics offering fresh perspectives on the subject.

Topics covered

1. Jurisdiction, in particular in cases involving contract, tort and property
2. Choice of law, with particular reference to cases involving contract, tort and property
3. The recognition and enforcement of foreign judgments
4. The enforcement of foreign penal, revenue and public laws and the exclusion of foreign law
5. Selected perspectives on the conflict of laws

Convenor	Edwin Peel
Name of those teaching on this option	Edwin Peel Roxana Banu Brooke Marshall Johannes Ungerer
Timing of lectures/seminars/tutorials	3-4hrs of lectures in MT, 4-6hrs of lectures in HT 4x 2hr seminars in MT, 6x 2hr seminars in HT 2x tutorials in MT, 2-3x tutorials in HT Collection review seminar and revision class/tutorial in TT
Does this option require a prior knowledge of the common law?	No

Constitutional Principles of the EU

Overview

The course provides an advanced understanding of the constitutional issues arising in the law of the EU. The readings include cases of the CJEU, cases from the United Kingdom, Germany and France as well as suitable readings in law and jurisprudence. Topics will include the nature of the EU as a constitutional state in the making or a sui generis international organisation; the CJEU doctrine of the

'autonomy' of EU law; the principle of direct effect; the principle of supremacy; non-discrimination; citizenship; the principles of human rights; the effectiveness of remedies and the principle of procedural autonomy. We also examine the constitutional implications of the Eurozone crisis, the immigration and asylum crisis and the Brexit process.

Topics covered

- Constitutional Principles
- Competence and Institutional Balance
- Direct Effect, Indirect Effect, Incidental Effect
- Remedies, Francovich, Liability
- Fundamental Rights and anti-discrimination
- Proportionality
- Procedural Autonomy
- Judicial Review of EU Acts
- Supremacy – ECJ perspective
- Supremacy – National Perspectives
- Pluralism, Monism, Dualism
- Area of Freedom, Security and Justice
- Citizenship
- Justice and the Internal Market
- Digital Single Market
- Immigration and Asylum
- Energy and the Climate Crisis

Convenor	Iyiola Solanke
Names of those teaching on this option	Jeremias Adams-Prassl Stefan Enchelmaier Angus Johnston Dorota Leczykiewicz Iyiola Solanke
Timing of lectures/seminars/tutorials	Tuesdays 1-3 pm
Does this option require a prior knowledge of the common law?	No

Constitutionalism in Asia

Overview

This course is the study of constitutionalism in Asia from a comparative and interdisciplinary perspective. It has three features:

First, the course examines a variety of constitutionalism in Asia: liberal (e.g., India, Japan, South Korea, and Taiwan); hybrid (e.g., Hong Kong, Malaysia, and Singapore); socialist (e.g., China and Vietnam); military (e.g., Myanmar and Thailand); and tradition/religion-based (Confucian and Buddhist).

Second, the course situates Asian constitutions in politics and society. This course explores questions such as: what the constitutions do; how authoritarian constitutions and authoritarian constitutionalism look like in Asia; how and why the constitutions are made and changed; how the constitutions respond to the divided and plural societies; how local citizens participate in constitutional change; how various sectors of the international community involve in constitutional reform in Asia; how political parties and social movements influence constitutional change; how the basic structure doctrine diffuses across the region; and how courts shape and are shaped by state-building and social change; and how constitutionalism in Asia is informed by transnational norms.

Third, the course both sets Asia in general conversations on constitutionalism (general comparison) and compares constitutional systems within Asia (intra-Asia comparison).

Topics covered

1. Introduction: Constitutions and Constitutionalism
2. Liberal constitutionalism
3. Socialist Constitutionalism
4. Hybrid Constitutionalism
5. Religious Constitutionalism
6. Global Constitutionalism
7. Constitution-making
8. Constitutional Amendment
9. Courts
10. Fourth Branch
11. Social Movements
12. Political Parties
13. Militaries
14. LGBT Rights
15. Constitutional Accommodation
16. Constitutionalism and Development

Convenor	Ngoc Son Bui
Name of those teaching on this option	Ngoc Son Bui Yasser Kureshi [YK]
Timing of lectures/seminars/tutorials	Tuesday, 9-11 am
Does this option require a prior knowledge of the common law?	No

Corporate Finance Law

Overview

The limited company is a hugely popular business vehicle, and the primary reason for this is its ability to act as a successful vehicle for raising business finance and diversifying financial risk. All companies need to raise money in order to function successfully. It is these "money matters" which are at the heart of corporate law, and an understanding of the ways in which companies can raise money, and the manner in which their money-raising activities are regulated, is central to an understanding of how companies function. The aims of the course are (a) to explain the complex statutory provisions governing the issue and marketing of corporate securities, against the background of business transactions; (b) to explore the fundamental legal propositions around which corporate finance transactions are usually organised and (c) to examine the means by which money is raised by borrowing and quasi-debt and different methods of securing debt obligations. Technical issues will therefore be placed in their economic and business context. There is a strong emphasis on the policy issues underlying the legal rules. The course focuses on the forms of corporate finance and on the structure and regulation of capital markets. The course also examines the attributes of the main types of securities issued by companies and the legal doctrines which are designed to resolve the conflicts of interests between shareholders and creditors.

This course will be of interest to any student wishing to develop a knowledge of corporate law, as well as to those who are corporate finance specialists. No prior knowledge of the subject is required, nor is it necessary to have studied company law, though this will be of significant advantage. Those with no knowledge of company law will need to do some additional background reading prior to the start of seminars, and advice can be given on this issue.

Learning outcomes: an understanding of the means by which companies raise money and the laws which govern those activities.

Topics covered

1. Introduction to Debt and Equity Financing
2. Debt Financing – Contractual Creditor Protection (Debtor)
3. Debt Financing – Contractual Creditor Protection (Third Parties)
4. Debt Financing – Proprietary Creditor Protection
5. Debt Financing – Multiple Lenders
6. Debt Financing – Transferred Debt
7. Crowdfunding
8. Equity Financing – Legal Capital Rules
9. Equity Financing – The Regulation of Capital Markets: Disclosure
10. Equity Financing – Market Abuse Regulation
11. Takeover Regulation
12. Private Equity

Convenor	Anna Christie
Name of those teaching on this option	Anna Christie Richard Salter KC Natalie Mrockova Nilufer von Bismarck
Timing of lectures/seminars/tutorials	Lectures: Wednesdays 11-1 MT and HT Seminars: Tuesdays 9-11 MT and HT Tutorials: MT and HT
Does this option require a prior knowledge of the common law?	Those without prior knowledge of the common law are welcome, especially if they have prior knowledge of corporate finance in their own jurisdictions, but they must be prepared to engage with case law and with UK statutes where appropriate

Corporate Insolvency Law*

Overview

The insolvency of a company gives rise to a number of fascinating questions. Why are formal (state-supplied) procedures needed for the treatment of distressed companies? When should such procedures be triggered, and for whose benefit should they be conducted? To what extent should they be geared towards the rescue of the company or its business? What rights should those to whom the company is indebted - its creditors - have over the conduct of the proceedings? In what order of priority should their claims be paid? How should the managers of the distressed company be dealt with, in and outside of formal insolvency proceedings?

In this course, students explore these questions in three ways: first, by reading and evaluating theoretical and empirical literature on the purpose and design of corporate insolvency laws in general; second, by a close study of the formal insolvency and restructuring procedures available under English law, considering their operation in both purely domestic cases and in those with one or more cross-border elements; third, by exploring some of the core features of the insolvency laws of other jurisdictions, with a view to evaluating the procedures available under English law from a comparative and functional perspective.

Students taking the course can thus expect to acquire:

- an advanced understanding of English corporate insolvency law;
- knowledge of some of the core features of the corporate insolvency laws of other jurisdictions, including US and German law;
- knowledge of the special difficulties that arise in cross-border insolvency cases, and of the core features of the European Insolvency Regulation as well as knowledge of the rules of English law that govern the treatment of cross-border insolvencies in English courts;
- advanced understanding of seminal literature on the purpose and design of corporate insolvency laws, and the ability to draw on this literature to critique the laws studied in the course, or any other corporate insolvency system.

Many students taking the course intend to embark upon or continue a career in corporate or commercial law, where an advanced understanding of English corporate insolvency law (on which the insolvency laws of many other jurisdictions are modelled) is particularly valuable. However, the course has also proven to be of interest to students who are interested more generally in understanding the purposes of mandatory corporate law rules, and their impact on the cost and availability of finance. No prior knowledge of corporate insolvency law is required, nor is it necessary to have studied company law, though the latter is of some advantage.

Topics covered

The framework and objectives of corporate insolvency law; the treatment of assets and claims; the treatment of executory contracts; director liability; transaction avoidance; corporate rescue; restructuring; cross border insolvency law; comparative corporate insolvency law.

Convenor	Kristin van Zwieten
Names of those teaching on this option	Professor Kristin van Zwieten, Professor Horst Eidenmueller (on leave during MT and HT but offering a tutorial in TT), Visiting Professor Georg Ringe (involved in course delivery during Prof Eidenmueller’s sabbatical), Justice Nick Segal, Felicity Toubé KC, Dr Natalie Mrockova
Timing of lectures/seminars/tutorials	6 lectures in MT, 4 lectures in HT. 6 seminars in MT, 4 seminars in HT 1 tutorial in MT, 2 tutorials in HT, 1 tutorial in TT
Does this option require a prior knowledge of the common law?	Students who are familiar with common law methods will be at an advantage in reading the cases on the reading list. We do however have MJur students successfully taking the course every year

Criminal Law Theory – Homicide – Half-Option

Overview

Homicide has a claim to being the most serious of crimes, involving the gravest of harms and eliciting the heaviest of sanctions. Its criminalization is universal, but the form which such criminalization takes varies greatly across jurisdictions. Homicide is at once a paradigm of criminal offending generally, reflecting the irreversible, non-negotiable, and non-compensable harms and wrongs it entails, while also exhibiting a marked doctrinal “exceptionalism,” especially in the realm of defences. The law of homicide law thus presents a rich context in which to study a range of foundational issues within criminal law theory.

The course will begin by asking what it is that makes homicide pro tanto blameworthy, focusing on the key concepts of harmfulness, wrongfulness, and culpability. It will then consider two threshold issues: (1) who or what should count as a “human being” for purposes of homicide law (an issue that arises at

both the beginning and end of life), and (2) what it means to “cause” death (focusing in particular on the differences between “killing” and “letting die”). Next, the course will consider consent as a potential defence to homicide, as occurs in the context of voluntary euthanasia and suicide-related conduct. After that, we will consider the remaining key defences and partial defences to homicide, including necessity, duress, self-defence, provocation, diminished capacity, and imperfect self-defence. Finally, having sought to answer which acts should be considered homicide at the threshold, we will then ask which acts of homicide should be regarded as more or less serious than others, an issue that is played out in the realm of offence labelling and grading, especially with respect to differences in fault elements. The readings throughout will consist of a wide range of statutes, cases, and scholarly works in legal and moral theory, primarily from British and American sources, thereby providing a comparative perspective on the criminal law.

Topics covered

1. The value of life and the wrongness of killing
2. Who or what is protected by the law of homicide?
3. Causing death?
4. The end of life, suicide, assisted suicide, and euthanasia
5. Justified homicide
6. Excuse and partial defences
7. Grading and labelling homicide

Convenor	Prof Matt Dyson
Name of those teaching on this option	Prof Matt Dyson Prof Stuart Green (Visiting Professor) Prof Jeff McMahon (in attendance)
Timing of lectures/seminars/tutorials	8 Seminars in Michaelmas Term 2 Tutorials in Micheaelmas Term
Does this option require a prior knowledge of the common law?	No

Families and the State: Adult Relationships – Half-Option

Overview

This course looks at the regulation of adult family relationships. It explores the nature of marriage and disputes over the place it has in family law. The course also considers domestic abuse and the legal responses to that. The course considers issues around care within families, including financial orders on separation. It looks at the intersection of religion and family law: how the law responds to religious diversity and the role of religious courts.

Topics covered

- Marriage
- Cohabitation
- Regulation of adult relationships
- Domestic abuse
- Financial orders on separation
- Religious courts and family disputes
- Respecting religious diversity and family law
- Legal responses to care in family relationships.

Convenor	Jonathan Herring
Name of those teaching on this option	Jonathan Herring Rachel Taylor Shazia Choudhry
Timing of lectures/seminars/tutorials	12hrs of seminars in HT 2x tutorials in HT 1x revision session in HT
Does this option require a prior knowledge of the common law?	None required

Families and the State: Children and the Law – Half-Option

Overview

The aim of this option is to examine a number of the most significant issues affecting the legal regulation of children and their families.

The readings have been selected to integrate deep, theoretical debates with contemporary legal, policy, and empirical developments. We are particularly concerned to understand the embeddedness and broader impact of the governing law.

Our intention is that, after completing the option, you are empowered and challenged to both critique and reassess the value of theoretical arguments made in this context, as well as reconsider how best to address real world problems.

This option will naturally appeal to students with a particular interest in family law and human rights law. More generally, it will appeal to students interested in broader debates that affect everyday life: Do children have rights? Do parents have rights? What should we value when deciding who should be seen as ‘parent’ in law – genetics, caring for the child, and so forth? It will also appeal to students who enjoy blending theoretical and conceptual arguments with the practical messiness of everyday life. Finally, it will appeal to students who are interested in bringing international sources of law to bear on such problems.

Learning outcomes: Through studying this option, you will be able to:

Understand and critically evaluate theoretical approaches to ‘rights’, ‘children’s rights’, ‘welfare’, and ‘wellbeing’.

Topics covered

Analyse the application and relevance of theoretical perspectives to topical legal issues relating to the regulation of children’s lives.

Acquire a deep knowledge of topical legal issues that relate to the regulation of children in English law, the law of selected other jurisdictions, European and international law.

Appreciate and be sensitive to the value of European, international, and cross-jurisdictional legal perspectives for the improvement of the English legal approach to regulating children and their families.

Integrate and synthesise cross-disciplinary perspectives from theory, public and social policy, and empirical research, to generate enriched, holistic insights into the most significant difficulties in the legal regulation of children and their families.

The following are some of the key topics in the course:

1. Theories of children’s rights

2. International children’s rights
3. Children’s welfare and wellbeing
4. Parenthood
5. Parental responsibilities and rights
6. Diversity, religion, and families.

In each topic, we will examine illustrative ‘case study’ case law and statutory materials from English law, other jurisdictions, and international law. This will involve considering a broader range of key theoretical, policy, and empirical materials to enable us to situate the legal debate within its complex context.

Convenor	Rachel Taylor
Name of those teaching on this option	Rachel Taylor
Timing of lectures/seminars/tutorials	7 seminars (including an introductory seminar) and 2 tutorials in MT
Does this option require a prior knowledge of the common law?	No

Human Rights at Work

Overview

This is a course in advanced employment and labour law, with a particular focus on the human rights dimensions of the subject.

The course examines how the idea of human rights benchmarks, guides, constitutes, and regulates the legal rules and standards governing work. Human rights perspectives have become increasingly popular in the field in recent years because of a perceived need to find a way of guaranteeing basic protections for working people against the pressures arising first from globalisation and more recently from technological change. However, the approach is not uncontroversial: why should rights drafted with states in mind be applied to employers, and do employers themselves have rights the law should protect? We address these and other controversies at various points during the course.

Our strategy is to examine a number of different rights in depth, to illustrate the complex interplay between international, regional, and national norms, and between various forms and sources of protection. These rights include freedom of association, the right to strike, the right to privacy, freedom of expression, freedom of religion, freedom from slavery, forced labour and trafficking, and equality rights across various protected characteristics. We also explore a number of cross-cutting themes, such as the rise of the gig economy and the possibility that many jobs may become obsolete because of automation.

In addition, the course critically examines the various mechanisms for protecting rights, which range from judicial enforcement, through international conventions with various mechanisms of interpretation, to self-regulation by employers through corporate codes of conduct.

The course ranges widely across international, regional and national law, though it reflects the expertise of those involved in teaching it and thus makes no claim to be global or universal in its coverage. Human rights of relevance to working people may be found in (a) international law, such as the UN Declaration of Human Rights and the ILO’s Declaration of the Fundamental Rights of Workers,

and other ILO instruments; (b) regional human rights instruments (we focus particularly on the Charter of Fundamental Rights of the EU, the European Convention on Human Rights and the European Social Charter); (c) national constitutions and laws such as the UK Human Rights Act 1998.

Learning outcomes: students will acquire a knowledge of the human rights found in selected international, regional and national laws and standards that are applicable to employment and the workplace, and the institutions and enforcement mechanisms that protect those labour rights; students will learn about the strengths and weaknesses of reliance on human rights law for the protection of labour standards and workers’ interests, and the impact of contemporary developments on the workplace.

There are no prerequisites for this course. Students do not need to have taken an undergraduate labour law or employment law course. Nor does the course presuppose that students should have studied human rights law, international law or EU law.

The course will be taught by means of seven seminars and one tutorial in Michaelmas Term, seven seminars and one tutorial in Hilary Term, and two further tutorials in Trinity Term. Students will be offered a choice of tutorial topics and essay questions so that they can focus on issues of particular interest to them.

We expect the course to be assessed by means of two take-home essays (maximum 8000 words for the two) to be completed between weeks 4-8 of Trinity Term. Students will be given 6-8 essay questions to choose from.

Any students who would like to discuss this course further are encouraged to contact the convenor.

Topics covered

Please note that this is an indicative list of topics and may be subject to some alteration during the year:

Labour Rights as Human Rights; The Sources of Workers’ Rights; The Gig Economy; Employee Status and Labour Rights; Freedom of Association; The Right to Strike; The Right to Privacy; Freedom of Expression; Migration and Trafficking; Business, Corporate Codes, and Human Rights; Digitalisation and the Future of Work; Equality Rights.

Convenor	Anne Davies
Name of those teaching on this option	Anne Davies Jeremias Adams-Prassl Alan Eustace Sandy Fredman
Timing of lectures/seminars/tutorials	7x seminars in MT, 7x seminars in HT 1x tutorial in MT, 1x tutorial in HT, 2x tutorials in TT
Does this option require a prior knowledge of the common law?	No

Incentivising Innovation – Half-Option

Overview

This half-option is concerned with how the law seeks to incentivise innovation. There is an emerging awareness among intellectual property scholars that we need to stop looking at the patent system in isolation. We need to understand how the IP system relates to other policy interventions that are designed to incentivise innovation, including R&D tax credits and innovation prizes and rewards.

Faced with problems like climate change, antimicrobial resistance and sluggish economic growth, it is more important than ever that we get innovation policy right and this requires working beyond traditional disciplinary boundaries. The course will provide you not merely with a solid understanding of the patent system, but also how this system fits within a broader innovation policy landscape.

This half-option is distinctive of IP at Oxford and forms part of our commitment to rethinking how the subject is conceptualised, researched and taught.

Learning outcomes: a critical understanding of innovation as a contested concept; a good grasp of patent law, including controversial topics like ‘evergreening’ and the role of non-practicing entities (‘patent trolls’); awareness of the potential and limitations of other policy interventions as mechanisms for incentivising innovation; an introduction to debates around innovation, short-termism and models of corporate governance.

Topics covered

1. Innovation and Economic theory; Innovation and Intellectual Property Theory
2. Patentable Subject Matter
3. The Nature of the Patent Monopoly
4. Contemporary Issues in Patent Law
5. Incentivizing innovation without IPR: the case of developing countries
6. Incentivising innovation without IPR: grants, prizes, rewards and brands
7. R&D Tax Credits and related tax expenditure regimes
8. The Innovation Time Horizon: the short-termism thesis and its critics

Convenor	Robert Burrell
Names of those teaching on this option	Robert Burrell Emily Hudson
Timing of lectures/seminars/tutorials	8x seminars in MT 4x tutorials
Does this option require a prior knowledge of the common law?	No

International Dispute Settlement

Overview

This option discusses the methods and means of settling disputes in international law. It covers both so-called ‘diplomatic’ and ‘adjudicatory’ methods of dispute settlement and focuses in particular on the process before international courts and tribunals. In the first part of the option, we cover diplomatic methods of dispute settlement and introduce the various courts and tribunals, with special emphasis on the International Court of Justice and the process before it. In the second part of the option, we take a comparative, bird’s eye view over the process before international courts and tribunals, with emphasis on mixed arbitration, including investment arbitration. In that second part we

cover questions of access to courts and tribunals, jurisdiction, admissibility, provisional measures and other interim decisions, merits decisions, and the review and enforcement of decisions and awards.

The teaching also covers general international law topics, such as diplomatic protection and state responsibility. It aims to give students a general understanding of the operation of public international law in its practical application. Previous knowledge of public international law is desirable but not essential, as we will be revisiting basic concepts in the context of seminars, as required.

Topics covered

Methods and means of international dispute settlement; process before international courts and tribunals.

