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1. Introduction and general administration

This handbook applies to students starting in Michaelmas Term 2020. 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, MPhil and DPhil in Socio-Legal Studies, PG Diploma in Intellectual Property and Practice, 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:

http://www.admin.ox.ac.uk/examregs

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 at 1 September. 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?wssl=1 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.

Christopher Hare
Associate Dean for Graduate Studies (Taught)

Versioning

It may prove necessary over the coming months to make certain changes to this handbook. This, the first version of this handbook is designated BCL MJur Handbook 2020-21 Version 1. Minor alterations are indicated by subsequent iterations of Version 1 – so, Version 1.1, 1.2, 1.3 etc. and in each case, the changes made in the new iteration will be outlined below. Major alterations will prompt a new version of the Handbook – Version 2; and in that circumstance, you will be emailed to make you aware of the changes, which will also be summarised below and highlighted in the main text of the handbook as well.

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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Contact Information</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher Hare</td>
<td>Associate Dean for Graduate Studies (Taught)</td>
<td><a href="mailto:christopher.hare@law.ox.ac.uk">christopher.hare@law.ox.ac.uk</a></td>
</tr>
<tr>
<td>TBC</td>
<td>BCL/MJur Course Administrator</td>
<td>281876</td>
</tr>
</tbody>
</table>
Chris is based in Somerville College, while Paul, Marianne and Marina have offices in the St Cross Building. As a general rule, you should in the first instance direct queries to the BCL/MJur Course Administrator or the Academic Administrator (Paul). They can then relay them to Chris 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 note, that due to COVID 19 guidelines, many faculty staff may still be fully or partially working from home. This situation will be continually monitored, and students advised accordingly.

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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mindy Chen-Wishart</td>
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<tr>
<td>Helen Garner</td>
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<td>271451</td>
</tr>
</tbody>
</table>

**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 staff who are involved in the teaching of law. Its members meet regularly to discuss its affairs. There are also subject groups within the Faculty consisting of members with a particular interest in the various subjects.

Colleges provide support of a more pastoral nature, 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 their own students.

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:

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 and for the MSc in Criminology (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 Mindy Chen-Wishart.

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 MSc in Law and Finance, generally known as the MLF, has its own management committee which meets four times a year and reports to GSC, and there is a Committee for Library Provision which 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 seven 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 (and undergraduate) students; the BCL/MJur Course Administrator 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 Administrators (Joanna McKenna and Catherine Chandler) are responsible for all matters pertaining to MLF students; and the Student Administration Officer (Marianne Biese) is responsible for certain student-related events and general course administration. In addition, the Timetabling and Events Assistant (Marina Amiconi) deals with the lecture list, 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 course of 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 29 September. Induction events then run through the remainder of that week and week 0 of Michaelmas term. For 2020-21, Faculty induction events will be entirely online.

The Lecture List

The lecture list is published at the beginning of each term. 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 notified to students 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.

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/](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](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 [http://www.admin.ox.ac.uk/statutes/regulations/48-012.shtml](http://www.admin.ox.ac.uk/statutes/regulations/48-012.shtml). However, we would suggest you refer to information which will be provided by your college as this is likely to be more user-friendly.

**Residence requirements**

Information concerning residence requirements can be found at: [https://www.ox.ac.uk/students/life/accommodation](https://www.ox.ac.uk/students/life/accommodation).

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.

For Michaelmas Term 2020, the BCL and MJur has permission from the University for a blanket exemption from the usual residence requirements. The blanket exemption will preclude the need for individual applications for dispensation from residence and applies to the whole cohort. Currently, the exemption only applies for Michaelmas Term. If the situation in regard to the pandemic doesn’t improve or indeed worsens then it is possible that further dispensations from residence may be granted either on a case-by-case basis or via another blanket exemption. If you wish to rely upon the blanket exemption for students in Michaelmas Term please contact the Course Administrator urgently, if you haven’t already done so.
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

17 September: deadline for sign-up for BCL/MJur options.
17 June 2021 (provisional date, to be confirmed): start of BCL/MJur examinations.

Oxford Students website

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.

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 (www.admin.ox.ac.uk/edc/policiesandguidance/policyonpaidwork) permit PGT students to work for up to eight hours per week; graduate students from beyond the EU undertaking paid work 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:
http://www.ox.ac.uk/admissions/postgraduate_courses/fees_and_funding/index.html

The Law Faculty also has its own scholarships and has awarded over £600,000 to postgraduate students for 20120-21. Details of Faculty and college scholarships for which law students are eligible can be found at: https://www.law.ox.ac.uk/admissions/graduate-scholarships 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; the list reads as follows:

- Vinerian Scholarship Overall best BCL
- Vinerian Scholarship Proxime Accessit (second)
- Clifford Chance Prize Best Performance MJur
- Clifford Chance Proxime Accessit (second)
- Allen and Overy Prize in Corporate Finance Law
- Clifford Chance Civil Procedure (Principles of)
- Herbert Hart Prize in Jurisprudence and Political Theory
- John Gardner Prize for Philosophical Foundations of the Common Law
- John Morris Prize in Conflict of Laws sponsored by Quadrant Chambers
- Linklaters Prize for Principles of Financial Regulation
- Monckton Prize in Competition Law
- Peter Birks Prize in Restitution of Unjust Enrichment
- Ralph Chiles CBE Award in Comparative Human Rights
- South Square Prize for Corporate Insolvency Law
- 3 Verulam Buildings Prize for Legal Concepts in Financial Law
- Volterra Fietta Prize for International Law of the Sea
- Winter Williams Prize in European Business Regulation
- 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 between 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 some courses there is one core seminar series closely
corresponding to the syllabus; in others 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. Convenors 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 at least one hour and often 90 minutes, at which a single member of the subject group 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 usually 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).

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).

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.

Current changes to course delivery as a result of COVID-19

Lectures: lectures will be entirely online during Michaelmas term. Lectures are non-interactive events, you are listening to a lecturer that is delivering a pre-written course that involves limited student interaction. Lectures may be pre-recorded with the possibility to ask questions online. This will be reviewed for Hilary term.

Tutorials: There is a reasonable likelihood that tutorials will be delivered face to face, however, it will depend on the size of the facility the tutor is using and if the tutor is shielding or not. Tutorial teaching is normally delivered in colleges and it is probably what will happen this year.

Face-to-face teaching will involve wearing a mask.

Seminars: seminars may be delivered by “hybrid teaching”, i.e. a combination of people physically in the seminar room and others online, depending the constraints of some. This will also depend on the room capacity, the option numbers. Alternatively, some seminars may be delivered online. Attendance at ‘live’ online sessions is expected.

