



CORPORATE AND ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	Civil Liberties				
Module Code	UJUUN-30-2	Level	2	Version	1
Owning Faculty	FBL	Field	Law Undergraduate		
Contributes towards	LLB (Hons); LLB (Hons) European and International Law; Law Joint Awards				
UWE Credit Rating	30	ECTS Credit Rating	15	Module Type	Standard
Pre-requisites	none		Co- requisites	none	
Excluded Combinations	Civil Liberties UJUTA5-30-3		Module Entry requirements	75 credits acceptable to the award on which the student is registered of which at least 30 credits must be credits from law modules	
Valid From	September 2012		Valid to		

CAP Approval Date	1/5/12
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Part 2: Learning and Teaching	
Learning Outcomes	<p>This module undertakes a critical examination of civil liberties, placing the law in its social and political setting and subjecting it to scrutiny from a range of perspectives. The focus of the module is firmly on helping students develop their own critical skills and ability to reflect on the issues raised by the law and practice of civil liberties.</p> <p>The module will provide students with the opportunity to study in depth and in appropriate socio-legal, political, theoretical and other contexts, commensurate with the 2007 QAA benchmark skills for Law (Skill 4.1.), the following areas:</p> <ol style="list-style-type: none"> 1. Critically to analyse the complex legal issues raised by civil liberties in the UK 2. To demonstrate an understanding of the law relating to civil liberties 3. Locate, synthesise and analyse primary and other source materials such as reports, Green & White Papers, statutes, cases, articles and other media 4. Critically to evaluate the solutions adopted by the law and to suggest and evaluate alternative solutions 5. To demonstrate an appreciation of the different theoretical approaches that underpin the law, in particular the contrast between common law liberties and human rights law 6. To demonstrate the ability to present structured and reasoned argument in both oral and written form 7. To demonstrate team-work in research, analysis and presentation of key

case law summaries

8. To demonstrate the ability to undertake effective research using traditional library materials and information technology resources, such as finding and analysing Bills, government papers and other primary sources (as above) via the Internet
9. To demonstrate creative thinking and initiate her or his own free-hand research in identifying and analysing civil liberties issues to be presented in (assessed) written final form
10. critically to evaluate the social and moral issues that underlie the law

On successful completion of this module it is envisaged that students will be able to demonstrate the following general transferable skills:

1. Application and problem-solving (derived from QAA benchmark skills for Law - skill 4.7): The application of knowledge to a given set of situations in order to provide conclusions for problems, tested in all assessment components;
This skill will be tested in all assessment components, and explicitly in Component B.
2. Sources and research (based on QAA benchmark skills for law - skill 4.9):
 - To identify accurately the issue(s) that require researching;
 - To identify and retrieve up-to-date legal and socio-legal information, utilising paper and electronic sources;
 - To use primary and secondary legal and socio-legal sources relevant to the topic under study.This skill will be tested in all assessment components, and explicitly in Component B.
3. Analysis, synthesis, critical judgment and evaluation (based on QAA benchmark skills for law - skill 4.10):
 - to recognise and rank information and issues in terms of relevance and importance;
 - to bring together information from a variety of different sources;
 - to produce a synthesis of relevant doctrinal, theoretical and/or policy issues in relation to a given topic;
 - to make a critical judgment of the merits of particular argumentsThis skill will be tested in all components
4. Autonomy and ability to learn (based on QAA benchmark skills for law - skill 4.13):
 - to act independently in planning and undertaking tasks in areas of law previously studied (tested particularly in Component B1);
 - to reflect on learning (particularly tested in assessment component B1)
5. Communication and literacy (based on QAA benchmark skills for law - skills 4.16 and 4.17)
 - to understand and use the English language proficiently in relation to legal and socio-legal matters pertaining to Civil Liberties (tested in all components);
 - to present knowledge or an argument in a way which is comprehensible (tested in all components);
6. Other key skills: numeracy and information technology (based on QAA benchmark skills for law - skills 4.18 and 4.19)
to produce a word-processed essay (Component B) and research report (Component A1) that allows, where appropriate, for the