Convenor	Antonios Tzanakopoulos
Name of those teaching on this option	Antonios Tzanakopoulos
Timing of lectures/seminars/tutorials	Seminars during MT & HT Additional seminars in TT 4x tutorials spread over the 3 terms
Does this option require a prior knowledge of the common law?	No

International Economic Law

Overview

International Economic Law has been taught on the BCL/MJur in Oxford since 2003. The course introduces students to the principles and institutions of international economic law and focuses primarily on the institutions and substantive law of the World Trade Organisation (WTO), including notably the WTO dispute settlement mechanism and its substantive jurisprudence, but the course also considers, in briefer fashion, central key aspects of international investor-State arbitration (IIA).

The course considers the law contained in the main WTO Agreements, including those dealing with goods (GATT), services (GATS), the environment, subsidies, and other WTO agreements that are indispensable for a knowledge of the theory and practice (by governments, corporations, NGOs, and lawyers) of the subject area. In addition to introducing participants to the major legal disciplines under the GATT/WTO and the basic principles and cores concepts of the GATT/WTO (based on in-depth study of the relevant GATT/WTO case law), the course considers the underlying philosophy of free trade and a number of the controversies concerning the future evolution of the WTO and its relationship to globalisation, regionalism, and the attempt by States to achieve other policy objectives (such as protection of the environment).

WTO dispute settlement and investor-State arbitration have been by far the most widely used – and in many respects most successful – mechanisms of international dispute settlement that have ever existed. The IEL course involves a focus on both mechanisms, but also provides a deeper understanding by situating them within the context of the substantive law which both mechanisms apply.

No prior knowledge of international law or economics is necessary. Students without international law knowledge will be directed to basic readings.

Learning outcomes are an understanding of the substantive law of the WTO, and the institutions responsible for its governance (including WTO dispute settlement) as well as an understanding of certain key issues relating to international investor-State arbitration (IIA).

Topics covered

1. An Introduction to the International Trading System: Law and Policy
2. Preferential Trade Agreements & Relationship to the International Trading System
3. Legal & Institutional Aspects of the WTO I
4. Legal & Institutional Aspects of the WTO II
5. Most Favoured Nation Treatment principle / National Treatment Principle
6. Tariffs, Quotas, & General Exceptions
7. US-China Trade Relations
8. WTO Dispute Settlement
9. The Law of Subsidies
10. Technical Barriers to Trade
11. International Investment Arbitration I: IIA & WTO Dispute Settlement
12. International Investment Arbitration II: Jurisdiction
13. International Investment Arbitration III: Merits
14. The Law of Trade in Services I
15. The Law of Trade in Services II

Convenor	Professor Dan Sarooshi KC
Name of those teaching on this option	Professor Dan Sarooshi KC
Timing of lectures/seminars/tutorials	Seminars in MT and HT Tutorials in MT, HT and TT
Does this option require a prior knowledge of the common law?	No

International Environmental Law

Overview

This course introduces students to the fundamental pillars of International environmental law, and international climate change law, in particular. The 2015 Paris Agreement, the result of the most significant, high-stakes and high-profile multilateral negotiation in the last decade, reflects considerable innovation, with implications both for international environmental law, as well as for public international law more broadly. This course explores the conceptual architecture, principles, standards and rules of international environmental law, with a particular focus on the international law relating to climate change.

This course is divided into three parts. The first part focuses on the nature, evolution, sources and principles of international environmental law as well as key institutions and actors, tools and techniques, and compliance mechanisms. The second part engages in an in-depth case study of the

climate change regime, and the third part is a practical component in multilateral environmental treaty-making.

Learning Outcomes: By the end of this course students should have a sophisticated understanding of the fundamental principles, concepts, obligations, instruments, tools and techniques of international environmental law across a wide variety of issue areas (such as biodiversity, ozone, wildlife, whaling and climate change). Students should be able to critically analyse and interpret cases and treaties in the field of international environmental law, and international climate change law. They should have the cognitive and technical skills to identify and plug gaps in the international environmental law and climate change regimes, as well to sift through and interpret UN documents, state submissions and instruments, and draft multilateral environmental treaties. After having completed this course, a student should, more generally, be able to demonstrate autonomy, expert judgment and responsibility as a practitioner and scholar of international environmental law.

Topics covered

See overview.

Convenor	Lavanya Rajamani
Name of those teaching on this option	Lavanya Rajamani. Guests invited to engage with students include Daniel Bodansky, Jacob Werksman, Lucy Maxwell, Justice Brian Preston, Justice Mansoor Ali Shah, and Andrew Higham
Timing of lectures/seminars/tutorials	8 Seminars in MT and HT respectively, Revision seminar and mock exam in TT, 2 tutorials in MT, 2 tutorials in HT. Seminars will be held Tuesdays 11-1 in All Souls College, or online if necessary.
Does this option require a prior knowledge of the common law?	No. Prior knowledge of public international law will be an advantage, but it is not a pre-requisite.

International Human Rights Law: Theory, Practice and Critique

Overview

The international law of human rights has evolved considerably in the last couple of decades. From its early focus on traditional civil liberties, the field has burgeoned to include the study of socio-economic rights, women’s rights, disability rights, rights of indigenous peoples also including a thriving discourse on the theory, methodology, history, and critiques of the field. The field of international human rights law thus encompasses a wide and substantial range of issues today. These issues are both substantive and structural in nature: that is, they relate to specific topics to do with the content of individual human rights and State obligations under international law; as well as their situatedness within the larger structure or ‘constitution’ of the field of public international law.

This course examines both the substance and structure of the field of international human rights law from a theoretical and critical perspective. The course is thus dedicated to understanding the normative foundations of 'the field' as a whole, resisting the typical approaches of it being characterised as either overly descriptive (simply doctrinal) or normatively inert (lacking a theory), or otherwise subsumed by fields such as constitutional law where human rights are normally located.

Instead, the course facilitates intellectual engagement with human rights as they are located within the logic of public international law, from both the mainstream (philosophical, doctrinal) as well as hitherto marginal approaches (feminist, TWAIL, historical, critical theory) to the field, with the purpose of grappling some of the most pressing human rights issues related to climate justice, racism, intersectionality etc. This is a generalist course which may be of broad interest to students keen on studying the intersection of public international law and human rights from a blended perspective of theory, practice and critique.

The course is examined by extended essays at the end of Michaelmas and Hilary Terms. The assessment involves two extended essays of 2,500 words each (excluding footnotes).

Topics covered

Michaelmas Term

- Week 1 9 Oct: What is theory of IHRL?
- Week 2 16 Oct: What are human rights in IHRL?
- Week 3 23 Oct: What are the legal foundations of IHRL?
- Week 4 30 Oct: What are the international foundations of IHRL?
- Week 5 6 Nov: From consent to constitution
- Week 6 13 Nov: Individual rights
- Week 7 20 Nov: Collective rights
- Week 8 27 Nov: Limitations

Hilary Term

- Week 1 15 Jan: Remedies in International Human Rights Systems
- Week 2 22 Jan: Domestic implementation of IHRL
- Week 3 29 Jan: Reform of IHRL
- Week 4 5 Feb: TWAIL
- Week 5 12 Feb: Feminist approaches to IHRL
- Week 6 19 Feb: Marxist, anthropological and historical approaches to IHRL
- Week 7 26 Feb: Future of IHRL I: Response to Sceptics
- Week 8 4 March: Future of IHRL II: Human rights and the digital realm

Convenor	Shreya Atrey
Name of those teaching on this option	Freya Baetens Martin Scheinin Shreya Atrey
Timing of lectures/seminars/tutorials	8x seminars in MT, 8x seminars in HT 2x tutorials in MT, 2x tutorials in HT
Does this option require a prior knowledge of the common law?	No

International Law and Armed Conflict

Overview

This option covers the range of international law rules that applies in the run-up to, and during armed conflict. In the first part of the option, we review the law on recourse to force (the jus ad bellum). In

this part, we will examine the meaning and scope of the prohibition of the use of force before turning to the exceptions and claimed exceptions to that provision. We will consider the individual and collective self-defence, including self defence in response to attacks by non-state armed groups; humanitarian intervention and the UN collective security scheme.

In the second part of the option, we review the law applicable during armed conflict (the jus in bello or international humanitarian law), after discussing the classification of armed conflicts as international or non-international. This review will cover: (i) the law relating to detention of persons in armed conflict, including prisoner of war status and the protections accorded to detained civilians; and (ii) the law governing the conduct of hostilities especially the rules relating to targeting.

The third part of the course will consider the application of human rights law in armed conflict. In this part, there will be consideration of the extraterritorial application of human rights treaties, the relationship between human rights law and international humanitarian law as well as the relationship between human rights law and the jus ad bellum.

Learning outcomes: an understanding of the laws which determine whether and when States are entitled to use armed force, and which apply during an armed conflict (including international human rights law).

Topics covered

- The Law on the Use of Force (the jus ad bellum)
- International Humanitarian Law
- Human Rights in armed conflict

Convenor	Dapo Akande
Name of those teaching on this option	Dapo Akande
Timing of lectures/seminars/tutorials	Seminars on Mondays over MT & HT Some seminars to take place in TT 4x tutorials spread over 3 terms
Does this option require a prior knowledge of the common law?	No

International Law of the Sea

Overview

The oceans are critical to State interests and human prosperity, being a highway for commerce, a shared resource and a conduit for threats to security. They cover 70% of the earth’s surface, account for 90% of the world’s international trade and provide 40% of the protein consumed in the developing world.

In this context, the law of the sea is assuming a new prominence in international affairs, from questions of environmental protection and offshore resource exploitation to legal contests over polar resources

and sea lanes rendered more accessible by global warming, and even regarding the risk of maritime terrorism and smuggling weapons of mass destruction. This course will approach the law of the sea in the context of these new developments and concerns. It provides a comprehensive grounding in the subject, combining the study of maritime zones (such as the territorial sea, exclusive economic zone, continental shelf and high seas), with the study of the main bodies of law regulating users of the seas (such as navigation, fishing, pollution and military activities). It also aims to enhance general international law knowledge as the teaching relates the problems of the law of the sea to other relevant areas of general international law, including sources, the law of treaties, and state responsibility.

The teaching consists of weekly two-hour seminars in the Michaelmas and Hilary terms. In Trinity term, there is one two-hour revision seminar, one three-hour mock examination class, and one two-hour examination feedback class.

Learning outcomes: to understand the core principles, law, and institutions of the international law of the sea and to place this legal framework in its policy context; to be able to approach critically and analytically the rules, policies, and principles of this area of international law; and to be able to identify and resolve legal problems involving the public international law of the sea.

Topics covered

The history of the making of the law of the sea and drafting a ‘constitution’ for the oceans; introduction to zones under coastal state jurisdiction (internal waters, territorial sea, contiguous zone, and regimes of passage); exploration and exploitation of the living and non-living resources of the exclusive economic zone; the continental shelf and its outer limits; maritime boundary delimitation; global and regional approaches to the protection of the marine environment; protection of marine species and habitat; conservation of marine biodiversity, including in areas beyond national jurisdiction; fisheries and the scourge of illegal, unreported and unregulated fishing; the deep seabed and regulation of its resources; piracy, maritime security and enforcement at sea; dispute settlement.

Convenor	Antonios Tzanakopoulos
Name of those teaching on this option	Antonios Tzanakopoulos Efthymios Papastavridis
Timing of lectures/seminars/tutorials	8x seminars in MT, 8x seminars in HT, 2x tutorials in MT, 2x tutorials in HT 3x classes in TT (1 revision seminar, 1 mock exam session, 1 exam feedback class)
Does this option require a prior knowledge of the common law?	No

Jurisprudence and Political Theory

Overview

Students taking Jurisprudence and Political Theory have the opportunity to participate in wide-ranging but analytically precise discussions in legal, political, and moral philosophy. Topics include the concept and the nature of law; the fundamental explanation of legal rights and obligations; the nature of legal interpretation; the question whether the law has an essential function or purpose; the nature of

adjudication; the relation of legality to the use of organized force; the individual's moral rights and duties that obtain because of the law; the individual's moral rights against his or her government; the nature and justification of political authority and the character of political obligation. Key political ideas such as equality, liberty, and autonomy, are also included, as are key issues about the nature and source of reasons, the grounds of rights and obligations, and the character of philosophical explanation. Discussion of these topics strives for analytical precision, and often proceeds by critically examining advanced work in progress by members of faculty and others.

The seminars do not necessarily cover all of the topics mentioned above, and of those covered some may be covered in much greater depth than others. Nevertheless, the list of topics gives a good general indication of the field to which the seminars and the eventual list of examination essay topics relate. The course is a philosophy course, and in that sense is a specialist rather than a generalist pursuit. Through it, students may expect to develop some of the skills and dispositions of professional philosophers. It is a graduate level course, and though it has no pre-requisite, students should expect graduate level work and training. An acquaintance with some undergraduate-level jurisprudence is presupposed. Those who enter on this course without having formally studied jurisprudence may prepare themselves by reading some of the following or comparable works: Hart, *The Concept of Law*, Dworkin, *Law's Empire*, Raz, *The Authority of Law*. Students with an Oxford Jurisprudence background, and others, could prepare for the course by careful reading of (for example) Dworkin, *Justice for Hedgehogs*, Rawls, *A Theory of Justice*, Raz, *The Morality of Freedom*, or Scanlon, *What We Owe to Each Other*.

Seminars specifically designed for students on this course are regularly convened by Professors T Adams, J Dickson, H Dindjer, J Edwards, D Enoch, TAO Endicott, and N Stavropoulos. Although the seminars are held with BCL/MJur students in mind, they serve a wider constituency. Participation by students on other graduate programmes (e.g., BPhil, MPhil, DPhil) is actively encouraged, and the level of discussion is sometimes correspondingly advanced. Those taking the paper are also encouraged to participate in seminars and lectures taking place elsewhere in the university, including in some of those advertised on the Philosophy Lecture List and the Politics Lecture List. Those who are not conversant with the basics of political philosophy, in particular, should consider whether to attend lectures on the undergraduate courses in Moral and Political Philosophy in the Law Faculty, in Ethics (see the Philosophy Lecture List), and in the Theory of Politics (see the Politics Lecture List). Lectures from the undergraduate Jurisprudence course in the Law Faculty would also help those who need to be more familiar with the basics of legal philosophy.

Four tutorials will be provided in HT, usually in groups of two or three. These are arranged by the teaching group and neither students nor college tutors need take any steps to organise them.

Examination is by the submission of three essays, written over the Easter vacation. You should expect to spend the larger part of the six weeks of the Easter vacation working on your Jurisprudence and Political Theory essays. The assumption is that you will not write essays that duplicate the seminar discussions. Instead, you will do your research for yourself at Easter, once you know the topics.

Learning outcomes: an understanding of fundamental questions concerning the nature of law and key ideas in political theory; a capacity to approach legal and political issues from a philosophical perspective.

Topics covered

Fundamental questions concerning the nature of law, the nature of reasons, rights and obligations, and key ideas in political theory.

Convenor	Nicos Stavropoulos
Name of those teaching on this option	Thomas Adams Julie Dickson Hasan Dindjer James Edwards David Enoch Timothy Endicott Nicos Stavropoulos
Timing of lectures/seminars/tutorials	22x seminars in MT, 22x seminars in HT 4x tutorials in HT
Does this option require a prior knowledge of the common law?	No

Law and Computer Science

Overview

Digital (that is, computer-based) technology is transforming society, and the legal system is no exception. As computers permeate more of our lives, digital environments increasingly become the source of legally significant events. This means that those seeking to study and/or practice law increasingly need to understand the digital context. At the same time, those seeking to study computer science and/or develop software increasingly need to understand potential legal consequences of design choices. This course, jointly offered by the Law Faculty and the Department of Computer Science, will introduce students from both backgrounds to the terrain at the boundaries of their two disciplines. The overarching theme of the course is consequently understanding law as it intersects with computer science.

Such interdisciplinary understanding requires both lawyers and computer scientists to develop an appreciation of the way in which they typically approach problems with very different analytic tools. A key pedagogical strategy for the course is to combine law and computer science students together for significant parts of the material, and in particular, for a number of group work exercises. This will accelerate both groups' acculturation to each other's analytic perspectives through learning from each other as well as from faculty.

As offered to law students, the course content will engage with three distinct but complementary sets of questions:

A. The core theme is: How will computer scientists and lawyers of the future need to work together? Do they at present have a common language and a common understanding of concepts such as "rules" or "fairness"? If not, how can such a common approach best be forged?

This is then developed in two auxiliary themes:

B. Digital technology in legal practice: How is digital technology being deployed in key areas of "legal work" such as contracting and dispute resolution? What commercial imperatives, and legal and technological constraints, operate on this deployment? How are they likely to shape its future trajectory?

C. Digital technology and legal questions: How are concepts and analytic methods from computer science pertinent to the application of substantive law? Are there any gaps in existing legal doctrine that will need to be addressed, and if so, how? Do common themes emerge in the challenges that arise and the ways in which they should be addressed?

A number of different colleagues from the Law Faculty and the Department of Computer Science, as well as the OII and legal practice will contribute to the delivery of the course, bringing a wide range of relevant expertise.

As offered to law students, the course will consist of 32 hours of lectures and seminars, of which the first 24 will be shared with computer science students. There will also be 4 x 2-hour group work lab sessions in which computer scientists and lawyers will have the opportunity to work together on a small project, and a set of 3 x 1-hour tutorials with lawyers and one equivalent session with a computer scientist to enable students to explore topics in more detail and to provide feedback on written work. The total course load, at 44 contact hours, is very close to the average of 43.2 hours for BCL/MJur/MLF elective options, as determined by the 2016 questionnaire.

Topics covered

Introduction to law and computer science; Introduction to computer science for lawyers; Code and law; Automating law: Smart contracts, LegalTech and automated dispute resolution; The ethics and challenges of automating law; Cryptocurrencies; Information technology and intellectual property; Algorithmic collusion and competition law; Algorithmic discrimination, employment law and the future of work; Algorithmic decision making and public law; Privacy, security and identity; Criminal liability and digital evidence; Tort liability for autonomous systems.

Convenors	Rebecca Williams Tom Melham (Computer Science)
Name of those teaching on this option	Rebecca Williams Tom Melham (Computer Science) And others
Timing of lectures/seminars/tutorials	Lectures and seminars: weekly through MT and HT (each session will be part lecture, part discussion) Tutorials through MT and HT Practical sessions: 3x in MT, 3x in HT plus potential additional workshops
Does this option require a prior knowledge of the common law?	No

Law and Society in Medieval England

Overview

This course introduces students to some of the core areas of English medieval Law (family, property and obligations) with a focus on the thirteenth and early fourteenth centuries and on the ways in which the law in these areas was changed by legislation and judicial decision making., These are core areas for understanding the relationship between the law of the period and the society which it reflected and of which it formed part.

The materials studied are contemporary legislative texts, law reports, official case records and legal treatises and instructional material and modern academic writing on the topics studied. The original materials are in medieval Latin and French, but no knowledge of these languages is required since all will be made available in modern English translation.

Topics covered

A. Law and the family;

- B. Wardship of orphan heirs;
- C. Family settlements;
- D. Lordship and ownership;
- E. Property remedies;
- F. The enforcement of tenurial obligations;
- G. Debts and securities;
- H. Contracts, leases and property management;
- I. Wrongs;
- J. Problems of jurisdiction.

Convenor	Joshua Getzler
Name of those teaching on this option	Joshua Getzler, Paul Brand, Mike Macnair
Timing of lectures/seminars/tutorials	No lectures 4x seminars in MT, 4x seminars in HT 2x tutorials in MT, 2x tutorials in HT (Assessed by two essays to be written during Easter vacation).
Does this option require a prior knowledge of the common law?	No. Since the course studies the beginnings of the common law, and the law studied is sharply different from modern law, prior knowledge of common law is not required.

Law in Society

Overview

The study of law in society means asking a number of questions: Where do legal and social norms come from? What forms does law take? How do the subjects of law understand its meaning and significance? What impact does it have on behaviour, on social order, and on social change? Law and society scholarship respond to these questions by drawing on insights offered by both the social sciences and legal scholarship.

Frequently described as 'law in context', socio-legal studies are largely centred on empirical studies of the lived experience of law.

The first part of the course (8 weeks in MT) introduces students to socio-legal approaches to law and legal phenomena, including the methods used to study them. It starts with some of the foundational theories of law in society, those of Emile Durkheim and Max Weber, on which much subsequent scholarship has been founded. It moves on to consider the range of methods used by socio-legal scholars. Later seminars focus on the actors who shape legal processes, judges and courts, and the wider effects of law in society, including its relation to the maintenance of social order and social change. Going beyond the familiar contexts of national legal systems, the last seminars consider the development and significance of the transnational legal field and the ways in which laws move across borders, whether in the form of 'legal culture' or 'legal transplants'.