The above information is subject to change, according to University Government guidance.

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.

How to register/change your BCL/MJur option preferences

In 2020-21, registration for options takes place in mid-September. Registration for your choice of courses is completed using the Faculty's online registration system, details of which have been shared by email and via WebLearn. Registration opens on Monday 14 September and closes on Wednesday 16 September.
It is possible to change courses later (any time up to the end of Michaelmas term week 4, when you submit your examination entry form through your college) but changing your course 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.

If you wish to change course, 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.

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 in place of one full option or two half-options.

The same applies to MJur students but they may also substitute 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 at: https://weblearn.ox.ac.uk/portal/site/socsci.law:information.

From here, select ‘Resources’ from the left-hand column and then 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 common law is necessary/desirable. MJur students are advised that they should familiarise themselves with those aspects of common law underpinning the subjects in question if they do wish to take these options.

Advanced and Comparative Criminal Law

**Option**

Option: Advanced and Comparative Criminal Law (Half Paper)

**Overview**

The aim of the course is to go much deeper into key aspects of criminal law doctrine than an undergraduate course has space to do. With fewer topics, and greater focus on doctrinal difficulties and challenges, including those not yet acknowledged, and those seen but not yet solved, such as the structure offences, conditionality and risk in respect of fault states and deception within the sexual offences. It grounds legal reasoning equally in both practical problems and legal theory. It calls in guest teachers to cover specialised topics, combining with the core involvement of the course convenor. 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. It will also not cover a detailed introduction to comparative law method, taking a more practical and immediate approach. The course is designed not to copy the Philosophical Foundations of the Common Law Course, but does build on some of the material covered in that course in Michaelmas. Assessment will be by open book assessed essay in the Easter vacation.

**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 lecture giving the outline of the law of complicity, and 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 Discussion and Q&A.

**Convenor**
Matthew Dyson

**Names of those teaching on this option**
Rebecca Williams
Gabrielle Watson
Jonathan Turner
David Campbell
Carla Sepulveda Penna
Paul Jarvis

**Timing of lectures/seminars/tutorials**
8 x seminars, all in Hilary Term; 3 tutorials in Hilary Term (one might be in Trinity Term if the students prefer and if possible)

**Does this option require a prior knowledge of the common law?**
No

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**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 seminars in MT and 6 in HT, with up to 3 revision seminars 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.

Assessment will take the form of a written take home examination 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; ‘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)

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**
Ben McFarlane

Teaching

Joshua Getzler, Ben McFarlane, Aruna Nair, Luke Rostill, Andreas Televantos, and various guest seminar participants, including Lionel Smith.

Timing of lectures/seminars/tutorials

4 hrs of lectures in MT, 2 hrs of lectures in HT.

6 seminars in MT, 6 seminars in HT, up to 3 revision seminars in TT. Each seminar is 2 hours.

4 tutorials in total. 1 tutorials in MT, 2 tutorials in HT, 1 tutorial in TT.

Does this option require a prior knowledge of the common law?

Yes. 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.

Business Taxation in a Global Economy

Overview

With inequality on the rise and countries struggling to collect enough taxes to pay for their increasing needs, tax is making the headlines: complaints about multi-national companies escaping taxation through artificial tax planning, transfer mis-pricing and profit shifting; information leaks prompting unprecedented media coverage; quarrels between countries as to which should get to collect taxes and on what basis; demands by NGOs for companies to pay a “fair share” of tax, and pleas for international organizations to consider the interests of developing countries, are but a few examples that call into question our current tax system, suggesting that perhaps we should find new ways to tax business in the global economy.

Recent action by the G20, OECD, and EU, prompted by debates in the media, by politicians and pressure groups, illustrates that tax is not just a technical area. It raises economic, political, constitutional and ethical questions of fundamental importance. But it is also an area where a lack of understanding of the underlying law can result in weak policy discussions.

This course looks at both the law and the policy aspects of taxation and brings them together to create a more complete understanding of both. Tax law is central to all businesses and of significance to many business transactions. It is also critical for public finance. The course focuses on the taxation of domestic and multi-national businesses and integrates a rigorous examination of the law with the normative questions underpinning it. It uses UK tax law as a primary case study leading to comparative and theoretical discussions.

The course is thus suitable both for those with an interest in these broad questions as well as those wishing to specialise in and become tax or corporate law practitioners. This is a law course so no maths is needed - no calculations! It is designed to accommodate students from a variety of backgrounds and jurisdictions, whether or not they have studied tax before. Students with knowledge of taxation in the UK or other jurisdictions are encouraged to introduce material into seminars upon which we build, but others will bring other perspectives.
The course is suitable for BCL, MJur and MLF students and can be taken successfully with a range of different courses. No prior study of tax law, company law or economics is required. Students will need to read many types of materials and consider how policy issues and technical law interact. UK tax law is statute based, so legislation must be studied, and also case law. Readings from public finance and accounting literature will be recommended on some topics: these will be accessible without specialist knowledge. We will provide a pack of legislative materials so there will be no need to buy legislation books.

The syllabus is wide and the subject fast moving, so the precise focus may vary from year to year. The examination format allows students to focus on areas and approaches that interest them, although the entire course must be studied to gain a complete overview and understanding.

The teaching consists of seminars spread over Michaelmas and Hilary terms. Some will include presentations from teachers and others will be more participatory, with notice given so that all can take part. Most materials are available electronically. Background reading is recommended (see introductory list on Canvas) and more detailed lists will be posted on Canvas as the course proceeds. There are four tutorials - one in MT and three later in the year. Written work is set and marked for each tutorial.

Topics covered

Central themes are:

- The tax base. What should be taxed? What expenses should be allowed as deductions? What is the role of exemptions? If we tax profit, how should this be defined? What are the alternatives?
- When should various items be taxed?
- The unit of taxation. Who should be taxed? The individual? The single company? The corporate group? The ultimate shareholders?
- How are taxes at each level integrated with each other? What are the special problems of small business taxation?
- What distortions and problems are encountered in corporation tax especially corporate financing, and how are these used in tax planning?
- What are ‘tax avoidance’ and ‘fairness’ in a business context? How should tax systems and design approach these issues?
- How should taxing rights be allocated among jurisdictions? What is the role of national governments, double taxation treaties, the EU, the UN, the OECD?
- The challenges for the international tax system. How can we address tax planning and avoidance? What changes are needed to address the challenges posed by the digitalisation of the economy?
- More broadly, is the existing international tax system fit for purpose? Is a radical change needed, and if so, what form should it take?