	<p>examination of relevant Internet-derived materials, and to use Internet and electronic sources for research purposes(research for Component A1, and Component B)</p>
<p>Syllabus Outline</p>	<p>The syllabus embraces the following topics:</p> <ul style="list-style-type: none"> • An introduction to civil liberties and human rights (and the relationships between them) • Civil liberties and human rights paradoxes • Terrorism • Public order law • Freedom of expression (in relation to obscenity, the secret state and freedom of information) and • Privacy. • Additionally, as law and practice in the field of civil liberties develops, so new and/ or revised content may be included <p>The course is jurisdictionally limited to the United Kingdom, although an international/ European comparative element is maintained throughout. The substantive elements of the course include the first two foundational items below; the rest are a sample, most usually being covered, the choice depending upon particular interests or current affairs issues as they arise. With a focus upon depth rather than breadth, detailed analysis and thorough knowledge and understanding can be achieved by the student. Whatever subjects are chosen, issues and themes tend to run and overlap throughout the course so that the student can gain a broad, overarching perspective.</p> <p><i>Introduction :</i></p> <p>What are rights and liberties and how are they derived? We consider the philosophical basis of society's values, constitution and laws manifesting freedoms and responsibilities.</p> <p><i>Bill of Rights :</i></p> <p>What is the point of a Bill of Rights? What might its constitutional, legal and practical effect be? Is one a good or bad idea for the UK? These issues and other questions related to the European Convention on Human Rights and the Human Rights Act 1998 are examined.</p> <p><i>Terrorism:</i></p> <p>Debates, definitions. The "State of Emergency" rationalisation. Critical Themes. British Anti-Terror Law and the Human rights Act.</p> <p><i>Freedom of Expression :</i></p> <p>This subject includes freedom of speech, defamation, libel, incitement to racial hatred, censorship, obscenity, pornography, freedom of the Press, freedom of information, breach of confidence, official secrecy and contempt of court.</p> <p><i>Privacy :</i></p> <p>The private versus the public sphere. Surveillance, interception of communications, the role of the media, the implications of technology, data protection, misuse of personal information, trespass, photographs and nuisance</p> <p><i>Government Secrecy :</i></p>

	<p>Examines the legal and practical world of national security, "GCHQ", MI5, MI6, <u>Spycatcher</u>, government including the Civil Service, and freedom of information</p> <p><i>Public Disorder :</i></p> <p>How are the tensions between different freedoms and between different and sometimes competing interests in a free society to be balanced? Majoritarian democracy, rights of individuals and minority groupings, the freedoms of peaceful assembly and of movement, as lived out through demonstrations, riots, picketing and street brawls serve as examples. What role for the politician, the police officer, the court? Which spheres of life are to be criminalized? Is expression to be free if it is racist? Statute and case law is examined against the backdrop of issues such as these.</p> <p><i>Racial and Sexual Discrimination :</i></p> <p>This subject considers the historical perspective of the need for legislation, the effectiveness of the legislation, sexual harassment and violence, positive discrimination, the Council for Racial Equality and the Equal Opportunities Commission</p>
<p>Contact Hours/Scheduled Hours</p>	<p>1 x 3 hour workshops per week, supported by additional media where appropriate, including blogs.</p> <p>The programme estimates a guidance preparation time of 10 hours per workshop. Students will be given workshop preparation topics in advance of their workshops on the analysis of cases, statutes, and academic arguments as appropriate. The material will usually be discussion title-based. Directed reading will be suggested along with internet sources and multimedia material as appropriate.</p> <p>Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.</p> <p>Workshops will involve problem-solving and the analysis and synthesis of conceptual and contextual issues, through plenary discussion and presentations by individual students or groups of students. Students are expected fully to participate in seminar discussions, which will cover the controversial and difficult areas of the subject.</p> <p>The function of workshops can be seen as follows:</p> <ul style="list-style-type: none"> (a) to monitor the acquisition by students of the knowledge, understanding and skills mentioned under the <i>Learning Outcomes</i>; and (b) to facilitate and enhance the acquisition of that knowledge, understanding and skills and to foster deeper learning. (c) to allow students to evaluate, analyse and synthesise legal materials in an interactive environment and to facilitate their appreciation of the levels of variation of opinion which may be generated in legal discussion. (d) to deliver, interactively, a range of reasoning and argumentation skills. <p>Students will be expected to pursue independent and directed study between class contact sessions.</p>
<p>Teaching and Learning Methods</p>	<p>The emphasis throughout will be on providing the student the opportunity and facilities to question, understand, analyse, evaluate and articulate the law in its</p>