The second part of the course (8 weeks in HT) uses anthropological and historical case studies to address substantive questions about what law is and does from the perspective of non-Western societies. The focus is largely on understanding the different systems of law found in other societies

and historical periods. How are we to approach the laws and legal processes of non-literate societies, or the codes of medieval European kings, or the feuding relations of contemporary Tibetan pastoralists? What do they mean and do, and where do they come from? On what grounds can we even define them as 'law'? We also consider colonialism and contemporary studies on the western world, including the appeal of human rights and practices of Islamic law. The diversity of such cases challenges us to ask what unites them as examples of law, while studying what is unfamiliar will help us to reflect on the parameters and cultural specificity of our own concepts of law. Students may choose 6 to 8 seminars to attend from this part of the course.

Topics covered

See overview.

Convenor	Fernanda Pirie
Name of those teaching on this option	Florian Grisel Fernanda Pirie
Timing of lectures/seminars/tutorials	8x seminars in MT 8x seminars in HT Tutorials in MT and HT Revision tutorials in TT
Does this option require a prior knowledge of the common law?	No

Legal Concepts in Environmental Law

Overview

This award-winning course taught by award winning scholars fosters legal expertise in environmental law through the in-depth study of legal reasoning and legal ideas as they relate to environmental problems. Environmental problems are center-stage in business and governing but environmental problems have a type of complexity lawyers are not often used to. They involve many different parties, changing physical conditions, a range of different socio-political values, and knowledge of them is often limited. Traditional legal doctrines and concepts have not been developed with problems like this in mind. As this is the case, environmental law has evolved as a nuanced and intricate body of law at the national level through adapting legal ideas and developing new concepts. This course, through a study of these legal responses in a broad range of national systems, equips students with the intellectual skills needed to nimbly navigate this complex and dynamic legal landscape. Particular attention is given to: understanding environmental problems and the types of legal issues they give rise to; developing skills in working with environmental legislation, policy and case law; and developing an advanced appreciation for legal reasoning in this area. The course draws on cases and case studies from different jurisdictions and part of the legal expertise fostered by the course is the ability to work with legal material from different legal cultures. The course also focuses on current developments. Teaching is highly interactive and discursive. The course is assessed through extended essays.

This course will be of interest to: students who are wanting to deepen their environmental law knowledge through in-depth study of legal reasoning and legal concepts; students exploring law and

society interrelationships; and students who want to develop their skills for dealing with environmental law in different areas of legal practice.

Topics covered

The course covers a range of topics clustered into four themes:

- **Environmental Problems:** socio-political and scientific complexity and how this gives rise to challenges for lawyers.
- **Markets:** emissions trading schemes; chemicals regulation; transnational markets and liability, and infrastructure development.
- **Assessment:** environmental impact assessment, air quality, nature conservation and climate change.
- **Core Legal Ideas:** property, rights, legislation and administration, and courts.

Convenor	Sanja Bogojevic
Name of those teaching on this option	Liz Fisher Sanja Bogojevic Joanna Bell Sue Bright Sonam Gordhan Roxana Banu Plus, guest lecturers from legal and regulatory practice (including Lord Carnwath (visiting Professor))
Timing of lectures/seminars/tutorials	8x seminars in MT, 8x seminars in HT 1x tutorial in MT, 2x tutorial in HT, 1x tutorials in TT and guest lectures
Does this option require a prior knowledge of the common law?	No

Legal Concepts in Financial Law

Overview

The purpose of this course is to explore the most significant legal concepts and private law issues encountered in commercial finance and in commercial and investment banking. This is particularly topical, as many of these issues have been brought into sharp focus by the last financial crisis. Students will be introduced to the various concepts in contract, property, equity and fiduciary law which are used to allocate, manage and transfer risk in transactions on capital markets and in commercial banking. They will also be invited to consider the legal nature of property, money and payment, and the conceptual basis for corporate personality and limited liability. By examining a range of transactions, and critically considering relevant case law and legislation in the light of market practice, this course will provide a deep understanding of the part that private law plays in the operation of financial markets. Students will also be invited to critically question the proper role of private law doctrine in commercial cases and the relationship between commercial expectations and legal rules. Transactional structures covered will include loans, guarantees, documentary credits and first demand bonds, security, debt issues on the capital markets (and other intermediated securities), derivatives and structured finance.

The focus will be on English law, although the law of other jurisdictions (particularly common law jurisdictions) will be studied where appropriate for criticism and comparison. Whilst the course will primarily be a doctrinal law course, involving close study of cases and legislation and analysis of their underlying principles, the reading lists will contain a significant amount of secondary material examining wider policy issues, different theoretical approaches and possible legal reform. The course will be taught in twelve seminars, each supported by lectures, and four tutorials. Teaching will be primarily by Professor Richard Salter KC and Professor Andreas Televantos, Professor Aruna Nair, and Victoria Dixon with input from practitioners who work in this area of law.

Learning outcomes: a knowledge of some of the more topical and/or complex issues in the banking and financial field (the particular topics selected reflecting the research and professional interests of the teaching team) and a comprehensive understanding of the part that private law plays in the operation of financial markets.

Topics covered

See overview.

Convenor	Andreas Televantos
Name of those teaching on this option	Richard Salter KC Andreas Televantos Victoria Dixon Aruna Nair Guests
Timing of lectures/seminars/tutorials	Lectures and seminars throughout MT and HT 4x tutorials spread over MT, HT
Does this option require a prior knowledge of the common law?	No. Students taking the course are urged to go to the classes introducing English contract law and equity for civil lawyers which will be run at the beginning of MT.

Medical Law & Ethics

Overview

The Medical Law and Ethics course provides students with the opportunity to develop a critical understanding of the legal and ethical difficulties that arise in the provision of health care. The primary focus will be on UK law, but the issues to be covered have global relevance and we encourage students to contribute insights from other jurisdictions wherever possible. Students must be prepared to read many types of material and to consider how legal, ethical and policy issues interact. There are no prerequisites for this course.

Learning outcomes: a critical understanding of the legal and ethical difficulties that arise in the provision of health care.

Topics covered

Topics to be covered include consent to treatment, abortion, ownership of body parts and organ donation, death and dying, medical negligence, and the legal regulation of human reproduction. As the course progresses, we will also encourage students to be aware of the current issues in medical research and healthcare provision that are being reported in the media.

Convenor	Jonathan Herring
Name of those teaching on this option	Jonathan Herring Imogen Goold Kate Greasley
Timing of lectures/seminars/tutorials	Seminars and tutorials will be across the three terms, although primarily in MT and HT.
Does this option require a prior knowledge of the common law?	No

Modern Legal History

Overview

This course examines the modern development of English law and the common-law tradition across three periods: the “long eighteenth century” (1688-1830s), the Victorian era (1830s-1900) and the early 20th century (1900-1950) It also encompasses comparative, imperial and international dimensions, looking far beyond the English legal world. The focus of enquiry will include doctrinal and juristic development, together with a good deal of political, economic and social history, political economy and economic analysis, political science, sociology, anthropology, and occasional glances at literary and popular cultures. Students with strengths in common-law or civilian styles of doctrinal analysis and interpretation will be challenged to think as historians about continuity and change in the legal system, paying careful attention to the interplay of internal and external influences that have made the modern law. Students will learn varied topics across the course, but may also specialize in tutorials, essays and assessment exercises in certain concentrated fields within the course, e.g., corporate and commercial law; or obligations; or public law; or law of persons, etc. Students from non-common-law backgrounds will be offered further classes to help orient them for the course, which can provide an excellent overview of the culture of the common law for those new to its study.

Our guiding philosophy is that historical consciousness of the law creates intellectual freedom for modern lawyers to move beyond the bounds of contemporary thought, to develop a creative awareness of the sources, choices and potentials within the law, and going beyond the law itself, to wield the resources of historical jurisprudence as a metric to investigate the social world. These goals put us squarely within longstanding traditions of legal history as practised by Maine, Maitland, Pollock, Salmond, Holdsworth, Milsom, Simpson, Atiyah, Horwitz, Baker, Brand, and Ibbetson (eight of these twelve having a strong Oxford nexus).

The core group of teachers for this course are each researchers in modern legal history, and we aim to join this subject to the distinguished traditions of ancient, medieval and early modern legal history already well established at Oxford.

Topics covered

The main themes covered will be: Methods and Sources; Codification and Comparative Dimensions; Law of Torts; Law of Contract; Land Use and Title; Equity and Trusts; Law of Credit and Business Organization; Public Law; Criminal Law and Justice; Imperial Law and Native Title. Overseas and imperial dimensions of the common law will be kept firmly in view, looking specifically at the adaptation and confrontation of English property law with native titles and sovereignties in North America and the wider empire, but also keeping in view the trajectory of the common law in India, the near and middle east, India, Africa, and Australasia. Interchange between English law and civilian cultures from Scotland, France and Germany will also be highlighted. The idea of a native English law hermetically cultivated within an offshore island nation-state, and then successfully exported to colonies and dominions, will be held up to critical scrutiny.

Teaching materials will comprise primary sources including traditional case law and statute, supplemented where advised by materials including professional journals, treatise literatures, judicial and practitioner handbooks and notes, statistical analyses, parliamentary and press debates, official reports, polemical and pamphlet literatures, and every other possible historical source that can cast light on the development of the law. There are rich secondary literatures in every aspect of the subject, and excellent recent textbooks treatments. There are ample stocks of teaching materials in the university and college libraries of Oxford and online.

Convenor	Joshua Getzler
Name of those teaching on this option	Joshua Getzler Ciara Kennefick Andreas Televantos Matt Dyson Fleur Stolker Guest lecturers
Timing of lectures/seminars/tutorials	The core topics are taught in weekly seminars in Michaelmas and Hilary Term, and one in early Trinity Term, interspersed with some four tutorials (two in MT, one each in HT and TT), with revision sessions to follow. The main vehicle for teaching is by the weekly seminar, with readings prescribed ahead. Some lectures will be added in to point out leading themes. There will be ample opportunity to write on particular topics of interest, with full feedback and revision to prepare for the final assessments.
Assessment	Students will submit a 4000-word essay at start of Trinity Term, worth 40% of the overall grade, and will then sit an examination worth 60%, answering two out of nine questions covering the course (but not repeating any submitted essay materials) at end of Trinity Term.
Does this option require a prior knowledge of the common law?	Students with no knowledge of the common law will need to do a certain amount of pre-reading before the course commences to understand basics of common-law method.

	Extra classes are offered to help create a sound grounding. Students from all legal and scholarly traditions are welcome; we have had civilian-trained students from continental Europe and Asia take the course with great success.
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*Philosophical Foundations of the Common Law**

Overview

This course explores the philosophical principles which may be thought to underlie the major doctrines in each of the branches of the common law with which it is concerned – contract, tort, and the criminal law – as well as the relationships between them.

Do notions such as personal autonomy, causation, intention, justice, harm... (etc.), which figure in all three areas, lend them genuine doctrinal unity, or do these branches of the law represent different (complementary or conflicting) moral or political principles? For example: can one or other of them be understood as embodying principles of corrective justice, while the others are based on considerations of distributive justice? Does the law, in these areas, reflect moral concerns, pursues efficiency or some other goal, or is it the case that no underlying principles can be discerned? Are there interesting theoretical links between analogous doctrines or concepts to be found in these branches of the law, such as remedies, defences, excuses, freedom? -These are some of the issues explored in this course. The course presupposes some knowledge of the basic doctrines of contract, tort, and criminal law, but not necessarily in much detail.

The main teaching is by seminars. Four tutorials are also provided, and these are arranged centrally via the seminars. The course is among those supported with detailed material on the Faculty's Jurisprudence website <https://www.law.ox.ac.uk/research-and-subject-groups/legal-philosophy-oxford>.

Learning outcomes: a knowledge of the concepts underlying the principal areas of English common law, an understanding of relevant philosophical debate concerning those areas, and a theoretical overview of the common law as a whole.

Topics covered

What is a crime? What is a contract? What is a tort? What are the relationships between those branches of the law? What is the rationale underpinning remedies for breach of contract, remedies in tort, punishment in criminal law? What are the philosophical foundations and what are the appropriate limits of the freedom of contract, and what are the appropriate limits of the criminalisation of conduct? How central and meaningful is the concept of intention in criminal law, or the doctrine of intention to form legal relations in contract? Is tort law based on retributive justice? Are defences in tort analogous to defences in criminal law? Etc.

Convenor	Dori Kimel
Name of those teaching on this option	Dori Kimel Grant Lamond James Edwards Sandy Steel

	James Goudkamp
Timing of lectures/seminars/tutorials	8x seminars in MT, 8x seminars in HT, 4x seminars in TT 1x tutorial in MT, 1x tutorial in HT, 2x tutorials in TT
Does this option require a prior knowledge of the common law?	Basic knowledge of the main doctrines of contract law, tort law and criminal law is helpful.

Principles of Civil Procedure

Overview

The aim of the course is to acquaint students with the fundamental principles of Civil Procedure. These principles are not specific to England but are common to all advanced systems of law. The operation and implications of these principles is discussed against the background of English law and the jurisprudence of the European Court of Human Rights. There is introductory lecture to theories of procedural justice, and a short introduction to the English civil justice system is also provided so that students not familiar with the English system could soon acquire a working knowledge. However, students coming from other jurisdictions are encouraged to consider how the principles and the ideas discussed in classes apply to their own systems.

All classes involve active student participation. The course consists of 2 lectures, approximately 16 seminars (most of 2 hours' duration), and a number of guest seminars. There will be 3 or 4 tutorials (depending on final student numbers) with no more than 2-3 students per tutorial. The lectures and seminars are normally held in Michaelmas and Hilary Terms and the guest seminars in Trinity Term. The introductory lecture on the English civil justice system is given by Professor Stuart Sime of City University, and the seminars will be principally given by Dr Higgins and Professor Zuckerman.

The guest seminars are given by visiting scholars, practitioners and judges from England and abroad in conjunction with Dr Higgins and Professor Zuckerman. The format and number of guest seminars is not fixed, but usually there are 3 or 4 guest seminars.

Tutorials are given in all three terms, with students having a choice as to tutorial timing. Tutorials will be taken with Dr Higgins.

Learning outcomes: a comprehensive knowledge of the principles which underpin the laws governing the adjudication of civil lawsuits.

Topics covered

1. Each year the course will cover 9 or 10 examinable topics from the following list (there will be student input into the topics covered):
2. The Right to an Independent and Impartial Tribunal
3. The Principle of Open Justice and its Limits
4. AI, Technology and the Civil Justice System

5. Adversarial Process, Case Management and Procedural Default
6. Interim Remedies
7. Summary Adjudication
8. Disclosure
9. Disclosure Exceptions: Public Interest Immunity/Closed Material Proceedings
10. Disclosure Exceptions: Legal Professional Privilege
11. Disclosure Exceptions: "Without Prejudice" and self-incrimination privilege
12. Expert Evidence and Assessors
13. Appeals
14. Finality of Litigation
15. Collective Redress
16. Costs and Funding
17. Alternative Dispute Resolution

Convenor	Andrew Higgins
Name of those teaching on this option	Andrew Higgins Adrian Zuckerman Robert Sharpe Various other visitors
Timing of lectures/seminars/tutorials	2x lectures in MT 6x seminars in MT, 8x seminars in HT, up to 4x seminars in TT 3 or 4x tutorials spread across the 3 terms (students will have flexibility as to when they take tutorials, but no more than two tutorials can be guaranteed in any one term)
Does this option require a prior knowledge of the common law?	No, however familiarity with common law systems and civil procedure is an advantage. MJur students who have no experience of the common law (either taught or in practice) can take this option or the undergraduate FHS option, Civil Dispute Resolution, which assumes no prior knowledge.

Principles of Financial Regulation

Overview

Financial regulation is subject to rapid change, and its optimal content is constantly debated. This course will introduce you to the underlying principles which various forms of financial regulation seek to implement. Students completing this course will be able to understand the regulatory goals of market efficiency, investor protection, the safety and soundness of financial institutions, and the promotion of financial stability, along with the principal regulatory strategies that are employed to try to achieve these objectives in relation to financial markets and institutions.

Learning outcomes: an understanding of the functions of the financial system and the primary financial markets and institutions through which these functions are performed; an understanding of the core

principles and objectives which govern financial regulation; an understanding of the regulatory strategies for achieving these objectives and the policy debates that surround them; the capacity to assess critically new developments in financial regulation and their implementation in novel contexts.

Topics covered

- The functions of the financial system
- The objectives of financial regulation
- Consumer protection regulation
- Securities regulation
- Banking regulation
- Shadow banking regulation
- Macroprudential and structural regulation
- FinTech
- Managing the financial risks of climate change
- Emerging Issues

Convenor	Thom Wetzer
Name of those teaching on this option	Paul Davies Luca Enriques Simon Gleeson Jeffrey Gordon Thom Wetzer Guest speakers
Timing of lectures/seminars/tutorials	8x lectures in HT, 4x lectures in TT 7x seminars in HT, 5x seminars in TT 2x tutorials in HT, 2x tutorials in TT
Does this option require a prior knowledge of the common law?	No

Principles of Intellectual Property – Half-Option

Overview

This half-option interrogates intellectual property law through a jurisprudential lens. It draws from numerous perspectives – philosophical, socio-legal, historical, etc – to explore what intellectual property is, how we justify affording exclusive rights over some forms of intellectual labour but not others, and the forces that have shaped the development and content of intellectual property law. The term ‘intellectual property’ only came into widespread use in the latter stages of the twentieth century. It includes a number of distinct regimes, including copyright, designs, patents and trade marks. One might expect that these regimes have been grouped together because of shared features and goals, such that there is legal significance to subject matter being intellectual property. In the first part of the course, we critically analyse this proposition, as well as other orthodox explanations for the content and existence of the law. For instance, in our discussion of IP’s Creators, we explore the proposition that intellectual property subject-matter must be human-generated. If we take this seriously, what does it mean for monkey selfies or inventions created by artificial intelligence? Subsequently, in IP’s Limits, we explore the degree to which intellectual property matters in practice.

For instance, one prominent justification for intellectual property rights is to incentivise the creation and exploitation of intellectual works. However, there is much research to suggest that other factors (such as social and ethical norms and private ordering) are crucial for how people behave and cooperate, and that at least in some areas, a ‘low IP equilibrium’ does a better job of encouraging innovation than a system with high levels of protection.

The second part of the course critically examines four lenses which might explain the existence and content of intellectual property law. One is the language of free riding, which appears frequently as an explanation for legal intervention and, in the UK/EU, as a type of actionable harm – but what, if anything, is wrong with free riding? We will explore this using examples from trade mark law and legislative responses to ambush marketing. We also examine the use of property concepts in intellectual property law – is it accurate and helpful to say that IP is property, and what might be at stake in that debate? We also explore two lenses that are often overlooked in undergraduate intellectual property courses: the role of bureaucracies such as trade mark offices in shaping the law, and the influence of international instruments.

It is not essential that students have already studied intellectual property in order to take this course. Learning outcomes: to provide a critical introduction to the principles that underpin the intellectual property system; to expose students to a series of ideas and ways of thinking about intellectual property that will enhance their ability to engage in critical and normative analysis of this areas of the law.

Topics covered

- 1) IP’s Subject Matters: definitions, boundaries and overlaps
- 2) IP’s Scope: rights, defences and duration
- 3) IP’s Creators: authors and inventors, humans and robots?
- 4) IP’s Limits: social norms and private ordering
- 5) Intellectual Property as Prohibition on Free Riding
- 6) Intellectual Property as Property
- 7) Intellectual Property as Bureaucracy
- 8) Intellectual Property as International Law

Convenor	Emily Hudson
Name of those teaching on this option	Robert Burrell Emily Hudson Justin Hughes
Timing of lectures/seminars/tutorials	8x lectures HT 4x tutorials
Does this option require a prior knowledge of the common law?	No prior knowledge of the common law is required. Some prior familiarity with intellectual property law is desirable but not essential.

Private Law and Fundamental Rights

Overview

The enactment of the Human Rights Act 1998 in the UK and the adoption of the Charter of Fundamental Rights of the European Union, of which the UK was a member until 2020, provoked new questions about the relation between rights protected by human rights documents and the legal principles and rules elaborated in fields of private law, such as contract, tort, and property. Questions

that have become prominent include: Is private law based on or derived from fundamental rights? Can fundamental rights provide a source for new private law rights and obligations? Does the enactment of fundamental rights in a legal order collapse the distinction between public and private law, and if so, what are the consequences for theories of law? Do fundamental rights have the same meaning in disputes between private parties as they have in disputes between citizen and State? How should the fundamental rights of private parties be balanced against each other?

In investigating these broad questions, the course critically examines case-law concerning the impact of fundamental rights on contract law, tort law, property law, and other fields of private law. Cases and examples are drawn primarily from the common law in England and Wales with some references to decisions of the Court of Justice of the EU and the European Court of Human Rights. Selective comparisons with cases from other jurisdictions are occasionally introduced.

Learning outcomes: the course will permit graduate students to draw on, develop, and deepen their existing knowledge of private law and the transformation which private law has been undergoing under the influence of constitutional or human rights law. It will draw on previous knowledge in private law and fundamental rights law (for the latter, often knowledge about the role of fundamental rights in public law) and build on that knowledge by integrating it in a new way, offering a fresh perspective on, in the case of some students, already familiar materials and concepts. For those students less familiar with English law, it will serve as a topical introduction into the common law styles of reasoning. The course will require not only careful analysis of legal reasoning in case law, but also more jurisprudential reflection on the relation between the private law concepts and principles and the fundamental rights perspective.