Convenor

John Vella
Teaching
John Vella, Glen Loutzenhiser and Tsilly Dagan

Timing of lectures/seminars/tutorials

Lectures/seminars (MT and HT)
Wednesdays 5.00-6.30, Thursdays 11.00-1.00 (TBC)

Tutorials:
1 in MT, 3 in TT

Does this option require a prior knowledge of the common law?
No

NB
This course was named Corporate Tax Law and Policy in previous years. The name was changed to better reflect the material covered in the course. The material covered in 2020-2021 will be similar to that covered in 2019-2020.

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
Teaching
Wolfgang Ernst, Mike Macnair

Timing of lectures/seminars/tutorials
4 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?
No

Commercial Negotiation and Mediation
Overview
The aim of this option is to (i) introduce students to a conceptual approach to negotiation and mediation (negotiations assisted by a neutral third-party) and to the most important economic, game theoretic, psychological and legal issues and findings regarding the resolution of commercial disputes by means of negotiation and mediation; (ii) develop students’ skills in negotiating and mediating such disputes by engaging in role plays and other practical exercises, highlighting also the intercultural dimension of dispute resolution; and (iii) let students benefit from the experience of seasoned practitioners in the field who report on specific problems that arose during negotiated and/or mediated cases and provide feedback on students’ negotiation and mediation performance. By attending the course, students will gain the theoretical insights and practical skills to resolve commercial disputes by way of negotiation and/or mediation. The course will be taught by a combination of lectures, seminars, and tutorials, and will also feature practical workshops involving negotiation and mediation role play exercises.

Topics covered
(1) Disputes and methods of dispute resolution
(2) Communication (theory) and disputes
(3) Rationality and irrationality in disputing
(4) Negotiation analysis
(5) Negotiation dynamic and management
(6) Negotiation strategy and design
(7) Mediation structure, function, and forms
(8) Roles and (legal) rules in mediation
(9) Mediation process and mediator’s techniques
(10) Consumer dispute resolution and algorithmic dispute resolution
Convenor
Horst Eidenmueller

Teaching group
Horst Eidenmueller, Naomi Creutzfeldt, Andreas Hacke, Genevieve Helleringer

Timing of lectures/seminars/tutorials
6 lectures in MT, 4 lectures in HT.
8 seminars in MT, 6 seminars in HT (some seminars with practical exercises).
2 tutorials in MT, 2 tutorials in HT, 1 tutorial in TT.
Basic Negotiation Workshops (1 day) in MT, Advanced Negotiation Workshop (1 day) in HT,
Mediation Training (2 days) in TT.
Lectures/Seminars by Senior Practitioners in HT (tbc) and Senior Practitioners’
Roundtable/Conference in TT (tbc)

Assessment
It is intended that students have the option to take the exam (at the end of the academic year) or
submit two research papers, which are due on the first day of full HT and TT, respectively (final
approval by division is pending).

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. So 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
document. 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

Teaching
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 Constitutional Law – half option

Overview
This course critically examines the legal structure of constitutions in comparative perspective. It focuses on the United Kingdom, the United States, Canada, and Germany, and students will be expected to acquire general knowledge of these constitutional systems and in-depth understanding of certain aspects that will be emphasised in the readings. The aim of the course is two-fold. The first is to understand how the above four constitutional systems structure, allocate, and limit legal and political powers, and how constitutional mechanisms for deliberation and decision-making operate in practice. The second is to gain general understanding of the nature of constitutions and constitutional law, in particular with respect to the following topics.

1. Constitutional design and constitution-making
2. Federalism, subsidiarity and devolution
3. Representation and electoral systems
4. Executive power and form of government (considering parliamentary, presidential and hybrid systems)
5. Constitutions and the administrative state (considering various approaches to the independence of the administration from elected institutions, and to structuring judicial review through ordinary courts or special administrative courts)
6. Judicial review of rights and other constitutional provisions
7. Constitutional change: amendments, constitutional conventions, and revolutions

We will also consider the question of the methodology of studying comparative constitutional law. While the course considers the structure and justification of judicial review and examples of constitutional rights cases, there will be no extensive focus on case outcomes or legal doctrine in regard to constitutional rights. The course aims to increase understanding of the structures that produce case law on constitutional rights, but not to study that case law in depth. The selection of topics above is designed to complement (to a certain degree) the types of issues studied in the Constitutional Theory course.

Topics covered

See description

Convenor

Paul Yowell

Names of those teaching on this option

Paul Yowell, Andrea Dolcetti, Catherine O’Regan

Timing of lectures/seminars/tutorials

Seminars on Thursdays in Michaelmas Term, 11am to 1pm
Two tutorials to be arranged during Michaelmas Term

Does this option require a prior knowledge of the common law?

No
(delete as appropriate and comment if applicable)

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), 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, Originality and Authorship
Comparative Corporate Governance – half-option

Overview
The course offers an analytical framework and a comparative study of corporate governance and corporate law in major economies. Corporate governance, broadly defined, is the set of legal and non-legal tools that can be used to ensure that companies are run consistently with their purposes. In many jurisdictions, this has traditionally meant making sure that those in charge of making day-to-day and strategic decisions on behalf of the company act in the interests of shareholders. More recently, a ‘multi-stakeholder’ view of corporations has started to become mainstream: these are organizations whose actions affect the welfare not only of shareholders but also of creditors, employees, local communities and society more generally. While the emphasis in the teaching will be on legal institutions, and corporate law specifically, the course materials will also cover the ways in which corporate culture, market pressures, reputational constraints, and so on, affect corporate governance and corporate law in action. The course will be comparative, providing students with knowledge about corporate governance and corporate law core features in major jurisdictions and asking why governance regimes in most countries display some common features and why they diverge in other respects. Closer attention will be given to the UK, the US and continental European jurisdictions, but an attempt will be made to include readings covering newly emerged countries such as India, Brazil and others.

Learning outcomes: an understanding of (1) the functions of corporate governance and the interactions between corporate law and non-legal institutions affecting corporate behaviour, (2) the reasons why corporate governance features may differ across jurisdictions, and (3) the operation of corporate governance and corporate law in major jurisdictions, together with a capacity to apply that knowledge to other jurisdictions.