	<p>appropriate contexts as described above.</p> <p>The learning context is student-centred and embraces a variety of techniques – individual and group participation, group working, analysis and case studies - to encourage independent thought and constructive criticism, via a 3 hours per week workshop-based model of engagement.</p> <p>The assessment strategy is intended to support student development during the module, consisting of a research and philosophical underpinnings exercise, which will enable feedback to be given to the students before their substantive essay. Finally, the controlled conditions element would consist of a presentation or community engagement event (i.e. an end-of-term externally-facing day-long civil liberties-themed event, in which student present an aspect of their work.)</p>
Reading Strategy	<p>Workshop reading and wider preparation will be in the form of cases, statutes, articles, reports and monographs and other media. All essential reading normally will be available electronically through legal databases such as LEXIS, Westlaw and the Internet. Numerous sources will also be available via the module Blackboard. Paper copies of many of the sources will also be available in the library.</p> <p>The library contains a wide variety of electronic and paper sources relevant to this module. The module materials will contain links to relevant sites or links directly to the relevant source itself as appropriate.</p>
Indicative Reading List	<p>Essential Reading:</p> <p>R Stone, <i>Civil Liberties and Human Rights</i>, Blackstone Press</p> <p>Additional Reading:</p> <p>Bailey S, Harris D & Jones B, <i>Civil Liberties: Cases and Materials</i>, Butterworths</p> <p>D Feldman <i>Civil Liberties and Human Rights in England & Wales</i>, Clarendon Press</p> <p>Whitty N, Murphy T and Livingstone S, <i>Civil Liberties Law: The Human Rights Act Era</i>, Butterworths</p> <p>Brewer J <i>et al</i>, <i>The Police, Public Order and the State</i>, Macmillan</p>

Part 3: Assessment

Assessment Strategy	<p>The module is assessed on the basis of a Research and Philosophical Underpinnings Exercise (1750 word guide) (25%), an essay (3500 words) (50%), and a presentation/ community engagement event (25%.)</p> <p>The research and philosophical underpinning exercise forms the formative assessment for the module, and enables students to engage in an analysis of issues discussed and researched, with a view to focussing their plans in preparation for the later (linked) summative essay. The module prepares the students for all forms of assessment by formulating workshop materials, structure and pedagogy to allow the students to gain an insight into and experience of the different assessment formats.</p> <p>The presentation/ knowledge exchange event allows for knowledge and understanding gained over the academic year to be disseminated</p>
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Identify final assessment component and element	Component B	
% weighting between components A and B (Standard modules only)	A:	B:
	25%	75%
First Sit		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
1. Presentation / Community Engagement Event	100%	
Component B Description of each element	Element weighting (as % of component)	
1. Research and Philosophical Underpinnings Exercise (1750 word guide)	33%	
2. Essay (3500 words)	67%	

Resit (further attendance at taught classes is not required)		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
1. Presentation	100%	
Component B Description of each element	Element weighting (as % of component)	
1. Research and Philosophical Underpinnings Exercise (1750 word guide)	33%	
2. Essay (3500 words)	67%	
If a student is permitted an EXCEPTIONAL RETAKE of the module the assessment will be that indicated by the Module Description at the time that retake commences.		