Topics covered

After some introductory seminars, introducing the relevant sources of fundamental rights, discussing their legal status and relationship to private law, the course is divided into four roughly equal parts: the law of torts (particularly negligence, private nuisance, defamation and misuse of private information); the law of contract and contractual remedies (including a seminar that focuses on employment contracts); real property law (land) and intellectual property law; and, finally, a group of seminars focused on general issues such as: - methods of balancing rights, whether the insertion of fundamental rights into private law causes private law to look more favourably on the interests of weaker parties, and whether fundamental rights have changed the nature of private law.

Convenor	Roderick Bagshaw
Name of those teaching on this option	Roderick Bagshaw Dorota Leczykiewicz Antonia Layard (Susan Bright – on leave in 2023-24) Donal Nolan Justine Pila
Timing of lectures/seminars/tutorials	No lectures. 6x seminars in MT, 6x seminars in HT, 2x seminars in TT 1x tutorial in MT, 2x tutorials in HT, 1x tutorial in TT
Does this option require a prior knowledge of the common law?	Prior knowledge of the common law is <i>not required</i> . However, because the course looks in detail at the ways in which fundamental rights have influenced, and may in future influence, the

	law of torts, contract and real property in England and Wales, having some familiarity with those fields of law might be an advantage.
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Regulation

Overview

Regulation is at the core of how modern states in a range of jurisdictions seek to govern the activities of individual citizens as well as corporate and governmental actors. Broadly defined it includes the use of legal and non-legal techniques to manage social and economic risks. Traditionally regulation is associated with prescriptive law, public agencies and criminal as well as administrative sanctions. But the politics of the shrinking state and deregulation, as well as re-regulation in the context of the climate crisis and public health crises, such as Covid-19, have meant that intrusive and blunt forms of legal regulation have given way at times to facilitative, reflexive and procedural law which seeks to balance public and private interests in regulatory regimes. Enduring policy debates address whether there is actually too much, too little or the wrong type of regulation in different public policy areas.

This course examines what role various forms of law and regulatory strategies play in contemporary regulatory regimes, and how these become increasingly transformed through innovative technologies, including AI and machine learning. It thereby analyses how regulation both by humans and technologies constructs specific relationships between law and society, and thus how legal regulation is involved in mediating conflicts between private and public power.

Topics covered

8 seminars in the course critically examine key conceptual approaches for understanding regulation. How can economic reasoning be employed in order to justify legal regulation? Does a focus on institutions help to understand the operation of regulatory regimes? What rationalities, and hence 'governmentalities' are involved in regulating through law? What role do emotions, such as fear of illness and trust in experts, play in regulatory interactions?

8 further seminars illustrate and critically probe these conceptual approaches by applying them in the context of specific case studies which address contemporary regulatory challenges, such as emissions trading, climate mitigation technologies, the governance of water resources, surveillance in the context of the Chinese social credit system, and regulating for energy.

The course thus provides an opportunity for students to examine the pervasive phenomenon of regulation with reference to different disciplinary perspectives, in particular law, but also sociology, politics and economics and to gain detailed knowledge of substantive regulatory law in various fields of business and government regulation. It should appeal to those interested in the theory and practice of regulation, jurisprudence, and questions about the nature of law and its capacity to regulate human behaviour. The course is assessed by two essays.

Convenor	Assoc. Prof. Bettina Lange
Name of those teaching on this option	Assoc. Prof. Bettina Lange Prof. Antonia Layard

Timing of lectures/seminars/tutorials	8 x 2 hour seminars in MT 8 x 2 hour seminars in HT 2 tutorials in MT (Wks 6 & 8) 2 tutorials in HT (Wks 6 &8)
Does this option require a prior knowledge of the common law?	No The course convenor is happy to address any questions students may have about whether to choose this course.

Restitution of Unjust Enrichment*

Overview

Restitution of Unjust Enrichment is concerned with how and when a claimant can obtain a court order compelling a defendant to surrender to them an enrichment gained at the claimant's expense. Long neglected, the subject has in recent years been one of the most exciting in the postgraduate curriculum. It draws its cases from areas of the law which have resisted rational analysis, largely because they have tenaciously preserved the language of an earlier age.

Common lawyers found themselves unable to escape from money had and received, money paid, quantum valebat and quantum meruit, while those on the chancery side became defensively fond of the unsolved mysteries of tracing and 'trusts' arising by operation of law. In the result, down to earth questions about getting back money and value in other forms have been made to seem much more difficult than they need be. The aim of any course on restitution must be to understand what has really been going on and to play back that understanding to the courts in accessible modern language.

This course is concerned only with restitution of unjust enrichment. Restitution for Wrongs is not part of the course and is dealt with in the Commercial Remedies course.

Topics covered

Enrichment; at the Claimant's Expense; which is Unjust; for which there is no Defence; Remedies.

Convenor	William Swadling
Name of those teaching on this option	Ben McFarlane Robert Stevens William Swadling Tutorial provision TBA
Timing of lectures/seminars/tutorials	1 x 2hr lecture in week 1 MT 8 x 2hr seminars in MT, 4 x 2hr seminars in HT, 1 x 2hr seminar in TT 4 x 1hr tutorials spread over HT and TT

Does this option require a prior knowledge of the common law?	The course assumes a knowledge of the common law of Contract, Tort, Trusts, and Property. Students from civilian backgrounds have successfully completed the course in the past, but have had to familiarise themselves with the common law in their own time.
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Roman Law (Delict)

Overview

Roman law. A central feature of this course is close attention to primary sources, particularly the commentaries on each delict in Justinian's Digest. Some attention is paid to the nature of delict through comparisons 1) between species of wrongdoing; and 2) between delict and obligations quasi ex delicto. Where appropriate, comparisons with later developments are made.

Knowledge of Latin is not necessary; sensitivity to the philological aspects of the original texts, when relevant, is. The set texts are provided in a translation adapted to its use in this course. Prior engagement with Roman law is no requirement. In the past, students have indeed welcomed this course as a first immersion into Roman/Civilian legal thought. The course is also open, as an option, to Oxford undergraduates (with a different exam), which creates additional opportunities for intellectual exchanges.

Learning outcomes: An understanding of the concepts of the Roman law of private wrongs and of the ideas and methods of classical jurists, and a capacity to reflect on their influence on English common law. Basic acquaintance with research tools of Roman law research.

Topics covered

The first half of the course (MT) engages with the nature and place of delict, furtum (theft), iniuria (insult/contempt), noxa and pauperies (liability for the conduct of those in power and of animals) and quasi-delict; the second half of the course (HT) is devoted to close study of damnum iniuria (loss and unlawful damage to property).

Convenor	Wolfgang Ernst
Name of those teaching on this option	Wolfgang Ernst Stefan Enchelmaier Helen Scott (TBC)
Timing of lectures/seminars/tutorials	7x seminars in MT, 6x seminars in HT 2x tutorials in MT, 2x tutorials in HT, 1x tutorial in TT
Does this option require a prior knowledge of the common law?	No

Taxation of Trusts and Global Wealth

Overview

The taxation of wealth and the use of trusts to reduce the tax liabilities of the wealthiest has come to the forefront of public debate in recent years, and the COVID-19 pandemic has only sharpened this focus. This course explores these issues in two halves. The first covers domestic UK issues including (a) UK capital taxes, particularly Inheritance Tax and Capital Gains Tax, and their application to trusts; and (b) the UK's general responses to statutory interpretation and tax avoidance. The second half is taught alongside students on the MSc in Taxation across two intensive weekends either side of the Easter vacation. It covers international issues, such as (c) the taxation of foreign domiciled individuals and their trusts generally; (d) connecting UK tax factors including situs of assets and residence and (e) the use of foreign entities including trusts in succession planning where wealth is spread geographically and there may be conflict of law issues to consider.

These two elements are assessed separately. The domestic half of the course is examined at the end of the year, while the international material is assessed by an extended essay set during the first week of Trinity Term.

Candidates will not be examined on the details of the Finance Bill or Act of the year of examination. Candidates are advised not to offer this paper unless they have studied the law of Trusts in their first law degree course.

Topics covered

Capital Gains Tax comprises: (i) general charge to tax on individuals both foreign and UK domiciled; (ii) disposals and acquisitions of assets in general; (iii) gifts and settlements including non-resident trusts; (iv) disposal on death; (v) computation of gains and losses in general (but not the rules relating to leasehold interests, or wasting assets); (vi) exemptions; (vii) foreign element including the taxation of foreign domiciled individuals, offshore trusts and residential property held by non-residents.

Inheritance Tax comprises: (i) brief historical background; (ii) general charge to tax on individuals and basic concepts; (iii) settled property; (iv) reliefs and exemptions; (v) brief survey of valuation; (vi) foreign element including taxation of foreign domiciled individuals; the taxation of enveloped UK residential property; domicile, residence, source and situs issues more generally.

Convenor	Edwin Simpson
Name of those teaching on this option	Edwin Simpson Simon Douglas Emma Chamberlain David Tipping
Timing of lectures/seminars/tutorials	Lectures/seminars/tutorials TBC 2x weekend seminars: Fri – Sat, 11-12 March (HT8) Fri – Sat, 22-23 April (TT0)
Does this option require a prior knowledge of the common law?	See end of 'Description of option' above.

Trade Marks and Brands – Half-Option

Overview

Brands are the most valuable assets owned by many companies and as consumers we inhabit brand-saturated environments. Trade mark law provides the legal underpinnings for the protection of brands, but significant tension remains between (i) the nineteenth century foundations of trade mark law, where marks were defined as indications of commercial origin, helping consumers to find what they want and (ii) the emerging norm that this branch of the law should protect brand image as a valuable form of property. This half-option will interrogate this tension.

This course will be structured around key elements of the registered trade mark system, using (EU-influenced) UK trade mark law to set up the basic concepts and rules. Each seminar will therefore include some doctrinal content, for instance in relation to the definition of ‘trade mark’, the reasons why registration might be refused, the different ways a registered trade mark can be infringed, and defences to infringement. This content will be supplemented with critical analysis, not only from a legal perspective, but using insights from neuroscience, psychology, marketing and other fields.

For instance, the very existence of trade mark law is often justified by reference to reducing consumer search costs: that consumers benefit from being able to rely on certain signs to indicate trade origin, such that they can more easily and confidently locate the goods and services they wish to purchase. But this rests on various assumptions about consumer behaviour and perceptions, many of which take place at an unconscious level. When we look at the rules of trade mark law, to what extent are they really concerned about, or informed by, actual consumer reactions? And to the extent they are not – is that a problem?

Another prominent critical theme is the degree to which trade mark law should protect the brand-oriented function of trade marks, rather than the function of indicating trade origin. The latter is relatively uncontroversial. That is, while there are concerns that trade mark law has become misshapen, there tends to be consensus that some trade mark protection is essential in a competitive market. However, it is much less clear whether the investment in, or content of, brand messages should likewise enjoy protection. To illustrate, how should trade mark law treat the CHEWY VUITON squeaky dog toy that parodies the luxury brand, Louis Vuitton. If the parody is successful, no-one is confused that Louis Vuitton has opened a cheap canine-focused sub-division – but is there some brand-related harm to which the law should respond?

Learning outcomes: a thorough grounding in UK and EU trade mark law; an introduction to key insights from other fields, such as neuroscience, psychology and marketing, in relation to how consumers engage with trade marks and brands and critical engagement with the content of, and assumptions underpinning, trade mark law, including how far the law should go in protecting the imagery associated with brands when non-confusing associations are being made.

Topics covered

1. From Trade Marks to Brands: History and Theory
2. What is a Trade Mark?
3. Trade Mark Registration
4. Trade Mark Infringement
5. Invalidation and Defences
6. Trade Marks on the Internet: Platform Liability and Social Media Uses

Convenor	Emily Hudson
Name of those teaching on this option	Robert Burrell Emily Hudson Ansgar Ohly
Timing of lectures/seminars/tutorials	8x seminars in MT 4x tutorials in MT
Does this option require a prior knowledge of the common law?	No

Transnational Commercial Law

Transnational commercial law consists of those principles and rules, from whatever source, which govern international commercial transactions and are common to a number of legal systems.

The principal sources of transnational commercial law fall broadly into three groups. First, there are instruments which are, or are designed to become, law. At the international or regional level these consist primarily of multilateral conventions (for example, the UN Convention on Contracts for the International Sale of Goods, the OAS Inter-American Convention on the Law Applicable to International Contracts or the Cape Town Convention on International Interests in Mobile Equipment 2001), model laws (for example, the UNCITRAL Model Law on International Commercial Arbitration) and, in the case of a supranational entity such as the European Union, of directives and regulations. Secondly, there are codifications of international trade usage which depend for their efficacy primarily on incorporation into contracts. Among these are codifications published by the International Chamber of Commerce, such as INCOTERMS and the Uniform Customs and Practice for Documentary Credits. Thirdly, there are the general principles of commercial law (*lex mercatoria*) to be extracted from uncodified international trade usage, standard-term contracts formulated by international organisations, lawmaking products of conscious or unconscious parallelism by legislatures and courts of different jurisdictions, and doctrinal writings and 'restatements' such as the UNIDROIT Principles of International Commercial Contracts.

Convenor	Thomas Krebs
Name of those teaching on this option	Thomas Krebs Geneviève Helleringer Sir Roy Goode
Timing of lectures/seminars/tutorials	Lectures in MT, Seminars in HT, Tutorials in TT
Does this option require a prior knowledge of the common law?	No

List 2 – options available to MJur students only

The following options are taken from the BA in Jurisprudence (Oxford undergraduate degree in Law) syllabus and are only available to MJur students, who can only take **one** option from this list.

Administrative Law

Examination Regulations

Questions will not be set on the law of local government or of public corporations except as illustrating general principles of administrative law.

Candidates will be required to show a sufficient knowledge of such parts of the general law of the constitution as are necessary for a proper understanding of this subject.

Syllabus

Administrative Law is concerned with legal control of the activities of the executive branch of government. The main topics covered are: the grounds on which decisions and rules made by the executive can be challenged in a court (some of these relate to the substance of the decision or rule and others to the procedure by which it was made), the process of judicial review (and the ways in which administrative decisions can be challenged in other judicial processes) and the remedies that can be obtained, administrative tribunals, public sector ombudsmen, and liabilities of public authorities in contract and tort. Some of these topics are the subject of lectures, which also occasionally deal with more theoretical aspects of the subject.

Coverage

Students will be expected to know the general principles of the European Convention on Human Rights jurisprudence so far as they affect judicial review, the law of administrative procedures, remedies and actions for damages. Questions will not be asked which require a detailed knowledge of the meaning of a particular Convention right.

Learning outcomes

Learning outcomes: a knowledge of administrative law within the context of the English common law system.

Advanced Criminal Law

Advanced Criminal Law provides students with an opportunity to return to and learn more about the criminal law that they studied for Mods. The idea behind this course is that by examining some of the areas where criminal law touches other forms of regulation or has to draw a fine line between unwanted and socially useful behaviour, we will understand better what it is that criminal law is and does, and thus get a better understanding of the core of the subject by considering its limits. It will therefore draw on the general knowledge of criminal law that students have from Mods, but it will go deeper into some of the general principles and philosophical or other concepts which underlie the subject.

We will consider in particular the following areas:

- Tort and crime
- The regulation of sexual activity
- Terrorism and intelligence
- Criminal as opposed to civil enforcement
- Crime as opposed to other forms of public regulation

We are hoping also to be able to add consideration of discrimination and hate crime.

Teaching

The Course will consist of 7-8 two-hour seminars, 7-8 lectures, all of which are compulsory, and 4 tutorials out of a choice of 6 or 7.

Assessment

Assessment will be by a take-home exam in either 9th week HT or 1st week TT (depending on whether the students are also doing MLE or Comparative Private Law as their other option). A different set of questions will be set for each week.

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
Advanced Criminal Law	MT	8	8	2*	0	<i>Figures in this table are in hours</i> *Each student to do 4 from a choice of 6.
	HT	7-8	8	4*	0	
	TT	0	0	0	0	

Civil Dispute Resolution

This course will introduce students to key procedural rules and principles in civil litigation (and alternative dispute resolution) and teach them how to critically evaluate the rules and the leading cases seeking to apply them. The course is divided into 5 topics, although the time dedicated to each varies substantially:

- The right to fair trial: the rights to which people are entitled in court, and to get to court, and exceptions and limits on those rights.
- Litigation procedures and the overriding objective of the Civil Procedure Rules: how the courts balance accuracy, timeliness and cost in resolving disputes.
- Alternative dispute resolution: principles of mediation and arbitration, and the benefits and costs of private dispute resolution.
- Introduction to the history of English civil procedure.

- v) Theories of procedural justice: the nature of procedural justice, its relationship to substantive law, and the role of the legal system in the rule of law.

Teaching

The course will consist of 20 hours of seminars and 5 tutorials spread across Michaelmas and the first half of Hilary Term.

Assessment

Students will be required to answer four questions out of a possible ten. There will be two optional problem questions. All other questions will be essays. A case list and relevant legislative provisions (including parts of the CPR) will be supplied in the examination room.

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
Civil Dispute Resolution	MT		6	3		All seminars and classes are two hours in duration.
	HT		4	2		
	TT				1 Revision class	

Commercial Law (can only take the course if evidence of background knowledge of English Contract, Trusts and Land Law is provided)

This course aims to familiarise those intending to go into commercial practice with the analytical framework of English commercial law.

The core of the course involves a rigorous examination of personal property and contract law in the context of commercial transactions. The course looks at basic concepts such as ownership, title, possession, the sale of goods, assignment and agency. We also look at real security in personal property, including priorities (between secured interests) and the characterisation of, and justification for, real security.

A feature of the whole course is that students learn how a desired legal result can be achieved, or a legal hazard avoided, by selecting an appropriate contract structure.

Though students will be expected to analyse statutory materials as well as case law, a distinguishing feature of the course is its concentration on fundamental concepts and their application in a commercial setting. The course thus offers an intellectual challenge and provides a good foundation for those contemplating practice in the field of commercial law.

The course is taught by Professors Thomas Krebs (convenor), Julius Grower and Hugh Beale. Teaching is by a combination of tutorials (given by Profs Grower and Krebs), and seminars given in Michaelmas and Hilary Terms. Lectures are also given in Michaelmas Term. NB This option cannot be taken in combination with Personal Property

Learning outcomes: a knowledge of personal property law in the context of commercial transactions and of contractual issues of principal relevance to commercial transactions.

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
						<i>Figures in this table are in hours</i>
Commercial Law	MT	16	8	4		
	HT		6	2		
	TT				2	

Contract

Examination regulations

Candidates will be required to show a knowledge of such parts of the law of restitution of unjust enrichment as are directly relevant to the law of contract. Questions may be set in this paper requiring knowledge of the law of tort.

Syllabus

The syllabus comprises the general principles of the law governing contracts. It is not primarily concerned with special rules governing specific types of contracts, such as sale, carriage or employment, though it is concerned with aspects of the law governing consumer contracts. The principal topics normally discussed are: (a) the rules relating to the formation of agreements (including certainty of intention and the requirement of intention to create legal relations); (b) the doctrine of consideration and promissory estoppel; (c) the contents of a contract and the rules governing the validity of contract terms (especially exemption clauses and unfair terms in consumer contracts) ; (d) the nature and effects in a contractual context of mistake, misrepresentation, duress, undue influence and unconscionability; (e) the principle of privity of contract and its principal exceptions; (f) performance and breach, including the right to terminate for failure in performance and the effects of wrongful repudiation; (g) the doctrine of frustration and its effects; (h) remedies for breach of contract by way of damages, action for the agreed sum, specific performance and injunction, and restitutionary damages/ an account of profits; and (h) the basis of contractual liability.

Coverage

See statement under Examination Regulations above. The teaching is based on the assumption that questions will not be asked on contracts that are illegal or contrary to public policy or on gaming and wagering contracts; and that detailed knowledge will not be expected of formality requirements, agency, assignment or contractual capacity.

Learning outcomes

A comprehensive understanding of the general English law of contract.

Criminology and Criminal Justice

Criminology and Criminal Justice offers students an opportunity to study crime and the ways in which offenders are dealt with by the criminal justice system. It enables students to explore the nature of crime and its control by examining the issues at stake using the resources of legal and criminological inquiry. It also offers students the chance to think about crime as a social phenomenon and to use criminological research and analysis to explore how the criminal justice operates in practice. Particular emphasis is placed upon the differential impact of the criminal justice system on members of visible minorities. The course follows the criminal process from the initial report of a crime through the various branches of criminal justice, including the police, the Crown Prosecution Service, sentencing, prisons and parole.