Topics covered
The course focuses on the multiple challenges arising from the transition from a shareholder-focused corporate governance framework to a multi-stakeholder one. The course first gives a sense of corporate governance and corporate law theory and the forces that shape their evolution over time (seminars 1 and 2). Next, it reflects upon the purpose of corporations, both from a positive and a normative perspective, highlighting the welfare implications of both the traditional shareholder-centred paradigm and the multi-stakeholder one (seminar 3). Then, it analyses the core corporate governance problems when ownership is, respectively, dispersed and
concentrated, together with the tools that can be used to address them (seminar 4 and 5). One seminar will then ask the question of whether and how effectively corporate governance and corporate law may also be used as tools to prevent companies from harming society in their quest for shareholder welfare maximisation by polluting the environment, endangering democratic discourse or marketing unsafe or socially harmful products (seminar 6). Seminar 7 will look at how nationalistic politics may affect corporate governance and corporate law while also analysing the impact of international coordination in the form of allowing for regulatory competition in corporate law. Finally, all the themes covered in the course will come together in the last seminar, which will analyse how corporate law and corporate governance may affect innovation and the extent to which advances in information technology can, in turn, reshape how corporations are governed and control.

Convenor
Luca Enriques

Names of those teaching on this option
John Armour, Luca Enriques, Genevieve Helleringer, Georg Ringe

Timing of lectures/seminars/tutorials
Wd 9/11

Does this option require a prior knowledge of the common law?
No. The course assumes students have knowledge of the basic structure of corporate laws, such as would be gained from an undergraduate course (regardless of jurisdiction).

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.
Convenor
Sandra Fredman

Teaching
Sandra Fredman and Barbara Havelkova

Timing of lectures/seminars/tutorials
7 seminars in MT, 7 seminars in HT.
1 tutorial in MT, 1 tutorial in HT, 2 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

Teaching

Sandra Fredman and Nick Bamforth. Timing of lectures/seminars/tutorials

7 seminars in MT, 7 seminars in HT.

1 tutorial in MT, 1 tutorial in HT, 2 tutorials in TT.

Does this option require a prior knowledge of the common law?

No

Competition Law

Overview

The objective of the course is to provide students with an understanding of this area of 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 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 competition laws of other jurisdictions are also referred to by way of comparison.

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 and its application in the EU, UK and elsewhere. At the end of the course, students should be able to critically reflect upon the law, economic and legal principles underpinning competition law enforcement.

No prior knowledge of economics is required.

Convenor
Ariel Ezrachi

Teaching
Ariel Ezrachi, Aidan Robertson

Timing of lectures/seminars/tutorials
4 Lectures in MT (2 hours each)
8 seminars in MT, 7 seminars in HT. (2 hours each)
2 tutorials in HT, 2 tutorials in TT.

Does this option require a prior knowledge of the common law?
No

Conflict of Laws
Overview
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 has been significantly influenced by European Union law, not only in relation to the jurisdiction of courts and the recognition and enforcement of judgements but also for choice of law as it applies to contractual and non-contractual obligations. The impact of Brexit remains rather uncertain, but the course will be taught in a way that keeps all of the possibilities in view and enables study, and comparison, of the common law and European models. To ensure stability, in the coming academic year (2020-21), we will teach and examine on the basis that the 2007 Lugano (II) Convention remains part of UK law, whatever the outcome of the ongoing negotiations.

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, introduced this year, will study of a small number of specialist topics offering fresh perspectives on the subject.

Topics covered

(1) Jurisdiction in civil and commercial matters
(2) Choice of law, with particular reference to the law applicable to contractual and non-contractual obligations and property
(3) The recognition and enforcement of foreign judgments
(4) Selected perspectives on the conflict of laws

Convenor
Andrew Dickinson

Teaching
Andrew Dickinson, Adrian Briggs and Edwin Peel

Timing of lectures/seminars/tutorials
8 hours of lectures in MT, 6 hours of lectures in HT.
4 seminars in MT, 6 seminars in HT.
1 or 2 tutorials in MT, 3 or 4 tutorials in HT.
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
and 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 (SE)
- Remedies, *Francovich*, Liability
- Fundamental Rights
- 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
- The Eurozone, the ECB and the ESM
- Immigration and Asylum
- The Brexit Process
- International Treaties & EU Law

**Convenor**

Pavlos Eleftheriadis

**Names of those teaching on this option**

Pavlos Eleftheriadis
Stefan Enchelmaier
Dorota Leczykiewicz
Stephen Weatherill.

**Timing of lectures/seminars/tutorials**

Tuesdays 1-3 pm (online)

**Does this option require a prior knowledge of the common law?**

No

**Constitutional Theory**

**Overview**

The course is concerned with the theory of the nature, authority and legitimacy of constitutions. Topics include the historical origins and development of constitutional concepts; methods of separating the powers of governmental agencies; the ideal of the rule of law; institutional consequences of theories of democracy; the structure and function of legislatures and techniques for limiting their powers; the role of courts in review of legislation and executive action; the structure and operation of executive agencies; the framing and interpretation of written constitutions; the role of citizens and institutions in times of constitutional emergency; the nature and appropriate constitutional protection of basic rights; federalism and the constitutional implications of multiculturalism.
Learning outcomes: an understanding of the theory of the nature, authority and legitimacy of constitutions.

**Convenor**
Nick Barber

**Teaching**
Nick Barber, Adam Perry, Paul Yowell and Richard Ekins

**Timing of lectures/seminars/tutorials**
8 seminars in MT, 4 seminars in HT.

Tutorials will take place throughout the year.

**Does this option require a prior knowledge of the common law?**
No

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**Corporate Control: Law and Finance – half-option**

**Overview**
The course analyses policy and legal issues revolving around corporate control, taking into account the latest developments (technological and other). It includes a theoretical analysis of the issues as well as illustrations of solutions found in major jurisdictions. The course first looks into the relevance of ownership structures and control in public corporations, the empirical evidence on the various forms of control and the implications for corporate governance and societal welfare of having a prevalence of listed companies with dispersed ownership as opposed to companies with controlling shareholders. It then examines the various actions and transactions that can be used to replace corporate controllers, with or without their consent.

**Topics covered**
1. Introduction to the law and finance of corporate control
2. Corporate ownership and control: theory, evidence and policy issues
3. Activist campaigns and proxy contests
4. Hostile takeovers: regulating bidders
5. Hostile takeovers: regulating targets
6. Friendly acquisitions & competing bids
7. Control block transfers
8. Leveraged buy-outs and going-private transactions

**Convenor**
Luca Enriques

**Names of those teaching on this option**
John Armour, Luca Enriques, Genevieve Helleringer, Georg Ringe

**Timing of lectures/seminars/tutorials**
Wd 9-11

**Does this option require a prior knowledge of the common law? (delete as appropriate and comment if applicable)**
No. The course assumes students have knowledge of the basic structure of corporate laws, such as would be gained from an undergraduate course (regardless of jurisdiction).
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. Consideration is given to the EU directives affecting the financial markets, especially the manner in which they have been implemented into English law. Many of the issues arising are of international importance and the course examines the harmonisation of these matters within the EU.

