



ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	Personal Injury and Clinical Negligence				
Module Code	UJXTT8-10-M	Level	M	Version	3
UWE Credit Rating	10	ECTS Credit Rating	5	WBL module?	No
Owning Faculty	Business and Law	Field	Law Non-Modular		
Department	Law: BILP	Module Type	Professional Practice		
Contributes towards	Post Graduate Diploma in Legal Practice Masters in Advanced Legal Practice				
Pre-requisites	None	Co- requisites	None		
Excluded Combinations	None	Module Entry requirements	N/A		
First CAP Approval Date	2008	Valid from	2008		
Revision CAP Approval Date	1 June 2016	Revised with effect from	September 2016		

Part 2: Learning and Teaching	
Learning Outcomes	<p>By the end of this elective, a student will be able to:</p> <ul style="list-style-type: none"> - Advise a client as to whether or not they might be successful in a claim for personal injuries, in the context of a road traffic accident (RTA) or employers liability claim (EL). - Advise a client on the various types of funding available to him, more specifically the most appropriate for his particular case. - Commence appropriate investigations into a personal injury claim (both RTA and EL). - Identify the heads of damage and be able to quantify the level of damages a client might expect to receive in a personal injury claim. - Draft appropriate Particulars of Claim in both an RTA and EL claim. - Analyse issues raised by the Defence. - Draft Schedules of Loss in a personal injury case

	<ul style="list-style-type: none"> - -Understand the differences between joint selection/ instruction of experts - -Research and understand liability in relation to clinical negligence cases. - -Analyse medical facts, research source material relating to medical facts and apply legal knowledge to identify the likely success of a clinical negligence claim. - -Understand the importance of experts in a clinical negligence case and be able to draft letters of instruction to them. - -Understand and have experienced the process of Mediation as an alternative to litigation for clinical negligence cases
Syllabus Outline	<p>Syllabus Outline</p> <p>Statement of Outcomes</p> <p>The LPC outcomes and the vocational elective outcomes will be met by the students undertaking the type and range of tasks identified in the indicative teaching scheme set out below this statement.</p> <p>The elements of law and practice to be covered on the elective are primarily identified in the syllabus set out above as expanded upon in this statement and in the indicative teaching scheme set out below.</p> <p>The course skills which will pervade this elective as identified in the indicative teaching scheme set out below are; practical legal research, case analysis, writing and drafting. The skill of advocacy will also be developed.</p> <p>Ethical and professional conduct issues will pervade the teaching of this elective.</p> <p>Indicative Teaching Scheme</p> <p>Study Unit 1: Initial instructions and Liability in an Employers Liability case</p> <p>Study Unit 2: Methods of funding, costs, evidence, liability and Pre-Action Protocols</p> <p>Study Unit 3: CPR 32, damages, schedule of loss and CRU.</p> <p>Study Unit 4: Introduction to Clinical Negligence and Liability</p> <p>Study Unit 5: Initial Investigations and Experts</p> <p>Study Unit 6: Damages, Limitation and Provisional Damages</p> <p>Study Unit 7: Revision</p> <p>Self Study Unit Coroner’s Court and Fatal Accident Claims</p>

Contact Hours	Each Study Unit involves the student undertaking 11.5 Notional Learning Hours, of which (with the exception of the Self Study unit) 2.5 hours will be a Small Group Sessions
Teaching and Learning Methods	<p>Self-study preparation and research in order to acquire knowledge and understanding;</p> <p>A mixture of individual and group work centred on problem-based learning, involving management of information, analysis of complex facts and application of knowledge;</p> <p>Role play and oral presentations to demonstrate understanding and effective communication of complex areas of law applied to detailed factual scenarios;</p> <p>Preparation of written communications (primarily in the form of letters of advice to clients) to demonstrate understanding and effective communication of complex areas of law applied to detailed factual scenarios;</p> <p>Review and application of the Civil Procedure Rules.</p> <p>Reviews of topics in small group sessions (where ideas can be pooled and debated) and critical self-evaluation.</p> <p>The teaching and learning strategy pervading all modules on the Legal Practice Course is a student-centred approach through the provision of a stimulating educational environment.</p> <p>Face to face teaching and learning in a workshop environment is at the heart of the Teaching & Learning strategy, for students to participate fully in challenging activities, undertaking a wide variety of exercises as individuals and in groups. Full participation is encouraged and expected. Students are encouraged to ask questions during the workshops and to take responsibility for their own learning. Feedback will be given on these exercises both by students and tutors.</p> <p>Outside of the workshop students are required to take responsibility for their own learning undertaking a variety of preparatory tasks. This includes provision of information reading from course manuals and from practitioner texts, reading and research from primary source material, completion of electronic tests, preparing documents or presentations and attending small group sessions.</p> <p>The final component of each Study Unit will be a consolidation task or tasks designed to broaden and deepen students' understanding of an aspect or aspects of work covered in the relevant Study Unit</p>
Reading Strategy	Students will undertake reading from the course manual, practitioner texts and primary source material.
Indicative Reading List	<p>Personal Injury and Clinical Negligence 2016 (CLP)</p> <p>Civil Litigation 2015/16 (CLP)</p>

Part 3: Assessment

Assessment Strategy	<p>The Assessment Strategy pervading all modules on the LPC is rigorous in its approach to ensure the credibility of the course to ensure that</p> <ul style="list-style-type: none"> • Assessment arrangements will be robust, consistent, fair and secure, to ensure that academic standards will meet the threshold set by the SRA • Assessments will revolve around transactions of the type encountered in practice • Assessments will address depth and realism as well as coverage • Individual assessments cover a representative and robust selection of the relevant outcomes. Where an assessment does not include coverage of all of the outcomes for a particular subject, students will nevertheless be prepared to be assessed on all outcomes and will not be informed of what (or will not) be assessed in any particular assessment. • Student achievement will be measured appropriately in accordance with the LPC outcomes. • All diligent students have an opportunity to achieve and demonstrate the LPC learning outcomes. • The needs of disabled students will be taken into account ensuring equal accessibility of assessments to all students.
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% weighting between components A and B	A:	B:
	100%	
First Sit		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
3 hour Open Book assessment comprising 25% MCQ/SAQ and 75% Long Form Questions with a pass mark of 50%	100%	
Component B Description of each element	Element weighting (as % of component)	
n/a		

First Resit (further attendance at taught classes is not required)		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
3 hour Open Book assessment comprising 25% MCQ/SAQ and 75% Long Form Questions with a pass mark of 50%	100%	
Component B Description of each element	Element weighting (as % of component)	
n/a		

Second Resit (further attendance at taught classes is not required)	
Component A (controlled conditions) Description of each element	Element weighting (as % of component)
3 hour Open Book assessment comprising 25% MCQ/SAQ and 75% Long Form Questions with a pass mark of 50%	100%
Component B Description of each element	Element weighting (as % of component)
n/a	