The course is structured as follows: **22 lectures, two classes and 4 tutorials. The tutorials all take place in Michaelmas, the classes in Hillary and the lectures throughout the year.**

Lectures and classes are provided by academics from the Law Faculty who are also [members of the Centre for Criminology](#).

More information about the Centre for Criminology, including the All Souls Criminology Seminar Series, can be found on the [Centre's website](#).

Learning outcomes: **an understanding of crime and the criminal justice system.**

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
Criminology and Criminal Justice	MT	10		4		<i>Figures in this table are in hours.</i>
	HT	11			2	

Employment Law

Employment law is the body of law that governs the relationship between working people and their employers. At any given time, around three-quarters of adults in the UK are in work, so labour law affects a huge number of people for a significant period of their lives.

The course covers the rights and responsibilities of working people and employers at all stages during the relationship, including hiring and firing, and everything that happens in between. We consider topics such as the role of equality law in the workplace in tackling discrimination, entitlement to the National Minimum Wage, and the regulation of working hours. We also look at the changing nature of modern workplaces and the impact of the ‘gig economy’ on the way in which we traditionally think about employment relationships. Around 23% of employees are trade union members, and many more

have a trade union presence in their workplace, so we consider how trade unions interact with their members and how they represent people at work, and at the role played by strike action.

Labour law manages to be both a highly useful subject and an intellectually stimulating one. There are plenty of opportunities to use your knowledge in practice as a solicitor or barrister, or just to be aware of your own rights at work. But the subject also throws up big questions about dignity, rights, justice and fairness, as well as about how to build a thriving economy. Political parties on the right or left generally have quite different ideas about what labour law should look like, so the subject should be of considerable interest to anyone who is concerned with the interaction between law, politics and society.

The course takes a thematic approach: you are not expected to acquire a detailed knowledge of the whole of this relatively large and complex field, but to be able to pick out the central themes and integrate them into the wider social and theoretical context. We anticipate that this year’s exam will require you to answer four questions from a choice of ten.

The subject is taught by means of a programme of seminars in Michaelmas and Hilary Terms, and by tutorials which are coordinated with them. We cover four topics in Michaelmas and three in Hilary, and there is an introductory session at the start of Michaelmas. For each of the seven topics, we will provide a two-hour seminar introducing the material, with ample opportunity for you to ask questions and take part in discussion. There will be a total of four tutorials for the course, allowing you to focus on issues of particular interest to you and to explore the way in which different parts of the course fit together. We may offer an additional session in Hilary Term covering a ‘hot topic’ of current interest or dealing with recent developments, in order to help with your revision.

Learning outcomes: an understanding of the central themes of labour law, including individual and collective topics, and the associated social and political context.

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
Employment Law	MT		10	2		There may be an additional 2h session in HT covering recent developments or a cross-cutting topic of current interest.
	HT		6	2		
	TT					

Family Law

This course focuses on the legal regulation of individuals’ intimate personal and family lives. The fact that the definition of ‘family’ itself is both highly contested and much assumed offers some insight into the hotly contested nature of much of Family Law.

Studying Family Law often involves taking a legal concept or underpinning idea with which most have some familiarity from daily life, such as marriage, divorce, parenthood, or children’s rights, and then exploring exactly how the law regulates that subject and why. Key issues are examined within their

historical, social, economic, and theoretical context. For example, what is the purpose of the consanguinity restrictions on marriage, and should those have been extended to civil partnership? What does it mean to say a child is a rights-holder? If we cannot offer a coherent account, is there no such thing as ‘children’s rights’? Why do so many people believe the ‘common law marriage myth’? Should the courts and Parliament care that these people think that legal benefits and obligations exist when they do not? The syllabus lists the precise topics covered.

Our focus is on the substantive law, though an awareness of the family justice system in practice adds an important additional perspective to key debates. We currently examine through essay questions only so as to enable students the opportunity to devote sufficient attention to the interplay between law and the larger social and policy issues that are critical to an in-depth understanding of the Family Law field.

Family law is inter-disciplinary in terms of the range of materials students are expected to read and the nature of the arguments and debates with which students are expected to engage. This includes working with social science research, government publications, and non-government public and social policy materials. Family law involves an examination of statutory law, which is more extensive than in many other subjects.

Property law and trusts law are relevant to discussing the legal position of relationships outside of marriage and civil partnership. Students may find the background from having studied these as part of their core Land Law and Trusts courses useful, though the Family Law perspective is distinctive. Underlying conceptual ideas and a little substantive detail covered in Contract Law are also relevant to private ordering and adult intimate relationships more generally. Discussion of contentious issues in parenthood and disputes over who should raise and see children when interested adults do not live together (residence and contact disputes) includes children born as a result of fertility treatment, which is discussed from a different perspective as part of the Medical Law and Ethics course. The child’s capacity to make medical treatment decisions also features as part of both courses; in Family Law, it is one aspect of a larger discussion of children’s rights and children’s involvement in decision-making affecting them in a number of contexts. Examination of the legal approach to child protection includes limited discussion of public authority liability in negligence, as explored in Tort Law.

Learning outcomes: a knowledge of the principles and practical applications of family law, and of discussion of relevant issues not only in a legal context but in social and political contexts as well.

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
Family law	MT	12		4		<i>Figures in this table are in hours.</i>
	HT	8	4	3		
	TT					

History of English Law

This option studies the history of the judicial system and sources of English law and of the principal features of the branches of law that are today known as tort, contract, land law, and trusts. The course is taught using a selection of primary sources (in translation where necessary) and of academic literature. The timespan covered varies with the particular topics, but is roughly between the thirteenth and the nineteenth century. This period, of course, contains a large number of separable issues, and the course is designed so that individuals can follow to some extent their own preferences, both amongst and within the major heads of study.

Assessment will be by two essays, written in either 9th week HT or 0th week TT (to be arranged).

The treatment of the subject is primarily legal, though the political, social and economic constituents in the story are referred to whenever this assists our perception of specifically legal ideas.

The teaching presumes a familiarity with the notions of property, tort and contract law. The legal history does not serve as an introduction to the modern law; if anything, the converse is the case. It is in this sense an advanced course; the feedback to the modern law is conceptual or theoretical, though a study of the history may occasionally illuminate a modern problem. There is, however, absolutely no need to have studied any other kind of English history, nor is familiarity with foreign languages necessary since the course is designed around translated materials.

Learning outcomes: an understanding of the origins of English law and the judicial system and a more specialised knowledge of developments in English law during the period between the thirteenth and nineteenth century, including an understanding of relevant social, political and economic contexts.

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
History of English Law	MT	16	0	3	0	<i>Figures in this table are in hours.</i>
	HT	10	0	3	0	
	TT	0	0	0	0	

Succession Law

Succession law examines what happens to an individual's rights and liabilities at the time of their death. The subject builds upon core private law topics, especially Trusts, Land Law and Contract, but focuses on the effect of death on private law rights. The topic's practical importance has grown in recent years: more complex family structures, the growth of cognitive disorders (such as dementia) in an elderly population, and increasing property values, have each made inheritance disputes more prevalent. Although succession law links most obviously to other private law topics (especially

Trusts), it also intersects with issues in family law. Where marriages end as a result of a death, succession law deals with issues regarding the maintenance and support of the surviving spouse and children of the deceased person. The topics we will examine on the course include:

- Who should inherit on death? – we consider whether the legal system ought to allow complete freedom of testation, or whether some controls on the testator are justifiable.
- Testamentary dispositions and wills – we examine the nature of gifts by will, their substantive requirements, and claims that can arise when they are defective
- The notion of an “estate” – we will look at what happens when your legal personality passes to your executor on death.
- The fiscal consequences of owning wealth – how inheritance tax can effect an inheritance and attempts by testators to avoid the tax.

Learning outcomes: (1) An understanding of what a testamentary disposition is and the modes by which it can be made (2) an understanding of alternative modes of passing wealth on death (3) Knowledge of the concept of an “estate”, and how legal personality devolves upon death (4) Awareness of the fiscal consequences of owning wealth at the time of death and how this affects behaviour.”

Paper	Term	Faculty				Comments
		Lectures	Seminars	Tutorials	Classes	
						<i>Figures in this table are in hours</i>
Succession law	MT		5	2		
	HT	1	3	2		
	TT					

Tort

Examination Regulations

Questions may be set in this paper requiring knowledge of the law of contract.

Syllabus

The law of tort is mainly concerned with providing compensation for personal injury and damage to property, but also protects other interests, such as reputation, personal freedom, title to property, enjoyment of property, and commercial interests.

There is an agreed reading list for tort, which is revised frequently, usually each term. The topics on the list in bold type are taught by most Oxford tutors. The other topics without bold headings are taught by some Oxford tutors. The examiners are entitled to set questions requiring knowledge of issues across the bolded and unbolded categories and across topics.

Currently, the topics with headings in bold type are: Negligence/Duty of Care; Negligence/Breach of Duty; Causation and Remoteness of Damage; Negligence and Economic Loss; Defences; Liability for

Defective Premises; Nuisance and the Rule in Rylands v Fletcher; Product Liability; and Vicarious Liability. Currently the topics with headings that are not in bold type are: Joint Liability; Employers' Liability; Defamation; Trespass; Economic Torts; Tort Remedies, including Damages for Personal Injury and Death; Compensation: Fault and Insurance; and Theoretical Perspectives on Tort Law.

Some of the materials on the agreed reading list are marked with an asterisk. This indicates the seminal and leading cases and other materials with which the examiners are entitled to expect that candidates answering questions on that topic are familiar.

Coverage

The examiners are entitled to set questions requiring knowledge of issues across both sets of topics referred to above.

Learning outcomes

A knowledge of the principles and practical applications of the law of tort within the English common law system.

Trusts

(may not be taken in conjunction with Advanced Property and Trusts from List I)

Syllabus

The institution of the Trust is one of the most important ideas in English law. Its very definition is heavily contested, but most would agree that the word trust describes one of **those** situations where someone (the trustee) holds rights, and may the powers **inherent in** those rights, but is generally unable to take advantage of **those powers for themselves**. Instead, the trustee holds the rights for the benefit of other people (beneficiaries) or **for** permitted purposes, generally, charitable purposes.

Trusts can arise in two ways – by declaration of a right-holder or because the law has other reasons to make a **right-holder** a trustee. The purpose of the declared trust is to **administer** wealth in a more complex way than would be easy or possible to achieve by straight-out conveyance, such as to have the rights distributed on particular terms and conditions, or to win tax advantages, or to allow ongoing management of the rights. There are myriad situations, **all of which are heavily contested**, in which the law has other reasons to make a **right-holder** a trustee. An example is where rights are received as a bribe; another is where they are received by mistake. The course looks at the scenarios in which the different kinds of trusts arise, and how they behave.

In one respect, the course also looks outside trusts. Many trustees are fiduciaries, having a duty to act for another's benefit through the control of rights. But there are other examples of fiduciaries too, such as solicitors, who must act for their clients' benefit; agents, who can contract on behalf of their principals; **and directors, who must act for the benefit of the company**. The course looks at the law's control of fiduciaries in general, whether they are trustees or persons otherwise charged with promoting the interests of others.

The specific topics which will be studied in Trusts are as follows:

1 The idea of the trust; beneficiaries' rights.

- The categories of express, resulting, and constructive trusts.
- The beneficiary principle.
- The nature and characteristics of a beneficiary's interest under a trust (including the effect of the rule in *Saunders*

v Vautier); the transfer of such an interest (including the formality rules relevant to this). • Purpose trusts (non-charitable and charitable, including the rules defining a charitable purpose); purported gifts to unincorporated associations; *Quistclose* trusts.

2 Express trusts.

- Their essential requirements (notably ‘the three certainties’, but not the rule against perpetuities).
- Formality rules relevant to express trusts (arising *inter vivos* and on death); the effect of ‘non-compliance’ with these rules (including the rule in *Rochefoucauld v Boustead* and secret trusts, but not including mutual wills).
- The requirement that trusts be constituted and the effect of promises so to do.

3 Constructive trusts.

- Certain possible instances of constructive trusts, including those associated with:
 - acquisition by fiduciaries (*Keech v Sandford*, *FHR European Ventures LLP v Mankarious*);
 - vendor-purchaser contracts (*Lysaght v Edwards*) (but not the details of these);
 - transfers ‘subject to’ the rights of others (*Binions v Evans*, *Lys v Prowsa Developments*);
 - ‘failure’ for want of formality (*Rochefoucauld v Boustead*, *Blackwell v Blackwell*)
 - the tracing rules (*Foskett v McKeown*)
 - mistaken payments (*Chase Manhattan v Israel-British Bank*);
 - perfecting imperfect gifts (*Dillwyn v Llewellyn*; the rule in *Strong v Bird*; *donatio mortis causa*; *Re Rose*; *Pennington v Waine*).
- ‘Remedial’ constructive trusts.

4 Resulting trusts.

5 Duties and powers.

The duties and powers of the trustees of non-charitable trusts. • The enforcement and control of these duties and powers; personal and proprietary remedies (including the tracing rules); the rule in *Re Hastings-Bass*; trustees’ obligations to disclose information. • Exclusion clauses; the defence of consent to breach of trust, and that in the Trustee Act 1925 s 61, but not other defences. • Delegation. • The possible differences in these respects between express, constructive and resulting trusts. • Fiduciary duties where there is no underlying trust.

6 Trusts and third parties

- The impact of trusts on those not, or not originally, their trustees; recipient and accessory liability, and trusteeship by assumption.

Coverage

The examiners may set questions on any of the topics listed above.

Learning outcomes

An understanding of the concept of a trust, the circumstances in which trusts can arise, the different types of trust, and the rules regulating trusts.

Optional dissertation

A BCL or MJur student can propose a dissertation, in lieu of one written examination. The dissertation must be written in English, and it must not exceed 12,500 words which includes footnotes, but which does not include tables of cases or other legal sources. The subject must be approved by the Graduate Studies Committee; approval will depend on the Committee being satisfied that the relevant subject group can provide a supervisor and two examiners.

In considering such applications, the Committee will take account of the subject matter and the availability of appropriate supervision. You should be aware that the demand for supervision for such dissertations may exceed the supply, especially from particular faculty members, and where this is the case, a potential supervisor may elect to supervise only those dissertations which he or she judges most promising. Although in principle the option of offering a dissertation is open to all BCL and MJur students, in practice it is possible that some students who wish to offer a dissertation will be unable to do so, as a suitable supervisor with spare capacity cannot be found.

The dissertation must be submitted online to Inspira no later than noon on the Friday of week five of the Trinity full term in which the examination is to be taken. Further information on how to submit dissertations via Inspira will be circulated in due course.

The topic of your dissertation may (and often will) be within the area of one or more of your taught courses, and/or in an area which you have studied previously. But any part of the dissertation which you have previously submitted or intend to submit in connection with any other degree cannot form any part of your BCL/MJur dissertation. Although BCL students cannot take the List II courses, they are allowed to offer a dissertation within these fields. BCL students may offer a dissertation which does not fall into the field of any BCL course, if a suitable supervisor within the Faculty can be found.

Once you have received approval for your dissertation topic at the start of Michaelmas term, the topic may not be changed. This is because supervisors and examiners have already been approached and have agreed to act on the strength of the original proposal. However, it is accepted that, in light of your work on the dissertation, the title (not the topic) may change. If that happens, you should agree a new title with your supervisor then email both the new title and the old title to Lilit Rickards (lilit.rickards@law.ox.ac.uk) and ask your supervisor to send an email to Lilit indicating that he/she supports the proposed change. Approval for the change will then be sought from the Board of Examiners. Proposed new titles should be communicated as soon as possible and no later than **Friday of Week 1 of Trinity term**. If your dissertation is submitted with a title different from that approved, the examiners have the right to refuse to examine it.

Please note that the following subjects are not able to accept dissertation proposals in 2023-24 because the necessary supervisory and examining resources are not available: Public International Law.

Dissertation Format

- 1) 'Thesis' here includes not only the writing submitted for the DPhil, MLitt, MPhil, or MSt, but also the essay which is submitted by a Probationer Research Student for a Qualifying Test, Confirmation of Status and dissertations offered in the examination for the BCL or MJur. It does not include essays set by way of examination for the BCL or MJur.
- 2) Every thesis must include an abstract not exceeding 300 words. The abstract must contain no footnotes. The abstract must appear immediately after the title page. Its format is governed by regulations 6 to 8 below.

- 3) Every thesis must contain a table of contents. The table of contents must state the titles of the chapters and their principal sub-divisions. The table of contents must be indexed to the pages where the chapters and first-level sub-headings begin. If required, a table of abbreviations should follow the table of contents.
- 4) Every thesis which mentions cases and statutes must contain separate tables of cases and statutes. Unless there are very few cases and/or statutes, divide the tables into separate sections for separate jurisdictions. Arrange EU cases in chronological and numerical order. Any other tables should follow, e.g., tables of other primary legal sources (official papers treaties, UN documents, etc.), and of tables and/or diagrams provided in the text. The tables must be indexed, so that each entry shows on what pages the case or statute in question is mentioned.
- 5) A bibliography listing secondary sources (articles, books, monographs etc.) in alphabetical order must appear at the end of the thesis. It should include all such sources cited in the thesis. It need not be indexed.
- 6) The order of the thesis should be: title page, abstract, table of contents, table of abbreviations, table of cases, table of statutes, tables of other primary legal sources, table of diagrams and tables, main body of thesis, any appendices, and bibliography. An index is not required. If there is one, it must come after the bibliography.
- 7) All footnotes and appendices are included in the word count. The abstract, the table of contents, the table of cases, the table of statutes, the bibliography, any headers or footers, and any index are not included in the word count.
- 8) The thesis must be written in English.
- 9) The thesis must be word-processed using size 12 font, with a margin of 32 to 38 mm on the left-hand side. Variations of font size may be used for headings, sub-headings, and footnotes.
- 10) The lines in the main text must be double spaced (8mm).
- 11) The first line of every paragraph must be indented unless the paragraph immediately follows a heading or sub-heading, or an indented footnote.
- 12) Quotations must use single inverted commas, saving double inverted commas for use for quotes within quotes. Quotations longer than three lines must be presented as a double-indented, single-spaced paragraph with no further indentation of the first line. Such double-indented quotations must not use quotation marks.
- 13) Endnotes must **not** be used. Footnotes must be internally single spaced with double spacing between the notes.
- 14) The thesis must comply with OSCOLA (the Oxford Standard for Citation of Legal Authorities: [oscola_4th_edn_hart_2012.pdf \(ox.ac.uk\)](https://www.ox.ac.uk/sites/default/files/2012-09/oscola_4th_edn_hart_2012.pdf)), or another useful standard for citation. You should consult your supervisor if you wish to depart from OSCOLA.
- 15) Where the thesis is offered as part of an examination which is assessed anonymously, it must not at any point divulge the identity of the candidate or the candidate's college.
- 16) The word limits for the dissertation are: 10,000 words minimum; 12,500 words maximum.

Suspension of Status

If you experience any difficulties that are sufficiently serious as to mean you are unable to continue with your studies, either for the immediate future, or for a sufficient period of time to mean that your chances of passing the BCL and MJur examinations will have been jeopardized, you can apply for suspension of status; the relevant form can be found on the webpage <https://www.ox.ac.uk/students/academic/guidance/graduate/status>.

However, because the BCL and MJur are structured one-year taught courses, if you do suspend, then you have to return the following year at the point at which you suspended; so, if you suspended at the start of Trinity term 2023, then the earliest you would likely return would be at the start of Trinity term 2024.

Course Changes

The procedures for changing a BCL/MJur option choice are described above. Changing to a different course – i.e. a course other than the BCL and MJur – is likely to be considerably more difficult. If you think you might want to change your course entirely, then please contact the Academic Administrator (paul.burns@law.ox.ac.uk) to discuss your position.

Progression to the MPhil or DPhil After Completion of the BCL/MJur

Each year, a significant proportion of BCL and MJur students continue to the MPhil or DPhil after completion of the BCL/MJur. The application procedure for students progressing from one course to another is slightly different from that which new applicants follow; details can be found on the Graduate Admissions webpage at <https://www.ox.ac.uk/admissions/graduate/applying-to-oxford/application-guide>. You will be given further guidance about how to apply, and which course you might wish to choose, towards the end of Michaelmas term.

3. Teaching and Supervision

There are a number of different people who will be involved in the teaching and supervision you receive as a BCL/MJur student. If you have any issues with teaching or supervision, please raise these as soon as possible so they can be addressed promptly. Details of who to contact are provided in the Complaints and Appeals section at the end of this handbook.