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

An introduction to debt and equity financing; legal capital rules and equity financing; the regulation of the capital markets: disclosure; the regulation of the capital markets: market abuse; crowdfunding; takeovers and schemes of arrangement; contractual creditor protection; proprietary creditor protection; transferred debt; multiple lenders; Private Equity.

Convenor

Jennifer Payne

Teaching

Jennifer Payne, Richard Salter and Christopher Hare

Timing of lectures/seminars/tutorials

Lectures: MT and HT
Seminars: MT and HT
Tutorials: MT and HT (with a revision seminar in TT)

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, German and French law;
- knowledge of the core features of European corporate cross-border insolvency law (particularly the European Insolvency Regulation), as well as of other legal rules that influence 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 modeled) 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 pari passu and anti-deprivation rules; director liability; transaction avoidance; corporate rescue; restructuring; cross border insolvency law (non-EU); EU cross-border insolvency law; comparative corporate insolvency law.

Convenor

Kristin van Zwieten

Teaching

Kristin van Zwieten, Horst Eidenmueller, Jennifer Payne, Justice Nick Segal, Felicity Toube QC.

Timing of lectures/seminars/tutorials

7 lectures in MT, 4 lectures in HT.

6 seminars in MT, 4 seminars in HT, 1 in TT

1 tutorial in MT, 2 tutorials in HT, 2 tutorials in TT (including one revision tutorial).

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 M Jur students successfully taking the course each year.

Families and the State (children)

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’;
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
Lucinda Ferguson

Teaching
Lucinda Ferguson and Rachel Taylor

Timing of lectures/seminars/tutorials
7 seminars (including an introductory seminar) and 2 tutorials in HT
1 revision seminar in TT

Does this option require a prior knowledge of the common law?
No

Human Rights at Work

Overview

This course examines how the idea of human rights guides, constitutes, and regulates the legal rules and standards governing employment and work. This examination of the foundation of labour law in human rights is intended to consider the need to guarantee basic protections for workers against the pressures arising from various aspects of globalisation.
The human rights to be considered are found in (a) international law such as the UN Declaration of Human Rights and the ILO’s Declaration of the Fundamental Rights of Workers; (b) regional human rights instruments, with a particular focus on the European Charter of Fundamental Rights and the European Social Charter; (c) the Charter of Fundamental Rights of the EU and other measures of EU law; (d) the Human Rights Act 1998 in the United Kingdom; and (e) occasional comparisons with the judicial interpretation of the fundamental rights protected in the constitutions of nation states.

The course also critically examines the various mechanisms for protecting these rights, which range from judicial enforcement of directly enforceable rights, through international conventions, to self-regulation through corporate codes of conduct.

The human rights to be considered during the course will 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, the right to work, and equality rights across various grounds including sex, race, age, disability, sexual orientation and religion. These rights will be studied in depth to illustrate the complex interplay between international, regional, and national norms, and between various forms and sources of protection.

Learning outcomes: students will acquire a knowledge of the human rights found in international and transnational 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.

The course does not presuppose that students should have taken an undergraduate labour law or employment law course. Nor does it 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. The course is assessed through a three-hour written exam in which students will tackle three essay questions from a wide menu of choices.

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

Topics covered


Convenor

Anne Davies

Teaching

Anne Davies, Jeremias Adams-Prassl, Mark Freedland, and Sandy Fredman

Timing of lectures/seminars/tutorials

7 seminars in MT, 7 seminars in HT
1 tutorial in MT, 1 tutorial in HT, 2 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-practising 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) Incentivising 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
John Armour, Daniel Benoliel, Robert Burrell, Dev Gangjee, Irem Güçeri, Justine Pila

Timing of lectures/seminars/tutorials
Eight seminars in MT (these will run on a Saturday)
Two tutorials in MT.

Does this option require a prior knowledge of the common law or intellectual property 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 ‘legal’ 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, the process before which is covered in the second part of the option. 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. We review these issues focusing on the International Court of Justice and in arbitration, including investment arbitration.

**Topics covered**

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

**Convenor**

Antonios Tzanakopoulos

**Teaching**

Antonios Tzanakopoulos

**Timing of lectures/seminars/tutorials**

Seminars every Wed 11am-1pm during MT and HT, with additional seminars in TT. 4 tutorials spread over the 3 terms.

**Does this option require a prior knowledge of the common law?**

No

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**International Economic Law**

**Overview**

This course introduces students to the principles and institutions of international economic law. Given the key relevance of trade to the world economy and international law, the course 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 aspects of international investment arbitration.

The course considers the main WTO Agreements, including those dealing with goods (GATT), services (GATS), the environment, subsidies, intellectual property rights, 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).

No prior knowledge of international law or economics is necessary. Students without such knowledge will be directed to basic reading in these fields.

Learning outcomes are an understanding of the philosophy of free trade and the law of the WTO, and the institutions responsible for its governance (including WTO dispute settlement).

**Convenor**

Professor Dan Sarooshi QC
Teaching

Professor Dan Sarooshi QC

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

As above

Convenor

Lavanya Rajamani

Names of those teaching on this option

Lavanya Rajamani & Catherine Redgwell

Guest lectures: Daniel Bodansky, Jacob Werksman and Susan Biniaz

Timing of lectures/seminars/tutorials

8 seminars in MT, 8 seminars in HT, Revision seminar and Mock Exam in TT, 2 tutorials in MT, 2 tutorials in HT

Seminars will be held Tuesdays, 11-1, at All Souls College or online, if necessary.
Does this option require a prior knowledge of the common law? (delete as appropriate and comment if applicable)

No. Prior knowledge of public international law will be an advantage, but is not a pre-requisite.

International Law and Armed Conflict

Overview

This option covers the international law 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*): the prohibition of the use of force, its exceptions and purported exceptions (self-defence, humanitarian intervention) and the use of force by authorisation of the UN Security Council. In the second part of the option we review the law applicable during armed conflict (the *jus in bello*), after categorising armed conflict as international or non-international. This covers both the so-called Hague Law (means and methods of warfare) and the so-called Geneva Law (humanitarian law).

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

Jus ad bellum

Jus in bello

Convenor

Antonios Tzanakopoulos

Teaching

Dapo Akande, Antonio Coco and Antonios Tzanakopoulos.

Timing of lectures/seminars/tutorials

Seminars on Mon 1pm -3pm over MT and HT, with some seminars to also take place in TT. 4 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; shared responsibility and the law of the sea; dispute settlement.

