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**London
South Bank
University**

Civil Rights

and the Individual

**FACULTY OF LAW & SOCIAL
SCIENCES**

LL B YEAR 3

MODULE GUIDE

LAW -6-CRI

**BY
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MODULE TITLE	CIVIL RIGHTS AND THE INDIVIDUAL
LEVEL	6
REFERENCE NUMBER	LAW-6-CR1
NUMBER OF CREDITS	1
STUDENT STUDY TIME	150
Contact hours	45
Student managed learning hours	105
PREREQUISITES	None
EXCLUDED COMBINATIONS	None
PARENT SCHOOL	Law and Social Sciences
PARENT COURSE	LL.B
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INTRODUCTION TO THE MODULE

This module provides students with the opportunity to study two broad areas relating to individual rights; namely freedom from discrimination and freedom of expression.

AIMS :

This module aims to:

1. enable students to obtain an understanding of the rules relating to civil rights;
2. encourage students to critically analyse and evaluate the domestic framework for the protection of civil rights;
3. explore the philosophical and policy issues involved;
4. examine the practical problems of enforcing civil rights;
5. encourage an appreciation of the wider social, economic and political context within which the law operates;

6. develop the skills required for independent research, analysis and problem solving of complex legal problems;

LEARNING OUTCOMES:

Knowledge and understanding

Students successfully completing this unit will be able to demonstrate a knowledge and understanding of:

1. The fundamental doctrines, the principles of criminal or civil liability and values which underpin the law of England & Wales and of the European Convention on Human Rights in relation to the topics covered by the unit; (A1)

2. The specific application of the law of England & Wales

and European Convention on Human Rights to particular areas of individual rights covered by the unit; (A2)

3. The sources of English law and how it is created and developed in relation to individual rights; (A3)

4. The debates and criticisms relating to individual rights covered by this unit including the practical problems of enforcement of individual rights;

5. The function and limits of law in achieving individual and policy goals; (A5)

6. The significance of the social, political, economic and moral contexts within which the law operates. (A6)

Intellectual skills

Students will develop their intellectual skills such that they are able to:

1. Analyse and evaluate conflicting interpretations of statutes and cases, applying the rules of statutory interpretation and the doctrine of precedent to the specific topics relating to individual rights; (B2)

2. Analyse and evaluate the law in its social, political, economic and moral contexts; (B3)

3. Reason critically and argue effectively about legal issues, recognising alternative points of view and offering reasoned opinions supported by authority or evidence; (B4)

Practical Skills:

Students will acquire and develop their practical skills such that they are able to:

1. Communicate ideas effectively and appropriately in writing; (C1)

2. Reading and understanding complex legal materials, preparing, planning and analysing a complex legal problem or issue; (C2.)
3. Use ICT to store, retrieve and communicate information; (C6.)
4. Undertake research using electronic media. (C7.)

Transferable Skills:

Students will acquire and develop their transferable skills such that they are able to:

1. Identify research questions and carry out research using a variety of media involving the use of original sources, required for the preparation of an extended piece of coursework; (D1)
2. Plan research, including setting priorities in terms of relevance;(D2.)
3. Plan and manage work, including setting priorities in terms of importance and deadlines; (D3)
4. Work autonomously by completing an extended programme of independent study; (D4)
5. Identify and acknowledge issues of culture, disability OR diversity as they apply to controversial issues relating to individual rights (D6);
6. Comply with standards of scholarly practice. (D7)

EMPLOYABILITY

The aims and outcomes of this module contribute to the development of the legal knowledge and skills that are required for legal professional qualification and which are relevant to many other careers in law and related fields.

TEACHING AND LEARNING PATTERNS

Teaching will be by a weekly two-hour lecture and seminars will be held fortnightly for two hours. The lectures will cover the main themes, issues and principles. The discussion of seminar topics and problems are based on hand outs. The questions will explore the contextual theoretical, policy, social and political issues and proposals for reform; as well as complex legal problems that require analysis of the law and an appreciation of the problems of enforcement. A number of past questions are included for discussion in seminars. This is to ensure that students are given the opportunity to develop the appropriate level of knowledge, analysis, problem solving skills and critical evaluation required.

PRIVATE STUDY TIME

Students are informed what areas they are required to study in their own time, in addition to reading around the materials covered in lectures. Some of these issues are then considered in seminars thereby allowing students the opportunity to research areas using their own initiative.

INDICATIVE SYLLABUS CONTENT

Conceptual issues. The course module is introduced by considering conceptual and philosophical issues relating to Civil Liberties. The constitutional protection of rights.

Each year, topics will be selected from the following major areas:

1. Freedom from discrimination

1.1. The principle of non-discrimination. Different types of discrimination: direct, indirect, victimisation, positive and reverse discrimination. Protection of minorities.

1.2. Discrimination on grounds of race, sex, disability. Protection of homosexuals, transsexuals and religious groups.

1.3. Nationality and immigration. Asylum. Colonisation. Different types of British nationals. The impact of the European Union.

2. Censorship and Secrecy

2.1. Obscenity and indecency. Control of artistic expression; censorship of film, television, internet, videos etc...and individual and artistic autonomy.