Academic Advisor

Your dedicated Academic Advisor will support you throughout your studies and endeavour to assist you with any academic concerns that you may have. Pastoral concerns should be dealt with by your college advisor. You will meet with your supervisor on at least four occasions throughout the year. Your Academic Advisor has a number of duties:

1. To meet with each student assigned to them individually, in either week -1 or Monday and Tuesday of week 0 of Michaelmas term. It is expected that the meeting will take place in person. It will involve assisting you in choosing options and discussing with them induction-related matters.
2. To meet with each of their assigned students again in Hilary term. Further meetings should be organised if requested or considered necessary by the Advisor. Discussion should concern academic progress and any problems they have encountered.
3. To respond to student concerns as needed and offer support.
4. To read tutorial reports on students assigned to them and liaise with the student if concerns have been raised about their performance by the tutors, the supervisor (if the student is preparing a dissertation) or by an option convenor.
5. To submit eVision reports each term, which will include a report from their meetings with the student and comments made by the tutors/supervisor in tutorial reports.
6. To raise with the option convenors any relevant concerns arising from the meeting with the student or from tutorial reports. Where appropriate, they will also bring matters to the attention of the BCL/MJur Course Director or the Associate Dean for Graduate Studies (Taught).
7. To liaise with the tutor and with the option convenor where the student reports to them that there has been a delay in returning marked written work or if tutorials have not taken place when expected.
8. To provide academic references for the students assigned to them, if so requested.
9. To pass on any relevant student feedback to the BCL/MJur Course Director and the BCL/MJur Course Administrator and respond to their calls for comments on issues raised by students in surveys and in other communication with the Faculty.

Graduate Mentors

A group of Graduate Mentors are available for advice and support for BCL and MJur students. Graduate Mentors are former BCL and MJur students who have recently progressed to further study either on the MPhil or DPhil. They are able to offer advice to new students as they start their course, and throughout the year as and when required. The aim of the mentoring system is to enable BCL and MJur students to benefit from the experiences of recent BCL and MJur alumni. Whilst the type of advice

given to each mentee will vary from student to student, it will focus around academic studies. In particular, guidance might be given on choosing options, managing reading lists, what to expect from tutorials and exam preparation advice. Graduate Mentors do not have a pastoral role, as this type of care is within the remit of colleges.

Graduate Mentors are not automatically assigned to all new students, rather the opportunity is presented to all BCL and MJur students to request contact with a Graduate Mentor if they feel that it is needed. Students should request a Graduate Mentor via Lilit Rickards or Paul Burns. A Graduate Mentor will then be assigned based on a number of factors. These will include course (i.e. BCL/MJur), nationality, and area of legal interest. Contact will then be made by the Graduate Mentor to the student, initially by email. Further communication can be either via email, or face to face; it is up to the mentor and mentee to decide the best approach for them to take.

The Role of Course Convenors and Tutors for BCL/MJur Options

As described above, BCL and MJur options are typically taught by a combination of seminars and tutorials (and sometimes by means of lectures as well). While every option has an overall course convenor, in some options, the teaching will be shared between a number of individuals. The person you will work with most closely is generally the faculty member with whom you have tutorials, given that tutorials offer the closest interaction between the student and teacher. Reports will be provided for Academic Advisors by the course convenors and tutors detailing the academic progress of students.

The Role of the Dissertation Supervisor

Those who have opted to write a dissertation will be allocated a dissertation supervisor. Each student is entitled to six sessions of supervision, each of approximately one hour duration (any meetings to settle the shape of the dissertation before it was approved are not included in the six sessions). The supervisor will report every term on the progress the student is making through GSR. Since BCL and MJur students are graduate students, we expect advanced research and argumentation, so that supervising a dissertation is quite similar to supervising a thesis for a research degree such as the MPhil (with an obviously significant difference in the scale of the project, as the dissertation is 1/4 of the work for a one-year degree). It is essential for the supervisor (1) to give useful advice as to how to go about the research, and (2) to give a serious, critical response to the work itself, which means reading the work and giving the same sort of advice as to substance and presentation as with a research student. The number of meetings will depend on the student's productivity (and on whether they submit a succession of chapters in good time or leave the project until close to the deadline). As with a research degree, the work submitted is the student's responsibility. For that reason, the student should be expected to decide how to respond to the supervisor's advice; we would not expect the supervisor to read a final draft, and the student should not have the impression that it is the supervisor's role to approve the dissertation.

The Role of the College Advisor

Each graduate student is assigned a College Advisor (different to their **Academic Advisor**) who is normally (but not always) a member of the Law Faculty. Their specific role will vary slightly from college to college (and will be defined more precisely in information provided by your college) but essentially, they are available for consultation on pastoral matters, and act as a focal point for each individual student's relationship with their college.

The Role of the Student

The student is responsible for the successful completion of their degree programme and playing an appropriate part in working with tutors and supervisors to that end. They are also responsible for making appropriate use of the teaching and learning facilities available within the University and following the relevant procedures concerning registration for and assessment of BCL/MJur options. The student is also responsible for ensuring that they have a standard of English sufficient for successful completion of the course.

It is not possible to translate these expectations into a workload that can be expressed in terms of a weekly timetable – the work patterns dictated by the various options will fluctuate across the year (though overall, the work-load of each option will be broadly similar), and student's individual approaches to their work will differ greatly – but as a very general guideline, we would expect students to be working a minimum of 45 hours per week, inclusive of time spent in seminars. If you have concerns about your workload, you should speak to your Academic Advisor.

For a more detailed account of the role of the student and supervisor, please refer to the Education Committee's policy document on graduate taught degrees which can be found on the webpage at [Postgraduate taught courses: responsibilities of the student | Academic Support \(ox.ac.uk\)](#).

4. Assessment

Formative Assessment

The term ‘formative assessment’ refers to any form of assessment that does not relate directly to your final results. This typically takes the form of marks and written comments provided by tutors on essays submitted by the student. It is an important element of all postgraduate taught programmes at Oxford and should provide guidance to those for whom extended pieces of writing are unfamiliar forms of assessment. It will also indicate areas of strength and weakness in relation to an assessment task and provide an indication of the expectations and standards towards which students should be working. You should receive feedback on written work within two weeks of submission. If there are any issues then please contact the Course Administrator, Lilit Rickards (lilit.rickards@law.ox.ac.uk).

In 2011, the University’s Education Committee introduced new policies in response to requests from students for enhanced formal mechanisms for the provision of feedback on both formative and summative assessment. The new policy stipulated that all students on taught masters programmes could expect to receive formal written feedback on at least one designated piece of work normally submitted during the first term or very early in the second term of the course. The standard practice for BCL/MJur courses is to discuss written work in a tutorial, but the structure of a number of options militates against holding tutorials in the first term. These options are listed below. Typically, we find that, amongst their four option choices, most students will have chosen one or more options which do hold tutorials during the first term.

However, if all of your choices are taken from the list below then please contact the Course Administrator. We will arrange for you to have the opportunity to submit an essay in one of your four options and receive feedback on that essay before the end of Michaelmas term.

- Advanced and Comparative Criminal Law
- Competition Law
- Comparative Copyright
- Jurisprudence and Political Theory
- Principles of Financial Regulation
- Restitution of Unjust Enrichment
- Families and the State (Adult)

Summative Assessment

Summative assessment is the term used to describe the results that you receive for examinations, dissertations, and any essays you submit as the formal means by which a course is assessed. Formal written feedback (i.e., the comments of the examiners) is provided on the dissertation. This feedback is intended to provide a critical review of the work and provide suggestions for improvements and future development of the topic of research to enable students to develop their work for doctoral study if appropriate. For options assessed by means of timed examinations, a more general feedback will be available in the form of the examiners’ reports. These will be published in the October following your completion of the course on the Faculty website. They will comment on the general performance of the group taking the examination in question and will include such details as which questions were answered badly, which were answered well, characteristic mistakes made, what qualities good answers typically exhibited etc. Because of data protection issues, examiners’ reports

cannot comment on individual performances in any way that would identify the specific candidate in question.

Informal Feedback

In addition to formative and summative assessment, students also receive feedback on their work and their ideas by more informal means: tutorials and seminars both provide contexts in which students can put their ideas to tutors, seminar convenors, and fellow students, and receive verbal feedback in the form of comments and counter-arguments to which they in turn can respond.

Entering for University Examinations

In the first half of Michaelmas term¹, you will be required to enter for the examinations. You will receive an email invitation to log in to Student Self Service and will then need to complete an online record to indicate which BCL and Mur options you are taking. These will need to match the options you chose in the BCL/MJur option registration as explained above. If you change options after the registration deadline, then you are charged a fee of £65 by Examination Schools. For further information about changing options, see the entry under The Course heading.

Submission of the Dissertation

If you have chosen to write a dissertation, then you must submit your dissertation online via Inspira by noon on Friday of the fifth week of Trinity full term. In order to ensure anonymity, the dissertation must bear your examination number. Neither your name nor the name of your college must appear. The examiners shall exclude from consideration any part of your dissertation which is not your own work, or which has been or will be submitted to satisfy the requirements of another course, and the examiners shall have power to require you to produce for their inspection the work so submitted or to be submitted. Further information relating to the presentation of the dissertation is included in the entry Dissertation Format above and will be provided in the Examiners' Edict.

Submission of Essays in Other Options Using Extended Essays as the Form of Assessment

Questions will be released to candidates on the day on which the assessment period begins, and candidates will be required to submit essays on the last day of the assessment period. All assessments will be submitted online via Inspira. Ensure you are familiar with the online submission process in advance of any deadline. Full information is provided on the Oxford students website (www.ox.ac.uk/students/academic/exams/submission). Students will be notified when questions have been released. The essay must bear the candidate's examination number, but **not** his or her name or the name of his or her college. Candidates shall further state the total number of words used in their essay(s). A final confirmed timetable of assessment release and submission dates will be provided at the start of MT, via [canvas](#). You can see the assessment periods in the following document: [Options list with form of assessment and caps.xlsx: Bachelor of Civil Law and Magister Juris \(BCL/Mjur\) \(ox.ac.uk\)](#)

In addition to the forms of assessment above available in the document, Law and Computer Science has a group work exercise as well as an extended essay.

Dates of examinations

The dates of examinations are only finalised in the course of the year and the final timetable is generally available in mid-Hilary term. Typically, BCL/MJur examinations begin on Friday of week 8 of Trinity term and continue through to Saturday of week 10 of Trinity term. For more information about examination timetables, see <http://www.ox.ac.uk/students/academic/exams/timetables>

The format of the examinations

Examinations in 2023-24 will be in person and closed book (ie materials may be provided in the examination room by the University, but students will not be permitted to bring notes or other materials into the room with them). Further information about which materials, if any, will be provided in each examination will be provided in advance. The Faculty will also soon confirm whether examination answers will be typed on computers provided by the University or handwritten.

The examination in each subject offers a choice of questions, though in some cases there are rules as to permissible combinations of questions, which are strictly enforced. You are normally required to answer three questions in three hours, but this can vary depending on subject choice; this rule is also strictly enforced and attempting fewer than the required number of questions is penalised.

Please refer to the Examination Conventions on Canvas for further details. For past examination papers visit [oxam:\(http://oxam.ox.ac.uk\)](http://oxam.ox.ac.uk)

Examination Conventions

Examination Conventions are the formal record of the specific assessment standards for the course or courses to which they apply. They set out how your examined work will be marked and how the resulting marks will be used to arrive at a final result and classification of your award. They include information on: marking scales, marking and classification criteria, scaling of marks, progression, resits, use of viva voce examinations, penalties for late submission, and penalties for over-length work. The Examiner's Edict (see below) will also be circulated during the year and will supplement the information in the Examination conventions. If any changes are made to the examination conventions, you will be informed by email, and the nature of the changes will be explained. The Examination Conventions will be made available during Michaelmas Term, and will be posted on Canvas.

Notices to Candidates

Notices to Candidates

These serve as a supplement to the Examination Conventions and provide practical instructions about assessments. There will be a general Notice to Candidates applicable to the examinations at the end of Trinity Term which will be circulated in Hilary Term, but for options using essay assessments, there will also be a Notice to Candidates circulated shortly before the release date for those assignments.

Sitting your examination

Information on (a) the standards of conduct expected in examinations and (b) what to do if you would like examiners to be aware of any factors that may have affected your performance before or during an examination (such as illness, accident or bereavement) are available on the Oxford Students website (www.ox.ac.uk/students/academic/exams/guidance).

Withdrawal from the examinations

If you experience problems of any kind which are severe enough to mean you are unable to take your examinations, then you may apply for withdrawal from the examinations. For further information about how to do this, please refer to Part 14 of the Examination Regulations at [2022-23, Regulations for the Conduct of University Examinations: Part 14 Late Submission, Non-submission, Non-appearance and Withdrawal from Examinations \(ox.ac.uk\)](#). You should also contact your college.

Late submission of work (for dissertation and essays)

If, for good reason, you are unable to submit the dissertation/essays by the stipulated deadline, you may apply through your college to the Proctors for permission to submit the work later than the deadline. This process can also be enacted retrospectively – i.e. after you have missed a deadline – but you should make the case to the Proctors as soon as you possibly can. The full regulations concerning late submissions can be found in Part 14 of the Examination Regulations [2022-23, Regulations for the Conduct of University Examinations: Part 14 Late Submission, Non-submission, Non-appearance and Withdrawal from Examinations \(ox.ac.uk\)](#). In terms of practical guidance about what to do if you think you need an extension, please refer to [Problems completing your assessment | University of Oxford](#)

Complaints and appeals

Please refer to the section Complaints and Academic Appeals at the end of this handbook.

External examiner

The external examiner for the BCL and MJur in 2023-24 will be appointed during Michaelmas term. Students are strictly prohibited from contacting external examiners directly. If you are unhappy with an aspect of your assessment you may make a complaint or appeal (see Complaints and Academic Appeals section at the end of this handbook).

Examiners' Reports

Examiners' reports from previous years can be found on the Faculty's website at <https://www.law.ox.ac.uk/admissions/postgraduate/bachelor-civil-law>. Examiners' reports for your year will be made available in the October following your examinations, once they have been approved by the Examinations Committee. Please refer to the '*Summative Assessment*' section for information on Examiner Reports.

Students are advised to read the internal and external examiners' reports for recent past cohorts, which can provide valuable insights and contribute to students' preparations for examinations and other forms of assessment.

5. Good Academic Practice

Plagiarism

Plagiarism is presenting someone else's work or ideas as your own, with or without their consent, by incorporating it into your work without full acknowledgement. All published and unpublished material, whether in manuscript, printed or electronic form, is covered under this definition. Plagiarism may be intentional or reckless, or unintentional. Under the regulations for examinations, intentional or reckless plagiarism is a disciplinary offence.

The University's definition of plagiarism can be found at: <http://www.ox.ac.uk/students/academic/guidance/skills/plagiarism>

For law students, there are particular things to watch for:

Getting ideas from other students' work

Law students often "borrow" work from other students in their own year or from students in the year above. If the work is directly copied, then this will clearly be an obvious form of plagiarism, but you also need to be aware that taking the structure and ideas from this work can also be plagiarism unless the source is acknowledged. Although it may sometimes be helpful to see how others have tackled issues, an important part of the learning exercise in Oxford is to work out how to present an answer yourself. This is often an intellectual struggle, but it is an important part of the educational process. By borrowing the work of others, you therefore not only risk plagiarism but you are also less likely to develop your own intellectual abilities fully.

Articles etc.

You will be expected to read many articles as part of your tutorial preparation. Students often find it difficult to know how to incorporate these into their own written work. The temptation is there to "lift" bits from the introduction and conclusion of the article, or odd sentences from it. Usually, an article will be presenting an argument which is, to some extent, original and the author makes the case for this argument in the detailed text. You may wish to use this article in a variety of different ways, but it is important to bear in mind that it is not only verbatim quotations and paraphrases that need to be properly referenced but also the overarching argument that the author makes. Therefore, even if you are not using any of the detailed wording of the article, you must still acknowledge the author's intellectual input if you are drawing on the argument that he/she makes.

A brief example:

Source text, from S Bright and B McFarlane, *Proprietary Estoppel and Property Rights* (2005) 64 Cambridge Law Journal, 449, 455.

It can therefore be argued that proprietary estoppel, like wrongs, unjust enrichment and other non-consensual sources of rights, always gives rise to an underlying personal liability which may, in some circumstances, be coupled with a property right. As A's personal liability will persist after a transfer of the land in respect of which the proprietary estoppel claim arose, it may well be that B has no need of a property right to protect his reliance: instead, B is adequately protected through his personal right against A.

Plagiarised

Proprietary estoppel always gives rise to personal liability and may also generate a property right, but a person to whom a representation is made will not always need a property right to adequately protect his reliance.

(This is plagiarism. Even though there is little verbatim copying it paraphrases the argument of Bright and McFarlane without acknowledging the source of this argument.)

“Proprietary estoppel, like wrongs, unjust enrichment and other non-consensual sources of rights, always gives rise to an underlying personal liability”³ and sometimes the courts will give a property right if necessary to protect reliance.

(This is also plagiarism. Although the first part of the sentence is correctly attributed, the implication is that the second part is the original idea of the writer.)

Non-Plagiarised

Bright and McFarlane argue both that proprietary estoppel gives rise to personal liability and, further, that this will sometimes be coupled with a property right, but only if it is necessary to protect the reliance of the person to whom the representation was made.⁴

(This is not plagiarism as it clearly attributes the whole of the argument to Bright and McFarlane and cites the source).

Textbooks and Cases

A particular challenge for law students is how to use textbooks correctly. The most obvious form of plagiarism is where students closely follow the wording of textbook writers. This often occurs (unintentionally) where students have taken notes from a textbook and then use these notes to form the basis of their essay.

It also occurs where students use the structure adopted by a textbook writer in order to organise the essay.

By way of illustration, the author of a textbook may put forward that a general principle can be manifested in one of 3 ways, and then set out those 3 ways. To the student, this may appear uncontroversial and ‘the only’ way in which the topic can be understood. It is likely, however, that other writers will present the material differently. The breakdown of the principle into those 3 ways is thus the author’s original work, and if this structure is adopted, the author must be acknowledged.

Students often use textbooks too closely without being aware that this constitutes plagiarism and will say to tutors: “...but X put it so clearly and I could not put it better”, or “...lots of writers break down this principle into those 3 ways”. This does not justify plagiarism. If a textbook writer is being relied on, the writer must be acknowledged.

The same applies with respect to cases. The reasons for citing a case are therefore two-fold: first, as an *authority* for a proposition of law, in which case you will generally be citing the case itself; and second, as the *source* of a statement about the law, in which case you will generally be citing the court or a judge.

If, having referred to the above and to the University website, you are still unsure how to reference your work properly, and would like further advice, you should contact your Tutor or Academic Advisor for guidance.

³ S Bright and B McFarlane, *Proprietary Estoppel and Property Rights* (2005) 64 Cambridge Law Journal, 449, 455

⁴ S Bright and B McFarlane, *Proprietary Estoppel and Property Rights* (2005) 64 Cambridge Law Journal, 449, 455

Auto-plagiarism/Self-plagiarism

You must not submit work for assessment that you have already submitted (partially or in full), either for your current course or for another qualification of this, or any other, university, unless this is specifically provided for in the special regulations for your course. Where earlier work by you is citable, i.e. it has already been published, you must reference it clearly. Identical pieces of work or passages of text submitted concurrently will also be considered to be auto-plagiarism.

OSCOLA

The Oxford University Standard for Citation of Legal Authorities (OSCOLA) is a widely used citation system which you are advised to refer to for good referencing practice. The webpage at <https://www.law.ox.ac.uk/research-subject-groups/publications/oscola> contains the OSCOLA Quick Reference Guide, further information on citing international law sources, use of OSCOLA in conjunction with Endnote and a Frequently Asked Questions section about using OSCOLA style.

For enquiries you can also email oscola@law.ox.ac.uk

Further guidance on avoiding plagiarism

Plagiarism will be covered in the class on OSCOLA referencing for BCL and MJur dissertations (date to be confirmed). While this class is predominantly for those writing dissertations, all those with an interest in learning more about how to avoid plagiarism are invited to attend. There are various online tools and support materials available via IT Services (<https://help.it.ox.ac.uk>) regarding good practice in citation and avoiding plagiarism.

General academic good practice – time-management, referencing, research skills etc. – will help you to avoid plagiarism. Information about how to acquire and develop such skills can be found at <http://www.ox.ac.uk/students/academic/guidance/skills>.

6. Skills and Learning Development

Monitoring of academic progress

Overall responsibility for monitoring student progress on the BCL and MJur falls to your individually assigned Academic Advisor. The Course Director, Luke Rostill (see page 8 for contact details), will provide support where necessary. Progress in respect of particular options is monitored by the convenor of the option in question, and then reported back to the Academic Advisor. The Faculty uses the Graduate Supervision Reporting system (GSR) for monitoring academic progress.

The GSR System

The University operates an online Graduate Supervision Reporting system (GSR). For all students, it is an opportunity to review and comment on your progress over the term.

Access to GSR for students will be via Student Self Service at <https://www.ox.ac.uk/students/selfservice>.

Students will be sent a GSR automated email notification with details of how to log in at the start of each reporting window, and who to contact with queries.

It is strongly recommended that you complete a self-assessment report every reporting period. If you have any difficulty completing this you must speak to the Academic Advisor, or the Course Director. Your self-assessment report will be used by the Academic Advisor as a basis to complete a report on your performance this reporting period, for identifying areas where further work may be required, and for reviewing your progress against agreed timetables and plans for the term ahead. GSR will alert you by email when the Academic Advisor has completed your report and it is available for you to view.