**Convenor**

Catherine Redgwell

**Teaching**

Catherine Redgwell, Antonios Tzanakopoulos, Efthymios Papastavridis, Ilias Plakokefalos.

**Timing of lectures/seminars/tutorials**

8 seminars in MT, 8 seminars in HT, 3 classes in TT (1 revision seminar, 1 mock exam. session and one exam. feedback class)

2 tutorials in MT, 2 tutorials in HT.

**Does this option require a prior knowledge of the common law?**

No
Overview

Students taking Jurisprudence and Political Theory have the opportunity to participate in wide-ranging but analytically precise discussions in legal, political, and therefore also, to some extent, moral philosophy and in related social theories in their bearing on the nature, institutions, and methods of law. Topics include the concept and the nature of law; the fundamental explanation of legal rights and obligations; the ways in which institutional actions and practices can affect people’s normative situation; 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, Taking Rights Seriously or 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 J Dickson, J Edwards, P Eleftheriadis, T A O Endicott, J M Finnis, L Green, 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. BPhils, MPhils, DPhils) 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

Names of those teaching on this option
- Julie Dickson, James Edwards, Pavlos Eleftheriadis, Timothy Endicott, John Finnis, Leslie Green, Adam Perry, and Nicos Stavropoulos.

Timing of lectures/seminars/tutorials
- 22 seminars in MT, 22 seminars in HT.
- 4 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 4 x 1-hour tutorials 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.

**Convenor**

Rebecca Williams

**Teaching**

Rebecca Williams, Tom Melham (Computer Science) and others

**Timing of lectures/ seminars/ tutorials**

Lectures and Seminars: MT and HT (each session will be part lecture, part discussion)

Tutorials: MT and TT

Practical sessions: 3 in MT, 3 in HT plus potential additional workshops.

Given the current environment we anticipate that the lectures and seminars will take place via zoom, with use of the breakout rooms to enable discussion. We envisage that for the practicals either the small project groups (max 6 people) will be able to meet in person, with plenary practical sessions on zoom, or alternatively the practical groups can also meet online. Although the project is ‘practical’, it involves interaction through the process of programming and so it is perfectly
adaptable to an online environment, and indeed project work over the vacation often takes this form even in normal circumstances.

**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**

The topics covered are: law and the family; wardship of orphan heirs; family settlements; lordship and ownership; property remedies; the enforcement of tenurial obligations; debts and securities; contracts, leases and property management; wrongs; problems of jurisdiction.

**Convenor**

Mike Macnair

**Teaching**

Paul Brand, Mike Macnair and Joe Sampson

**Timing of lectures/seminars/tutorials**

No lectures; 4 seminars in MT, 4 seminars in HT; two tutorials MT, two 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? Law and society scholarship responds to these questions by drawing on insights offered by both the social sciences and legal scholarship.
Frequently described as ‘law in context’ or as an exercise in comparing law in the books with law in action, socio-legal studies regularly draws on empirical studies of the lived experience of law to determine the achievements and limitations of law.

The first part of the course (6 weeks in MT) introduces students to the idea of socio-legal approaches to law and legal phenomena from a Western perspective. It considers how the questions posed about law, and sources relied on, by socio-legal scholars differ from doctrinal or ‘black-letter’ approaches. This part of the course will start with an exploration of how law is conceived of in Western jurisprudence and social theory. In week two we will go on to look at the different histories of socio-legal studies and what distinguishes it from black letter or critical ways of thinking. The next four weeks will go on to look at particular subjects which law and societies scholars have focused on. This will include studies of what empirical work has revealed about the relationship between grievances, disputes resolution and the courts; dispute resolution and the notion of procedural justice; the role of lawyers as translators. The course will conclude by looking at a particular case study involving day to day experiences of the lived world of contracts and what happens when disputes arise.

The second part of the course (8 weeks in HT) builds on this foundation and 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 contemporary studies on the western world, including research on court use, the appeal of human rights, and new forms of transnational law. The diversity of such cases challenges us to ask what unites them as examples of law. Studying what is unfamiliar will help us to reflect on the parameters and cultural specificity of our own concepts of law, and students will be encouraged to think constructively and critically about familiar legal phenomena and their universal application. Students may choose 6 to 8 seminars to attend from this part of the course.

**Topics covered**

See above description.

**Convenor**

Fernanda Pirie

**Teaching**

Linda Mulcahy, Fernanda Pirie

**Timing of lectures/seminars/tutorials**

6 seminars in MT (Thursday, 3pm, weeks 2, 4, 6, 8) TBC

8 seminars in HT (Thursdays, 3pm)

Tutorials in MT and HT and revision tutorials in TT
Legal Concepts in Environmental Law

Overview
Environmental problems have increasingly taken centre stage in business and governing. Given the significance of environmental problems, having legal expertise in environmental law matters more than ever for a swathe of different forms of legal practice. But environmental problems have a level 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 to respond to these problems.

This course aims to foster legal expertise in this area through a study of these sophisticated environmental law concepts. Particular attention is given to: understanding environmental problems and the types of legal issues they give rise to; developing skills in navigating environmental legislation 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. Teaching is highly interactive and discursive.

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
- Environmental Problems: socio-political and scientific complexity and how this gives rise to challenges for lawyers.
- Markets: interrelationship with environmental problems; emissions trading schemes; chemicals regulation; and infrastructure development.
- Assessment: climate change, water and air quality, environmental impact assessment, and nature conservation.
- Core Legal Ideas: courts, property, rights, and legal principles.

Convenor
Liz Fisher

Names of those teaching on this option
Liz Fisher, Sanja Bogojevic, Joanna Bell and Sue Bright plus guest lecturers from legal and regulatory practice

Timing of lectures/seminars/tutorials
- 8 seminars in MT, 8 seminars in HT.
- 1 tutorial in MT, 1 tutorial in HT, 2 tutorials in TT.
- Collection followed by one revision seminar.

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 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. 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 six tutorials. Teaching will be by Professor Ewan McKendrick QC (Hon) Professor Richard Salter QC and Professor Andreas Televantos, 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 above

Convenor
Professor Ewan McKendrick

Names of those teaching on this option
Ewan McKendrick, Richard Salter QC and Andreas Televantos

Timing of lectures/seminars/tutorials
Lectures and seminars throughout MT and HT, with six tutorials spread over MT, HT and TT and a revision class in TT.

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.

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, but also a good deal of social-scientific elements, with
themes from economics, economic history, political economy, political science and sociology providing frameworks for analysis.

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, eg corporate and commercial law; or obligations; or public law; or law of persons, etc.

