



Module Specification

Personal Injury and Clinical Negligence

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Part 1: Information

Module title: Personal Injury and Clinical Negligence

Module code: UJXTT8-10-M

Level: Level 7

For implementation from: 2021-22

UWE credit rating: 10

ECTS credit rating: 5

Faculty: Faculty of Business & Law

Department: FBL Dept of Law

Partner institutions: None

Delivery locations: Frenchay Campus

Field: Law - non modular

Module type: Standard

Pre-requisites: None

Excluded combinations: None

Co-requisites: None

Continuing professional development: No

Professional, statutory or regulatory body requirements: None

Part 2: Description

Overview: Not applicable

Features: Not applicable

Educational aims: 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 in the Outline Syllabus.

The elements of law and practice to be covered on the elective are primarily identified in the syllabus, as expanded upon in this statement and in the indicative teaching scheme.

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.

Outline syllabus: Indicative Teaching Scheme

Study Unit 1:

Initial instructions and Liability in an Employers Liability case

Study Unit 2:

Methods of funding, costs, evidence, liability and Pre-Action Protocols

Study Unit 3:

CPR 32, damages, schedule of loss and CRU

Study Unit 4:

Introduction to Clinical Negligence and Liability

Study Unit 5:

Initial Investigations and Experts

Study Unit 6:

Damages, Limitation and Provisional Damages

Study Unit 7:

Revision

Self Study Unit

Coroner's Court and Fatal Accident Claims

Part 3: Teaching and learning methods

Teaching and learning methods: Self-study preparation and research in order to acquire knowledge and understanding;

A mixture of individual and group work centred on problem-based learning, involving management of information, analysis of complex facts and application of knowledge;

Role play and oral presentations to demonstrate understanding and effective communication of complex areas of law applied to detailed factual scenarios;

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;

Review and application of the Civil Procedure Rules.

Reviews of topics in small group sessions (where ideas can be pooled and debated) and critical self-evaluation.

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.

Face to face teaching and learning in a workshop environment is at the heart of the Teaching and 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.

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.

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.

Ethical and professional conduct issues will pervade the teaching of this elective.

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.

Module Learning outcomes: On successful completion of this module students will achieve the following learning outcomes.

MO1 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).

MO2 Advise a client on the various types of funding available to him, more specifically the most appropriate for his particular case.

MO3 Commence appropriate investigations into a personal injury claim (both RTA and EL).

MO4 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.

MO5 Draft appropriate Particulars of Claim in both an RTA and EL claim.

MO6 Analyse issues raised by the Defence.

MO7 Draft Schedules of Loss in a personal injury case.

MO8 Understand the differences between joint selection/ instruction of experts.

MO9 Research and understand liability in relation to clinical negligence cases.

MO10 Analyse medical facts, research source material relating to medical facts and apply legal knowledge to identify the likely success of a clinical negligence claim.

MO11 Understand the importance of experts in a clinical negligence case and be able to draft letters of instruction to them.

MO12 Understand and have experienced the process of Mediation as an alternative to litigation for clinical negligence cases.

Hours to be allocated: 100

Contact hours:

Independent study/self-guided study = 76 hours

Face-to-face learning = 24 hours

Total = 100

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://uwe.rl.talis.com/modules/ujxtt8-10-m.html) via the following link <https://uwe.rl.talis.com/modules/ujxtt8-10-m.html>

Part 4: Assessment

Assessment strategy: This module is assessed by examination comprising 25% MCQ/SAQ and 75% Long Form Questions with a pass mark of 50%.

The Assessment Strategy pervading all modules on the LPC is rigorous in its approach to ensure the credibility of the course to ensure that:

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.

Assessment components:

Examination - Component A (First Sit)

Description: Examination

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO10, MO11, MO12, MO2, MO3, MO4, MO5, MO6, MO7, MO8, MO9

Examination - Component A (Resit)

Description: examination

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested:

Examination - Component A (Resit)

Description: Examination

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested:

Part 5: Contributes towards

This module contributes towards the following programmes of study:

Advanced Legal Practice [Sep][PT][Frenchay][2yrs] LLM 2021-22

Advanced Legal Practice [Jan][PT][Frenchay][2yrs] - Not Running LLM 2021-22

Advanced Legal Practice [Sep][FT][Frenchay][1yr] LLM 2021-22

Advanced Legal Practice [Aug][PT][Frenchay][2yrs] - Not Running LLM 2021-22