Use this opportunity to:

- Review and comment on your academic progress during the current reporting period;
- Measure your progress against the requirements and agreed timetable for your programme of study;
- Identify skills developed and training undertaken or required (taught programmes only);
- List your engagement with the academic community;
- Raise concerns or issues regarding your academic progress to your supervisor;
- Outline your plans for the next term (where applicable).

Students and supervisors are reminded that having a positive student-supervisor relationship is an important factor in student success. Research suggests that one of the strongest predictors of postgraduate completion is having expectations met within the student-supervisor relationship.

Students are asked to report in Weeks 7 to 9 of each term. Once you have completed your sections of the online form, it will be released to your Academic Advisor for completion. These reports will also be visible to the Course Director and the Associate Dean for Graduate Studies (Taught), the administrative team and to your College Advisor. When the Academic Advisor's sections are completed, you will be able to view the report (as will those listed above). The Course Director is responsible for ensuring that appropriate supervision takes place, and this is one of the mechanisms they use to obtain information

about supervision. College advisors are a source of support and advice to students, and it is therefore important that they are informed of your progress, including concerns (expressed by you and/or your supervisor).

It is also possible for other academic colleagues (e.g., Course Directors, PGT thesis/dissertation supervisors, and class teachers) to submit a report or additional comments in addition to your Academic Advisor. College Advisors will be able to record how many meetings they have held with their students.

Student concerns should relate directly to academic progress. If students are dissatisfied with any other aspects of provision e.g. their supervisory relationship or their working environment, they should raise these with their Academic Advisor and in the first instance, and pursue them through the department’s complaints procedure if necessary.

Learning development and skills

Any statement which purports to describe the skills students will gain from the BCL and MJur is likely to be reductive and too generalised to fit the experience of any given student. Nevertheless, there are certain key skills which we think it is fair to assume that all students will gain. The following statement seeks to summarise those and the means by which they are developed by the course.

	<i>Teaching/learning methods and strategies</i>
<i>Intellectual Skills</i>	
A highly-developed ability to parse a problem into its component sub-problems.	The intensive dialogic character of argument in seminars and tutorials is designed to encourage students to distinguish between different issues and to tackle them one at a time.
An ability immediately to see the same legal or legally related problems from a variety of intellectual angles, using different legal classifications and perspectives gleaned from different academic perspectives.	Many courses on the BCL are centrally concerned with the contrasts and relationships between different legal classifications (e.g., tort and contract) or between different legal systems (e.g., English and German). Others are centrally concerned with the non-legal analysis of legal problems (e.g., their philosophical foundations). The seminar format encourages students to challenge each other and the seminar convenors repeatedly and thereby gradually to reconceptualise the issues. BCL students are drawn from the whole range of common law jurisdictions and therefore every BCL course is enriched by insights from a variety of legal cultures. In addition, MJur students allow an enormous variety of non-common-law perspectives to be added to the debate.
An ability to build a complete, convincing argument from the ground up, and to build a complete and convincing critique of the	Again, the seminar format is conducive to sustained argument under pressure, with different students adopting and developing rival positions and gaining

argument of another.	support or opposition from their peers. The tutorial essay encourages students to do the same, but this time representing both sides in the argument.
<i>Practical skills</i>	
A highly-developed ability to conduct legal research and legal or legally-related academic research	The programme calls for a great deal of advanced independent study using primary materials. Students make full use of library materials from around the world and advanced electronic research tools, including legal databases and scholarly research networks. Library orientation and an introduction to electronic research tools is provided at the start of the programme.
A highly-developed ability to write for specialist legal and academic audiences	Where the programme has a writing component (in the dissertation option, in tutorial essays, in the examinations) sophisticated written communication skills are expected. Students are continuously exposed to exemplary judicial and scholarly writings.
A highly-developed ability to read and digest complex legal and legally-related materials accurately at speed	The workload on this programme is high, especially in respect of the volume of reading that a successful student will be expected to cover. At the same time, seminars and tutorials emphasise accuracy and perceptiveness in interpretation.
For those taking the Commercial Negotiation and Mediation option, an ability to engage in negotiation and mediation in a commercial context.	As well as giving students a comprehensive understanding of the analytical concepts of conflict theory and negotiation management, the option involves role-play sessions in which students can hone their negotiation and mediation skills in a practical context.
<i>Transferable Skills</i>	
A highly-developed ability to communicate orally and in writing.	Both seminars and tutorials, with their high levels of student participation, help to cultivate strong oral communication skills. Tutorial essays, and of course the examinations, emphasise economical, clear and highly structured writing.
A highly-developed ability to master and organise complex information.	A typical BCL reading list contains material of several types with diverse sources, sometimes from several disciplines or jurisdictions. The student's first task is to survey and synthesise this material.
A highly-developed ability to plan and organise the use of one's time.	The programme sets tough demands in terms of reading and preparation, as well as providing a very full diet of seminars, lectures and classes. The centrality of independent study to success in the

	programme means that students quickly refine the developed time-management skills that they will have acquired in their previous legal education.
The ability to thrive in a competitive and intellectually challenging environment	The BCL programme is competitive at point of entry and throughout. Students are among their intellectual equals; they are drawn from the very brightest law graduates in the common law world. The programme therefore demands a great deal of its students intellectually and in terms of application and motivation. The difference between sheer ability and sheer ability coupled with hard work is reliability detected by the intensive teaching and assessment systems.
For those taking the Commercial Negotiation and Mediation option, an ability to engage in negotiation and mediation in a commercial context.	As well as giving students a comprehensive understanding of the analytical concepts of conflict theory and negotiation management, the option involves role-play sessions in which students can hone their negotiation and mediation skills in a practical context.

Faculty, college, and library resources

During your first week here, the Bodleian Law Library (BLL) organises induction sessions for graduate students to introduce you to the library and its staff and help you to use its resources. The BLL also gives classes on using databases, find online journals and researching particular areas of law. The Library distributes a Newsletter via the Faculty's email lists.

University resources

A wide range of information and training materials are available to help you develop your academic skills – including time management, research and library skills, referencing, revision skills and academic writing – through the Oxford Students website: <https://www.ox.ac.uk/students/academic/guidance/skills>

Opportunities to engage in Faculty research activity

There is an extensive programme of research seminars in which BCL and MJur students are welcome to participate. These are supplemented by a number of discussion groups which have regular lunchtime meetings at which members (graduate students or Faculty members) present work in progress or introduce a discussion of a particular issue or new case. These may involve guest speakers from the Faculty and beyond.

7. Facilities

General Information about Oxford and University Facilities

Libraries

The Law Faculty is lucky to have a superb library resource in the form of the Bodleian Law Library, which has an excellent, extensive law collection, providing support for the teaching and research needs of our students. It is a library of legal deposit, with one of the largest law collections in the United Kingdom. It offers not only its collection of books, journals and law reports, but access to relevant legal databases and online journals and ebooks.

The most heavily used books on the reading lists are available at the library's reserve desk, for ease of access. As a member of the University you are able to use any of the other 27 libraries which are part of the Bodleian Libraries, in addition to your own College's library.

Books in the BLL may not be borrowed: they must be read in the Library, this ensures they are always available when you need them. There are self-service photocopying and scanning facilities available. There are public access computers in several areas of the library including the Graduate Reading Room. Four of them called "Quick Search" are for consulting the online catalogue only. The others can be used for reading of online materials and also give access to word processing and other computing applications. Students' own laptops may be used in the Library, which provides free WIFI.

The BARBRI Seminar Room and three small discussion rooms are available for group work, and may be booked in advance.

Further details of services will be explained at your library induction. Further information about the law library can be found at its web site <https://www.bodleian.ox.ac.uk/libraries/law>

Your Oxford Single Sign On account and access to networked services

Your Oxford Single Sign On account is your main access to University online services. It is essential that you activate your account. It gives you access to all the main Oxford University services, including Student Self Service, electronic library services, such as Lexis, Westlaw and online journals, and ORLO <https://oxford.rl.talis.com/index.html>; Oxford email (<https://nexus.ox.ac.uk/>), to which all crucial University information will be sent; and Canvas, where reading lists and handouts from lectures are available. For more information about IT Services at 13 Banbury Road, phone 01865 612345 or email help@it.ox.ac.uk.

IT facilities in the St Cross Building

Most of the computing provision for Law students in the St. Cross Building is within the Bodleian Law Library. The Large IT Training room is available for general use when not being used for teaching. It has 12 networked computers, giving access to all the online resources within the Library and University.

There are also networked computers in the small computer room, and more at various positions around the library. Microsoft Office applications and EndNote are available, and it is necessary to use a USB key or a cloud-based service to save documents when using these computers. The Library also has ergonomic equipment and assistive software.

The Library has wireless access throughout and there are power points at many desks. For more information ask at the library. There is no network access in the lecture theatres, and extremely limited access to power points. If you wish to bring a laptop to lectures, charge it before you arrive.

Do not leave your laptop or other devices unattended in the library or anywhere else – cables for securing your laptop are available at any computing shop or from Amazon. You can store your laptop and other items in a locker in the St. Cross Building. Ask at the Main Reception for information about getting a locker.

Contemplation Room

The [Contemplation Room](#) is located on the ground floor and is open to all staff, students and visitors who may need a little time away from the busy spaces we occupy. It is a quiet, private space, for people to use for short periods during the working day to pray, rest or meditate.

Cafés

The Missing Bean café is situated on the floor above the St Cross Building reception and will serve drinks and snacks, including excellent coffee. The cafeteria in the Manor Road Building (the last building on Manor Road before the entrance to St Catherine's College) provides hot meals as well as drinks and snacks. Vending machines are also located on the ground floor of the St Cross Building

Computing Services

Your Oxford Single Sign On account and access to networked services

Your Oxford Single Sign On account is your main access to University online services. It is essential that you activate your account. It gives you access to all the main Oxford University services, including Student Self Service, electronic library services, such as Lexis, Westlaw and online journals; Oxford email (<https://nexus.ox.ac.uk/>), to which all crucial University information will be sent; and Canvas, where reading lists and handouts from lectures are available. For more information about IT Services see <http://welcometoit.ox.ac.uk> IT Services is at 13 Banbury Road, phone 01865 612345 or email help@it.ox.ac.uk.

Please use your Oxford email account for all email communication with the University.

Email Lists

All BCL and MJur students are automatically subscribed to the email lists specific to each option, and to a more general PGT email list (PGT stands for Postgraduate Taught). These mail lists are the Faculty's main means of communicating announcements about lectures and seminars, examinations, IT and library training, library hours etc. It is therefore **essential** that **ALL** students check their email on a regular, preferably daily basis, and ensure that their Oxford email accounts remain operative. If you do not receive messages, contact the Faculty Office by emailing lawfac@law.ox.ac.uk.

The Faculty website and Canvas

The public Faculty website (www.law.ox.ac.uk) provides information about courses, news and events, graduate discussion groups, how the Faculty works, faculty members, much detail relevant to undergraduate and postgraduate study, links to faculty centres, specialisations, publications, library and

computing facilities and more. The Faculty website has two sections, the public site, and the intranet site; you'll be given access to the latter to sign up for your BCL/MJur option choices.

Canvas

Canvas is the University's Virtual Learning Environment and the means by which we make available course material and examination-related communications. There is a main BCL/MJur Canvas site at [Bachelor of Civil Law and Magister Juris \(BCL/Mjur\) \(ox.ac.uk\)](http://www.ox.ac.uk/bclmjur) which you will all be members of. In addition, there are individual sites for each BCL/MJur option: you will be able to access these from the main site but, once you have signed up for your options you will be made members of the relevant individual sites so convenors can use Canvas to communicate with you and sign you up for tutorials. The main BCL/MJur site will provide general guidance as to how to use Canvas but if you do encounter any problems, please contact Paul Burns (paul.burns@law.ox.ac.uk).

Student Self Service

Student Self Service provides web access to important information that you will need throughout your academic career. You are able to register, view and update your personal and academic information throughout your studies at Oxford. For further information, see: <http://www.ox.ac.uk/students/studentselfservice/>

IT/electronic research resources training

The library's electronic holdings are accessible via SOLO: <https://solo.bodleian.ox.ac.uk> and Databases A-Z <https://libguides.bodleian.ox.ac.uk/az.php> using your Oxford 'Single Sign On' log in. In general, you should not need any other passwords: Lexis, Westlaw and other legal databases are all accessible via these websites, from both on and off campus. For more detailed information about the e-resources in law, including any exceptions regarding passwords, see <https://www.bodleian.ox.ac.uk/libraries/law/legal-databases>

Online guides to key legal resources for legal systems, jurisdictions and topics are available via <https://libguides.bodleian.ox.ac.uk/lawindex> The BLL gives many classes in how to more efficiently use databases or find online journals or investigate sources for particular areas of law. Students can also 'book a law librarian' for a one-to-one session: email: law.ref@bodleian.ox.ac.uk. If you have a quick question please email law.library@bodleian.ox.ac.uk.

The Library distributes a Newsletter via the Faculty's postgrad [LPg] email list and the Law Bod Blog (<http://blogs.bodleian.ox.ac.uk/lawbod/>) also provides current information.

Other libraries

You are entitled to use all of the Bodleian libraries (see www.bodleian.ox.ac.uk/libraries). Libraries of special interest to lawyers include:

- the Old Library in Catte Street with reading rooms for classical studies, history and early printed books;
- the Vere Harmsworth Library (Rothermere American Institute) in South Parks Road, which contains American history, politics and current affairs;

- the Radcliffe Science Library on the corner of South Parks Road and Parks Road which has the Bodleian's collection of forensic science and geography;
- the Social Science Library in the Manor Road building, a lending library which incorporates the libraries of the Centre for Socio-Legal Studies and the Centre for Criminological Research.

University Rules for Computer Use

The University's Regulations and Policies applying to use of University ICT facilities can be found at <http://www.admin.ox.ac.uk/statutes/regulations/196-052.shtml> In the Policy Statements section below, there is also a specific link to the Regulations Relating to the use of Information Technology Facilities – though that information can also be found at the URL above.

Language Support

The BCL and MJur are fast-paced courses. All teaching is carried out in English. If you are struggling to keep pace with a course or understand lectures due to language issues we would encourage you to talk to your Academic or College Advisor, and if you think you may require some additional language support you should contact the University's Language Centre as early as possible. We would strongly advise you to visit the website for the University's Language Centre, where (amongst many courses) students can sign up for courses focusing on academic writing and communication skills. Please see <http://www.lang.ox.ac.uk/courses/english-mem.html> for details. The Language Centre (admin@lang.ox.ac.uk) will be able to advise you about the most appropriate course(s) for you to take during your time at Oxford.

8. Support

General sources of help

Being a student is exciting, challenging and rewarding, but it is not always a bed of roses! Everyone in Oxford is well aware that students, like anyone else, can have problems. To a large extent we take these in our stride, consciously or unconsciously making use of the familiar support systems with which we surround ourselves, such as family bonds, friendships, and reliance upon those whose role it is to supervise us. But sometimes our problems need more intensive attention. Do not feel alarmed about acknowledging this: it really can happen to anyone. Oxford has a number of mechanisms designed to help.

Departmental

If the problem is essentially academic in nature, you should speak either to your Academic Advisor or the convenor of the BCL/MJur option in question. If the issue concerns a particular option then the option convenor will likely be the best person to speak to, but if the issue relates to your studies more generally then you should approach your Academic Advisor.

If, for whatever reason, you would prefer not to discuss the issue with either of the latter, you may also contact the Faculty's Academic Administrator or the Course Director, who will also be able to offer help. Contact details for all of the above can be found under Key Contacts near the start of this Handbook.

College

If the problem is not principally an academic one, then you should speak to your College Advisor. Each graduate student is assigned a College Advisor who has various pastoral responsibilities and can assist with personal guidance and practical problem-solving (e.g. in dealings with agencies outside the college on behalf of students when so requested by students). Colleges also have various appointees with specific pastoral and welfare responsibilities, e.g. advisors to women students, chaplains, and resident assistant deans appointed from the postgraduate community, etc. There are often part-time college nurses on site and all students are registered with college doctors based at nearby surgeries. Domestic bursars are charged with meeting special living needs, e.g. in respect of students with disabilities or students who fall ill or students in need of emergency accommodation. The head of college also often plays a role in ensuring that students are settled and adequately supported.

The Middle Common Room (college graduate student union) often has its own welfare officer who acts as a source of information and an advocate. The tradition of extensive college-level peer support in academic matters extends to non-academic matters as well. In general, the relatively communal aspect of college life makes for extremely easy access to confidential support in respect of non-academic matters, including support from people who know the student well, as well as more anonymous advice and support from professionals when necessary.

Every college has their own systems of support for students. Please refer to your College handbook or website for more information on who to contact and what support is available through your college.

Details of the wide range of sources of support available more widely in the University are available from the Oxford Students website (www.ox.ac.uk/students/welfare), including in relation to mental and physical health and disability.

EDI information for student handbooks

Equality, Diversity, and Inclusion at the Faculty of Law

At the Faculty of Law, we incorporate equality into our core objectives, making every effort to eliminate discrimination, create equal opportunities and develop good working relationships between different people.

All our activities are led by the [Associate Dean for Equality and Diversity](#) with the support of the [Equality, Diversity and Inclusion Officer](#) and overseen by the [Equality and Diversity Committee \(EDC\)](#), which reports directly to the Law Board.

EDC meets twice a term, on Tuesdays of weeks 4 and 8, and **all meetings are open to students**, with no reserved business. If you would like to raise an item for discussion, you can do so directly by emailing equalityanddiversity@law.ox.ac.uk or contacting your [student representative](#) on the Committee. Every year, at least three student representatives join the Committee, one from each degree type (undergraduate, postgraduate taught and postgraduate research).

You can find out more about our recent activities and get involved by visiting [Equality, Diversity & Inclusion | Faculty of Law \(ox.ac.uk\)](#). Feel free to also drop us a line at equalityanddiversity@law.ox.ac.uk if you have any questions. We are keen to listen to student voices and work together to make the Faculty a more inclusive space for all.

Equality, Diversity, and Inclusion at the University of Oxford

“The University of Oxford is committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all its staff and students are respected. We recognise that the broad range of experiences that a diverse staff and student body brings strengthens our research and enhances our teaching and that in order for Oxford to remain a world-leading institution we must continue to provide a diverse, inclusive, fair and open environment that allows everyone to grow and flourish.”

([University of Oxford Equality Policy](#))

The [Equality and Diversity Unit \(EDU\)](#) works with all parts of the collegiate University to develop and promote an understanding of equality and diversity and ensure that this is reflected in all its processes. The EDU also supports the University in meeting its legal requirements under the Equality Act 2010, including eliminating unlawful discrimination, promoting equality of opportunity, and fostering good relations between people.

As a member of the University, you contribute towards making it an inclusive environment. The University does not tolerate any form of harassment or victimisation and expects all members of its community, visitors, and contractors to treat each other with respect, courtesy, and consideration. The University has a broad network of harassment advisors in departments/faculties and colleges and a central Harassment Advisory Service. For more information on the [University’s Harassment Policy](#) and the support available for students, visit [Harassment Advice | Equality and Diversity Unit \(ox.ac.uk\)](#). The Faculty of Law also has two harassment advisors whom students and Faculty may contact for advice. They are:

- Justine Pila, Professor of Law | Email: justine.pila@stcatz.ox.ac.uk
- Roderick Bagshaw, Professor of Law | Email: roderick.bagshaw@law.ox.ac.uk

If you find yourself being a victim of bullying and/or harassment, please refer to the [Harassment Flowchart for Students](#) for step-by-step guidance on what to do.

Student Welfare and Support Services

There are several services available to provide support to you during your studies at the University. You can find useful information on the [Student Welfare and Wellbeing website](#).

The Disability Advisory Service (DAS) can provide information, advice, and guidance on the way in which a particular disability may impact on your student experience at the University and assist with organising disability-related study support. For more information visit [Disability | University of Oxford](#).

The Counselling Service is here to help you address personal or emotional problems that get in the way of having a good experience at Oxford and realising your full academic and personal potential. They offer a free and confidential service. For more information visit: [Counselling and mental health | University of Oxford](#).

The Sexual Harassment and Violence Support Service provides a safe space for you to be heard, with advisors offering free support and advice to any current student who has been impacted by sexual harassment or violence. All specialist caseworkers at the service are trained to support you at your pace, non-judgementally and in confidence. For more information, visit: [Sexual Harassment and Violence Support Service | University of Oxford](#).

A range of services led by students are available to help provide support to other students, including the peer supporter network, the Oxford SU's Student Advice Service and Nightline. For more information visit: [Peer Support | University of Oxford](#).

What to do if you are ill or otherwise unable to attend seminars or tutorials

Generally, it is not necessary to inform convenors if you are unable to attend a seminar but you should always inform your tutor if you are unable to attend a tutorial. If you are prevented from working by illness or other cause for more than two weeks then you are advised to contact the Academic Administrator (paul.burns@law.ox.ac.uk). You may also want to discuss the situation with your College Advisor. If you are ill/unable to work for a longer period of time then it may ultimately be necessary to consider a possible suspension of status.