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: Part A: 1. Institutions; 2. Business Organization; 3. Law of Contract; 4. Land and Settlements; 5. Tort Law; 6. Public Law; Part B: 7. Law of Persons; 8. Criminal Law and Justice; 9. Intellectual and Comparative Dimensions. Beyond English law, the imperial and colonial dimensions of common law will be kept firmly in view, for example in the adaptation and confrontation of English property law with native titles and sovereignties in North America and the wider empire. Attention is given to 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

Names of those teaching on this option Joshua Getzler, Ciara Kennefick, Andreas Televantos, Matt Dyson, Fleur Stolker, and guest lecturers.

Timing of lectures/seminars/tutorials
The first six core topics of Part A are to be taught in weekly seminars in Michaelmas and Hilary Term, interspersed with some four tutorials (ie two per term in Weeks 1 and 5 of MT and HT). 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. Part B topics will be varied and rotated in Trinity Term according to student interest and availability of teaching resources. There will be ample opportunity to write on particular topics of interest, with full feedback and revision to prepare for the final assessments.

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. At the same time students from all legal and scholarly traditions are welcome.

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

**Teaching**

Dori Kimel, Grant Lamond, James Edwards, Mindy Chen-Wishart, Hugh Collins, Sandy Steel, James Goudkamp

**Timing of lectures/seminars/tutorials**

8 seminars in MT, 8 seminars in HT, 4 seminars in TT.

1 tutorial in MT, 1 tutorial in HT, 2 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.

**Philosophy, Law and Politics**

**Overview**

*Topics in Philosophy, Law, and Politics* is a jurisprudential course that draws on some of the best work from all three named disciplines and brings their analyses to bear on important foundational and practical problems. Some foundational questions that may be explored include: How should we understand reasons to do things, and what do reasons have to do with values, obligations, and virtues? What is it to be rational and to make rational choices? How should we understand value conflict, and what should we do in the face of such conflict? What are incommensurable values? Is there a reasonable way to aggregate diverse opinions about evaluative matters within a society? How should an individual or polity confront hard choices? What are the limits of democracy?

Some applied questions that may be explored include: What limits should a state put on speech? Should a government censor pornography? How should we understand consent in the context of allegations of rape and other sexual crimes? Should euthanasia be legal? What would constitute respect for a cultural artifact? When is war justified? How should we understand executive power? The course will be deeply interdisciplinary in nature, and its aim is to equip students with the ability to subject complex issues to rigorous theoretical scrutiny from a variety of perspectives.

The course will be cross-listed with the philosophy and politics departments, and BCL students taking the course will thus have the opportunity to engage with peers from these other disciplines during seminars. While the discussions will aim for a high level of philosophical complexity, no background in philosophy is required. Associated with the course is the Philosophy, Law, & Politics Colloquium, which features distinguished visiting speakers who present a work-in-progress. A seminar for students enrolled in the course will be held in advance of each colloquium session to discuss the colloquium paper.

As a topics course, a variety of material will be covered from year to year. Assessment will occur at two separate points during the academic year via two extended essays, each of 3500 words. Students will have the first vacation period over which the write the first essay, and the second vacation period up through the 4th week of Trinity Term to write the second. Questions about the course may be directed to Ruth Chang or Kate Greasley.
Topics covered
Reasoning, decision-making, reasons, values, rational agency, conflict, free speech, democracy, power, pornography, feminist perspectives.

Convenor
Ruth Chang & Kate Greasley

Names of those teaching on this option
Ruth Chang, Kate Greasley, Cecile Fabre, Alison Hills, Imogen Goold, Julie Dickson, Sophie Smith, Amia Srinivasan.

Timing of lectures/seminars/tutorials
MT: Wks 1-8, Mondays 3-5, Tuesdays 3-5, Wednesdays 11-1
HT: Wks 1-8, Thursdays 3-5, Wks 5-8, Mondays 3-5
(some slots will be filled every other year on average)

Does this option require a prior knowledge of the common law?
No

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
Each year the course will cover 9 or 10 examinable topics from the following list (there will be student input into the topics covered):
1. The Right to an Independent and Impartial Tribunal
2. The Principle of Open Justice and its Limits
3. AI, Technology and the Civil Justice System
5. Interim Remedies
6. Summary Adjudication
7. Disclosure
8. Disclosure Exceptions: Public Interest Immunity/Closed Material Proceedings
9. Disclosure Exceptions: Legal Professional Privilege
10. Disclosure Exceptions: “Without Prejudice” and self-incrimination privilege
11. Expert Evidence and Assessors
12. Appeals
13. Finality of Litigation
14. Collective Redress
15. Costs and Funding
16. Alternative Dispute Resolution

Convenor
Andrew Higgins

Teaching
Andrew Higgins, Adrian Zuckerman, Robert Sharpe and various other visitors.

Timing of lectures/seminars/tutorials
2 lectures in MT. 6 seminars in MT, 8 seminars in HT, up to 4 seminars in TT.
3 or 4 tutorials spread across the three 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
- Macropurudential and structural regulation
- FinTech
- Emerging Issues

**Convenor**
John Armour

**Names of those teaching on this option**
John Armour, Luca Enriques, Jeffrey Gordon, Thom Wetzer

**Timing of lectures/seminars/tutorials**
- 8 lectures in HT, 3 lectures in TT.
- 7 seminars in HT, 4 seminars in TT.
- 2 tutorials in HT, 2 tutorials in TT.

**Does this option require a prior knowledge of the common law?**
No.

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**Principles of Intellectual Property Law – half-option**

**Overview**
This half-option focuses on the foundational concepts that underpin the intellectual property system; a system that James Boyle has described as providing ‘the legal form of the information age’. The course will be divided into two parts.

The first part will explore the foundational ideas that we use to justify affording exclusive rights over some forms of intellectual labour but not others. We look at concepts like ‘originality’ and ‘novelty’ as preconditions for protection, and consider the relationship between these ideas and whether they make sense. We explore why intellectual property scholars are concerned about so-called ‘overlaps’ (i.e. that some forms of intellectual labour may attract more than one form of protection) even though similar concerns do not feature prominently in other areas of the law.

We also look at the different options for delineating the boundaries of protection: sometimes we rely on limits to the scope or duration of rights, whilst at other times we use exceptions or defences to preserve public interest values. Finally, we consider the relationship between intellectual property systems and private ordering: to what extent can social norms and contract substitute for intellectual property protection; conversely when and why do we allow intellectual property rules to trump freedom of contract.