2.2. Incitement to racial hatred, minor public order offences, racially aggravated offences, racist chanting, blasphemy.

2.3. Contempt of Court; right to a fair trial and maintaining the authority and impartiality of the judiciary.

2.4. Defamation; protection of whose reputation? Politicians and public figures and freedom of the press.

2.5. Breach of Confidence and protection of privacy.

2.6. Official secrets and freedom of information.

ASSESSMENT METHOD:

The course work constitutes 100% of the marks with a maximum of 5,000 words.

The unit pass mark is 40%.

Six weekly, large group sessions to introduce key topics.

The large group session topics introduce students to broad individual civil rights themes (freedom of expression and freedom from discrimination etc.).

Students select a topic from a broad individual civil rights theme as the basis of the subject for their extended coursework. Students will be given two topics to choose from. However, if a student wishes to do another topic, the precise scope of the coursework will have negotiated and agreed between the student and the tutor.

Preparation & learning for whole group and small groups sessions are supported by materials and online materials accessed through the Civil Rights and the Individual Moodle site.

Large and small group sessions make time available to review and discuss progress on planning, researching and writing the coursework.

All assignments must be submitted electronically via the VLE.

WARNING

You must ensure that the work you submit is your own.

Merely copying out of a textbook or other materials will be severely penalised. However, limited reference to a textbook or other materials is permitted if properly referenced. Any reference to materials, directly or indirectly, must be fully cited and footnoted. See the *LLB/ CD Course Guide for examples of academic misconduct including collusion and penalties*.

LEARNER SUPPORT MATERIALS

N.B. No book covers all the topics covered by the course. You should have a look at these books and consult with me before buying a book.

Core Reading

Costigan and Stone: Civil Liberties & Human Rights [Oxford University Press]

Additional Reading

Text, Cases and Materials on Public Law and Human Rights by Helen Fenwick, Gavin Phillipson

WEBSITES

ECrHR - www.dhcour.coe.fr

Home Office - www.homeoffice.gov.uk

Access to police websites

HMSO - www.Officialdocuments.co.uk

Other websites – access through LISA.

MODULE GUIDE STATEMENT ON THE THREE ATTEMPTS RULE AND THE SIX YEAR COMPLETION RULE.

'All students are reminded of the Joint Academic Standards Board (JASB) regulations regarding Qualifying Law Degrees. A Qualifying Law Degree (QLD) is a pre-requisite for anyone wanting to seek qualification as a Barrister or Solicitor.

(i). These regulations require the Foundations of Legal Knowledge subjects to be passed in no more than three attempts as well as requiring students to complete their degree within six years. At LSBU, students who are not eligible for a QLD are transferred onto the BA Legal Studies, which is a non-qualifying law degree (NQLD). It is not normally possible for students with a NQLD to go on and take the vocational courses to qualify as a solicitor or barrister.

(ii) Students who are awarded a NQLD may apply to the Solicitors Regulation Authority (SRA) or the Bar Standards Board (BSB) for exceptional condonation, or to be allowed to take the failed Foundation of Legal Knowledge subject(s) again on a CPE/GLD course. The Law Department cannot assist students in this application and they will need to deal direct with either the SRA or BSB as appropriate.

www.sra.org.uk

www.barstandardsboard.org.uk

(iii) Further information about QLD's, the foundation subjects and the rules on completion of the law degree can be found on the JASB website at the following link.

https://www.barstandardsboard.org.uk/media/1472203/joint-academic-stage-board-handbook_-_nov_2012.pdf

All students are also reminded of the University Academic Regulations, which only allow students to enroll twice on any module. If the module is not passed within two enrolments (two years) then, normally, this will result in a termination of studies. The University Academic Regulations can be found on the Student Portal.

LLB level 6 - CIVIL RIGHTS AND THE INDIVIDUAL

WEEK	DATES	LECTURE TOPIC	SEMINAR TOPIC
1	26 September	INTRODUCTION CONCEPTS/ HUMAN RIGHTS ACT	
2	3 October	OBSCENITY & INDECENCY	CONCEPTS & HRA
3	10 October	BREACH OF CONFIDENCE	OBSCENITY
4	17 October	DEFAMATION	BREACH OF CONFIDENCE
5	24 October	IMMIGRATION	DEFAMATION
6	31 October	HATRED OFFENCES	IMMIGRATION
7	5 & 7 November	SUBMISSION OF PROPOSAL by email to me by 16.00 on 5 November	FEEDBACK ON PROPOSAL 7 November
8	14 November	PREPARATION OF ASSESSMENT	
9	21 November	PREPARATION OF ASSESSMENT	
10	28 November	PREPARATION OF ASSESSMENT	
11	3 December	SUBMISSION OF DRAFT by email to me by 16.00 on 3 December 2019 SUBMISSION OF DRAFT	
12	12 December	PREPARATION OF ASSESSMENT	
	16 December	XMAS VACATION	
13	9 January	SUBMISSION OF ASSESSMENT by 13.00 on 9 JANARY 2020	

SEMINAR QUESTIONS

These are contained in the course materials at the end of each topic.