Education Committee and the Proctors

The University's Education Committee is principally concerned with policy matters relating to teaching, learning, and assessment, but it is also the body which can grant dispensations from the regulations in certain instances (though in such situations a student's college will normally write to the Education Committee on the student's behalf – the student does not write direct). Further information about the Education Committee and its activities can be found at: [Governance | University of Oxford](#)

The Proctors are responsible for ensuring that regulations are implemented and investigating complaints by members of the University. The activities they regulate and the regulations they enforce are set out in detail in the documents on the Webpage 'Essential information for students' at <https://www.proctors.ox.ac.uk/the-proctors-and-the-assessor>. The Proctors and Assessor's Memorandum in particular covers an extensive range of subjects, including disciplinary procedures, welfare matters, and a number of University policies which are referred to in the policy statements section below.

Oxford SU

The Oxford University Student Union exists to provide a number of student services, ranging from enhancement of your experience whilst a student to protection of your ability to study should you encounter financial, academic or health-related difficulties. For further information about all its activities, please refer to its website at <https://www.oxfordsu.org/>

Safety for students

Guidance about how you can ensure your personal safety while studying at Oxford can be found at: <http://www.ox.ac.uk/students/life/community/personal>

Health and safety in the St Cross Building Fire Information

In the event of the fire alarm sounding, evacuate the St Cross Building immediately and assemble at the edge of the car park, round the corner from the main steps.

First Aid

First Aid can be administered by a porter trained in first aid. There is a first aid box at the porters lodge. Accident reporting – Please report any accidents, incidents or near misses to the Facilities Team at reception.

Employability and Careers Support

The Careers Service can provide you with comprehensive support in your career planning and management. As an Oxford Alumnus you can attend careers events, fairs, workshops and company presentations. Your student account on CareerConnect will switch to an alumni account when your University card expires, ensuring you stay up-to-date with job vacancies, events, skills sessions, fairs and resources on job sectors, applications and international opportunities. The Careers Service website can be found at <http://www.careers.ox.ac.uk/>; for CareerConnect information, please refer to <http://www.careers.ox.ac.uk/our-services/careerconnect/>.

The Careers Service also provides information about a series of Professional networking events; see <https://www.alumni.ox.ac.uk/page.aspx?pid=773> for further details.

Alumni relations

As part of the University's 180,000-strong alumni community, you can take advantage of our varied alumni programme to stay involved. Whether your interests lie in further study, building a career, travel, or something else, Oxford's alumni programme has something to offer everyone. For more information, please visit: www.alumni.ox.ac.uk. All law students at Oxford are members of both a college and the University and therefore they have shared allegiances. Undergraduate alumni are inclined towards contacting their colleges for most alumni matters yet increasingly become involved with the Law Faculty offerings for professional interaction and networking. Because the Faculty of Law organises and provides all graduate supervision and runs the postgraduate taught courses, graduate students tend to have stronger ties with the Faculty.

The Faculty of Law is eager to maintain contact with all law alumni, including those who go on to practice law from other Oxford faculties. Benefits of staying in touch with the Faculty's alumni programme include:

- Opportunities to attend alumni reunions and professional networking events. The Faculty organises events, both social and professional, which take place in the UK and internationally. We have previously held events in the United States, Canada, India, Singapore, Hong Kong, China, and Australia and, due to their popularity, we plan to increase these events in the years ahead.
- Receiving copies of the Faculty's annual alumni magazine, The Oxford Law News, and the termly electronic e-bulletin, The Law eBulletin, to keep you up-to-date with Oxford news.
- With collaboration from our alumnae and benefactors, the Law Faculty has founded the networking group Oxford Women in Law (OWL) which will assist female alumni working in the field of law to network, discuss career issues especially those facing women, and find mentors as well as engage in relevant professional panel discussions and lectures.
- Joining the group 'Oxford University Lawyers', via LinkedIn, which offers exclusive membership to all Oxford students, staff, and alumni. This provides members with the chance to share discussions with other Oxford law alumni across the world. Our major benefactors often post their news and job advertisements on the group's page as well.
- Professional support and advice. We work closely with the Careers Service and our benefactors to help our alumni achieve their full potential in the workplace.

Please visit the Faculty's alumni webpage for more information: www.law.ox.ac.uk/alumni.

To ensure that you are on our mailing list, or to enquire about organising an alumni event, please email alumni@law.ox.ac.uk. Finally, should you know of any Oxford Alumni who are not in contact with us but would like to be, please forward their contact details to us.

9. Policies and regulations

The University has a wide range of policies and regulations that apply to students. These are easily accessible through the A-Z of University regulations, codes of conduct and policies available on the Oxford Students website www.ox.ac.uk/students/academic/regulations/a-z

Included in this category are the following:

University Equality Policy

<http://www.admin.ox.ac.uk/eop/policy/equality-policy/>

University Policy and Procedure on Harassment and Bullying

<https://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/>

Disability Equality Scheme and Policy

<http://www.admin.ox.ac.uk/eop/disab/>

Regulations Relating to the Use of Information Technology Facilities

www.admin.ox.ac.uk/statutes/regulations/196-052.shtml

Policy on recording lectures by students

Lectures will normally¹ be recorded and made available to all students. Seminars will only be recorded for students who have been/are in the process of being assessed by Disability Advisory Services are requiring access to such recordings. The University's policy on lecture recording can be found at: [Educational Recordings Policy | Academic Support \(ox.ac.uk\)](#)

Freedom of speech

Free speech is the lifeblood of a university. It enables the pursuit of knowledge. It helps us approach truth. It allows students, teachers and researchers to become better acquainted with the variety of beliefs, theories and opinions in the world. Recognising the vital importance of free expression for the life of the mind, a university may make rules concerning the conduct of debate but should never prevent speech that is lawful.

Inevitably, this will mean that members of the University are confronted with views that some find unsettling, extreme or offensive. The University must therefore foster freedom of expression within a framework of robust civility. Not all theories deserve equal respect. A university values expertise and intellectual achievement as well as openness. But, within the bounds set by law, all voices or views which any member of our community considers relevant should be given the chance of a hearing. Wherever possible, they should also be exposed to evidence, questioning and argument. As an integral part of this commitment to freedom of expression, we will take steps to ensure that all such exchanges happen peacefully. With appropriate regulation of the time, place and manner of events, neither speakers nor listeners should have any reasonable grounds to feel intimidated or censored. It is this

¹ The policy referred to above details instances in which lectures may not be recorded

understanding of the central importance and specific roles of free speech in a university that underlies the detailed procedures of the University of Oxford. For further information, see <https://compliance.admin.ox.ac.uk/prevent/freedom-of-speech>

10. Feedback and student representation

Opportunities for feedback

You should provide feedback by the following means:

Law Faculty BCL/MJur Surveys

Throughout the Academic year, you will be asked to complete four surveys: a post-induction survey early in Michaelmas term; a survey at the end of Michaelmas term; another at the end of Hilary term, and a final survey after your Trinity term examinations. We use the results of the surveys to make improvements to the course provision and organisation. The surveys will be considered (confidentially) by the BCL/MJUR Course Committee and Graduate Studies Committee. All survey responses are anonymised.

Student Barometer

Students on full-time and part-time matriculated courses are surveyed once per year on all aspects of their course (learning, living, pastoral support, college) through the Student Barometer. Previous results can be viewed by students, staff and the general public at: www.ox.ac.uk/students/life/feedback

Student representatives/representation

The Graduate Studies Committee (GSC) is the body with the principal responsibility for making decisions on graduate matters and it includes representatives of each of the Faculty's postgraduate taught and research courses. At the start of Michaelmas term, an email is circulated to all postgraduate students asking if they wish to stand as representatives for their particular course, after which students from each course vote for those standing. The elected representatives then serve as a voice for their constituency – the students who have elected them – on GSC. As such, they will raise with GSC any matters that other students on their course have asked them to bring to the Committee's attention; they will also consult those students if there is an issue on which GSC wants students' opinions. From time-to-time, they will also coordinate social events of one sort or another. The BCL and MJur representatives also attend the open business of the BCL/MJur Course Committee, which meets twice per term. One of the two BCL/MJur representatives will attend the open business of the Law Faculty Board, the Faculty's most senior decision-making body to which GSC refers any matters which it does not have the constitutional authority to deal with itself. Student representatives also serve on the Committee for Library Provision and attend a Divisional forum at which student representatives across the Social Sciences Division come together to discuss matters of relevance. Student representatives sitting on the Divisional Board are selected through a process organised by the Oxford University Student Union (OUSU). Details can be found on the OUSU website along with information about student representation at the University level.

You can email the BCL/MJur student representatives if you have matters that you wish to bring to their attention.

11. Complaints and Academic Appeals

The University, the Social Sciences Division and the Faculty of Law all hope that provision made for students at all stages of their course of study will make the need for complaints (about that provision) or appeals (against the outcomes of any form of assessment) infrequent.

Where such a need arises, an informal discussion with the person immediately responsible for the issue that you wish to complain about (and who may not be one of the individuals identified below) is often the simplest way to achieve a satisfactory resolution.

Many sources of advice are available from colleges, faculties and bodies like the Counselling Service or the OUSU Student Advice Service, which have extensive experience in advising students. You may wish to take advice from one of these sources before pursuing your complaint.

General areas of concern about provision affecting students as a whole should be raised through Joint Consultative Committees or via student representation on the faculty committees.

Complaints

If your concern or complaint relates to teaching or other provision made by the Faculty, then you should raise it with the Course Director for the BCL & MJur, Dr Luke Rostill (luke.rostill@law.ox.ac.uk) as appropriate. Complaints about Faculty facilities should be made to the Academic Administrator, Paul Burns (paul.burns@law.ox.ac.uk). If you feel unable to approach one of those individuals, you may contact the Dean, Professor John Armour (dean@law.ox.ac.uk). The officer concerned will attempt to resolve your concern/complaint informally.

If you are dissatisfied with the outcome, you may take your concern further by making a formal complaint to the Proctors under the University Student Complaints Procedure (<https://www.ox.ac.uk/students/academic/complaints>).

If your concern or complaint relates to teaching or other provision made by your college, you should raise it either with your tutor or with one of the college officers, Senior Tutor, Tutor for Graduates (as appropriate). Your college will also be able to explain how to take your complaint further if you are dissatisfied with the outcome of its consideration.

Academic appeals

An academic appeal is an appeal against the decision of an academic body (e.g. boards of examiners, transfer and confirmation decisions etc.), on grounds such as procedural error or evidence of bias. There is no right of appeal against academic judgement.

If you have any concerns about your assessment process or outcome it is advisable to discuss these first with your subject or college tutor, Senior Tutor, course director, director of studies, supervisor/academic advisor or college or departmental administrator as appropriate. They will be able to explain the assessment process that was undertaken and may be able to address your concerns. Queries must not be raised directly with the examiners.

If you still have concerns you can make a formal appeal to the Proctors who will consider appeals under the University Academic Appeals Procedure

(<https://www.ox.ac.uk/students/academic/complaints>).

12. Glossary of Oxford Terminology

Some words and phrases used at Oxford are explained below, but the list will be incomplete because anyone who has been here for a while forgets which words are strange. If you don't know what something means, just ask someone!

Associate Professor: the standard tenure-track or tenured academic post at Oxford. Some Associate Professors hold the title of full Professor in recognition of their distinction.

Battels: college bills, payable each term. Non-payment results in suspension as a student.

BCL: (Bachelor of Civil Law) so called, but it is actually a *postgraduate* degree in *English* law. Its history and name are medieval, like the MA. But it evolved after World War I into a demanding postgraduate course taught by the professors of the University, as well as college tutors, in a combination of seminars and tutorials. In 1927, the exams for the BCL were in Common Law, Conflict of Laws, Equity, Evidence, Jurisprudence, Roman Law: Ownership and Possession, Roman Law: Locatio Conductio and Societas, Real and Personal Property, and Public International Law. There are now 40 options available in the BCL.

BCL/MJur Course Committee: a sub-committee of the Graduate Studies Committee dedicated to the BCL/MJur course.

Common Room: in a college, a name for the organization of the academic staff (Senior Common Room), the undergraduates (Junior Common Room) or the graduate students (Middle Common Room; members of the MCR are typically given membership of the JCR as well). These names are used because along with other facilities, those organisations usually provide a room where you might find coffee and newspapers, or at least comfy seats.

Collection: (1) a mock examination held by colleges (typically just before the beginning of term, based on work done in the previous term); (2) a college meeting between a student and the head of college, and or tutors, held at the end of each term to discuss the student's work (also called a 'handshaking' in some colleges).

College: a self-governing society of fellows. Colleges admit undergraduate students (who are then admitted to the University), and admit graduate students after they are admitted by the University. Colleges provide accommodation, meals, common rooms, libraries, sports and social facilities, and pastoral care for their students and faculty. Crucially, they provide tutorial teaching for undergraduates. That makes them more than just student residences; they are residential communities whose focal purposes are teaching and learning.

DPhil (Doctor of Philosophy): a recent (1914) innovation, the University's highest research degree.

Examination Schools: grandiose, scary Victorian building on the High Street where most undergraduate and BCL, MJur, and MSc examinations are held, as well as some oral examinations for research degrees.

Fellow: member of the governing body of a college. Most of the tutors in a college are fellows.

Final Honour School ['FHS']: the undergraduate course leading to the second public examination (i.e., the University examination for the BA). The course for the BA in Law is the Honour School of Jurisprudence.

Finals: the final examination in the Final Honour School, sometimes called 'Schools'.

First Public Examination: see Law Moderations.

Graduate: a person who has received a university degree.

GSC: Graduate Studies Committee (a committee of the Law Board).

Head of a college: the chief officer in a college, with various responsibilities including chairing meetings of the governing body. 'Head' is a generic term; they are called President (Corpus Christi, Kellogg, Magdalen, St. John's, Trinity, Wolfson), Principal (Brasenose, Harris Manchester, Hertford, Jesus, Lady Margaret Hall, Linacre, Mansfield, Regent's Park, St. Anne's, St. Edmund Hall, St. Hilda's, St. Hugh's, Somerville), Master (Balliol, Pembroke, St. Catherine's, St. Cross, St. Peter's, University), Rector (Exeter, Lincoln), Warden (All Souls, Green, Keble, Merton, New College, Nuffield, St. Antony's, Wadham), Provost (Oriel, Queen's, Worcester), or Dean (Christ Church).

Isis: the Thames, while running through Oxford.

Junior member (of a college, or of the University): student.

Law Board: the governing body of the Law Faculty, chaired by the Dean. Faculty officers (the Chair and Vice-Chair of the Law Board, the Associate Deans for Graduate and Undergraduate Studies) are members *ex officio*; other members are elected from among faculty members. The Graduate Studies Committee, like other faculty committees, reports to Law Board and acts subject to the approval of Law Board. The Law Faculty sometimes meets as a faculty to discuss policies, but decisions are made by the Law Board.

Law Moderations (Law Mods): the first University examination taken by undergraduate law students. The result is a Fail, a Pass, or a Distinction, and students must pass to proceed to Finals. Marks awarded are supplied to students' colleges, but do not count to the final classification of degrees. First Public Examinations in other subjects may be called Preliminary Examinations or Prelims.

Lecture: an exercise in which one teacher addresses an audience of students (a few students, or a few hundred). Students are allowed to ask questions!

MA (Master of Arts): a degree awarded to a student who completes the BA, and then survives for 21 terms (7 years) after matriculating without going to prison. MAs outrank any person who does not have the degree of MA, other than doctors of divinity, medicine and civil law.

MJur (Magister Juris): a taught postgraduate degree introduced in 1991, and designed as a counterpart to the BCL for students who have been trained in law outside the common law jurisdictions. MJur candidates may take one of the Oxford undergraduate common-law courses, and are eligible for most of the BCL subjects.

MLitt (Master of Letters): A two- to three-year research degree.

MPhil (Master of Philosophy): a limited-entry, one-year research degree, which is only open to students who have completed the BCL or the MJur and met special grade requirements.

MSc in Criminology and Criminal Justice: a one-year taught postgraduate course, which involves a combination of coursework and a dissertation.

Matriculation: ceremony in the Sheldonian Theatre for admission to the University of Oxford as a student.

Pigeonhole: your mailbox, usually in an array of mailboxes in a porter's lodge at your college.

Porter: gatekeeper, receptionist, and postal worker at the front entrance ('porters' lodge') of each college. Porters are helpful.

Postgraduate: a graduate who is a student.

Proctors: two senior university officers, nominated by colleges in rotation for a period of one year, with responsibility for (among other things) some matters of student discipline, overseeing the conduct of examinations, and investigating student complaints about the University. The extent of their jurisdiction is indeterminate.

Professor: the holder of a senior academic post with responsibilities to teach for the University but not for a College, or an academic holding another post on whom the title has been conferred in recognition of their distinction.

PRS (Probationer Research Student): the term used for a student admitted to work towards the DPhil or the MLitt, before completion of the Qualifying Test for DPhil or MLitt status.

Punt: a boat with a pole. When it comes to a choice, stay with the boat and let go of the pole.

Reader: the holder of an academic post intermediate between a university lectureship and a professorship, or an academic holding another post on whom the title has been conferred as a sign of distinction. The University no longer creates new Readerships.

Rustication: a temporary sending down, i.e. a suspension from the University, usually for a major disciplinary offence.

Schools: see **Examination Schools**. also, a name for the undergraduate examinations (see **Finals**).

Scout: a member of a college's staff who cleans rooms and keeps an eye on students.

Second Public Examination: see **Finals**.

Seminar: an exercise, typically held around a table, in which one or more teachers discuss their subject with a group of students. Different from a lecture because the teacher is usually sitting down, and there is often more than one teacher. A common procedure is that one teacher (sometimes a visiting speaker) presents a paper, or less formally explains their view on a problem, and another teacher responds, with open discussion following.

Sending down: requiring a student to leave the University.

Senior Member (of a college or the University): roughly, a member of the Faculty or a college fellow. So, professors, lecturers (whether of a college or of the University) and research fellows of colleges may all be termed senior members. The contrast is with junior members (students).

Senior Status: the status of a student who has already taken a degree, and is reading for another undergraduate degree (a second BA) with dispensation from the First Public Examination.

Senior Tutor: the officer in a college who has overall responsibility for academic affairs. The fellow who has been at the college the longest is usually called the 'senior fellow'.

Subfusc (from the Latin for 'dark brown'): for women, black trousers and black socks or a black skirt with dark tights, black shoes, white blouse, a black ribbon worn as a bow-tie, and mortarboard and gown. For men, a dark suit, black shoes and socks, a white shirt and white bow-tie, and mortarboard and gown. Wear subfusc for matriculation, examinations (written and oral) and degree ceremonies. Avoid wearing it on other occasions.

Term: the 8 weeks (Sunday of week 1 to Saturday of week 8) of the three Oxford academic terms: Michaelmas term (MT) (early October to early December, named after the feast of St. Michael on September 29), Hilary term (HT) (mid-January to mid-March, named after the festival (January 13) of Hilarius, the bishop of Poitiers, who died in 367), and Trinity term (TT) (mid-April to mid-June, named after the festival of the Holy Trinity). Strictly speaking, those periods are known as 'full terms' and

extended terms are about three weeks longer. Faculty teaching, including lectures and seminars, is conducted during full terms.

Tutor: a teacher who gives tutorials. Most undergraduate students have a tutorial at least once a week in term time. Tutorials are more important in the BCL/MJur than in any other graduate degree in Oxford (or in the whole world).

Tutorial: a meeting to discuss the student's work, and the subject that the student is studying. Tutorials vary widely, depending on the tutor's methods and the subject matter; the core features are that (i) there is one teacher present, (ii) there are very few students (typically two, sometimes one or sometimes three for an undergraduate tutorial; anywhere from one to four for a BCL/MJur tutorial), (iii) one or more of the students has written an essay. The students' own work is usually the focus of discussion in the tutorial; most tutors try not to turn the tutorial into a small lecture.

The University: the oldest English-speaking degree-granting institution in the world, and older than any of the colleges. It was already in some sort of operation before 1100, but it started to grow in 1167 when Henry II stopped English students going to Paris. The University has had a Chancellor since 1214. The University decides the content of courses, organizes lectures, seminars, and graduate supervision, provides libraries, laboratories, museums, computing facilities, etc.; admits graduate students, conducts all degree examinations, and awards degrees. The Law Faculty is part of the University's Division of Social Sciences (www.socsci.ox.ac.uk). The University's first overseas student was Emo the Friesian, in 1190. For the University's legal status, see: www.admin.ox.ac.uk/statutes/375-092.shtml

The University is not to be confused with University College, which is a college.

Viva (short for 'Viva Voce'): oral examination. There used to be vivas for the BA and for the BCL, but now we only use them in examining research degrees, for which purpose the viva serves as an opportunity for the student to defend the thesis.