The second part of the course identifies four lenses through which intellectual property law might be viewed. This reflects our overall aim of equipping you with the tools to analyse and critique intellectual property rights. For example, we look at whether it is accurate to describe intellectual property rights as a species of property, and what might be at stake in that debate. Many undergraduate intellectual property courses focus almost exclusively on domestic law; but to
what extent are local laws influenced by international instruments, and how has the making and content of those instruments changed over time?

Learning outcomes: to provide a critical introduction to the principles that underpin the intellectual property system, suitable both for those who have studied IP before and those who are new to this branch of the law. To expose students to a series of ideas and ways of thinking about IP 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 Bureaucracy
6) Intellectual Property as International Law
7) Intellectual Property as a Prohibition on Free-riding
8) Intellectual Property as Property

Convenor
Robert Burrell

Names of those teaching on this option
Robert Burrell, Dev Gangjee, Justin Hughes

Timing of lectures/seminars/tutorials
Eight seminars in MT.
Two tutorials in MT.

Does this option require a prior knowledge of the common law or intellectual property law?
No prior knowledge of the common law is required. Some prior familiarity with intellectual property law is desirable but not essential.

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. While regulation is traditionally associated with prescriptive law, public agencies and criminal as well as administrative sanctions, the politics of the shrinking state and deregulation, as well as re-regulation in the context of 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 policy areas.

This course examines what role different forms of law play in contemporary regulatory regimes. It thereby analyses how legal regulation constructs specific relationships between law and society and how legal regulation is involved in mediating conflicts between private and public power.

The first section of the course critically examines 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?

The second section of the course examines specific examples of ‘regulation in action’ against the background of the conceptual frameworks explored in the first section. In 2020-21 the focus will be on technology as a source of regulatory opportunities and challenges for states. Through a series of case studies and examples involving the Internet and social media applications, data-driven technologies such as ‘trace and track’, and genetic engineering, the course will consider: the effects of technology in creating new and disrupting existing social communities and other ‘regulatory spaces’; the use and operation of technology as a ‘regulatory tool’ for governing social and other types of activity; and the role of technology providers as ‘regulatory actors’ in competition or alignment with states. The aim is to generate insights about the different roles and expectations of law and the state in the radically changing socio-economic environment of the current technological age.

The course thus provides an opportunity for students to examine the pervasive phenomenon of regulation with reference to different disciplinary perspectives, in particular law, sociology, politics and economics and to gain detailed knowledge of substantive regulatory law in relation to cutting-edge technological developments. It should appeal to those interested in the theory and practice of regulation, jurisprudence, new technologies, and the substantive legal fields of intellectual property, privacy and data protection, liability, competition, supranationalism, and fundamental rights.

Relationship to ‘Law and Computer Science’ course

The ‘Regulation’ course differs from the BCL/MJur ‘Law and Computer Science’ option in its focus on regulation and the regulatory opportunities and challenges created for law and states by digital and bio technologies rather than, as for ‘Law and Computer Science’, the effects of digital technology on the nature of legal work and how lawyers and computer scientists can work together to devise technical solutions to deal with them. The options will not overlap and may therefore be taken together.

The Regulation course may also be taken alongside the half-option in ‘Law and Technology’, which focuses on different legal issues raised by technologies.

Teaching

The course is taught through weekly two-hour seminars - which provide opportunities for active student participation – over Michaelmas and Hilary terms. Three tutorials spread over Michaelmas, Hilary and Trinity terms will also support students’ exam preparation. The 3-hour written examination at the end of the course involves essay questions in relation to the theoretical approaches to regulation discussed in MT as well as the technology-focused case studies and examples examined during HT. No prior knowledge of law in the fields discussed in Hilary Term is required to take this course.

The convenor of the course is Dr Bettina Lange and the course is taught by Dr. Bettina Lange, Dr. Chris Decker and Dr. Justine Pila. If you have any questions about the contents, approach or teaching methods of this course do not hesitate to contact me: bettina.lange@cslls.ox.ac.uk.
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

Teaching

William Swadling, Robert Stevens, and Helen Scott lead the seminars. Tutorial provision is to be announced.

Timing of lectures/seminars/tutorials

One 2-hour lecture in week 1 MT

Eight 2-hour seminars in MT; four 2-hour seminars in HT; one 2-hour seminar in TT

Four 1-hour tutorials spread over MT and HT

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.

Roman Law (Delict)

Overview

This course covers the principal obligations arising from wrongdoing in classical and Justinianic 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
Prof. Wolfgang Ern

Names of those teaching on this option
Prof. Wolfgang Ernst, Prof. Helen Scott, Dr Joe Sampson

Timing of lectures/seminars/tutorials
7 seminars in MT, 6 seminars in HT.
2 tutorials in MT, 2 tutorials in HT, 1 tutorial in TT.

Does this option require a prior knowledge of the common law?
No

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 idea that this branch of the law should protect brand image as valuable property. This half-option will provide a detailed interrogation of this tension.

This first half of this course provides an overview of trade mark law, drawing on (EU-influenced) UK trade mark law to explain basic concepts and rules. The second half is more overtly comparative, critically engaging with unresolved issues and themes of contemporary interest, such as brands and social media or celebrity image protection. This course also contrasts legal approaches with those adopted by other relevant disciplines. One prominent example is the manner in which trade mark law constructs the average consumer. Here legal assumptions are tested against the teachings of psychology, marketing, semiotics and finance.

Learning outcomes: This course provides a thorough grounding in UK and EU trade mark law, while contrasting the legal conception of the trade mark with the idea of the brand, as conceived from other disciplinary perspectives. This will entail critical engagement with the question of 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) Trade mark Registration: Absolute Grounds
3) Trade mark Registration: Relative Grounds
4) Infringement: Confusion and Dilution
5) Invalidation and Defences
6) Trade marks on the Internet: Platform Liability and Social Media Uses
7) Publicity Rights and Celebrity Image Protection
8) Brand Protection beyond Trade Marks

Convenor
Dev Gangjee

Names of those teaching on this option
Robert Burrell, Dev Gangjee and Ansgar Ohly

Timing of lectures/seminars/tutorials
Eight seminars in HT.
Three tutorials in HT.

Does this option require a prior knowledge of the common law or intellectual property law?
No

List 2 – options available to MJur students only

The following options are taken from the BA in Jurisprudence 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 primarily with judicial control of the activities of the executive branch of government. The main topics covered are: (1) the grounds on which decisions and rules made by the executive can be challenged in the court - some of these relate to the substance of the decision or rule and others to the procedure by which it was made; (2) the remedies which can be obtained by applicants challenging administrative decisions; (3) the liability of public authorities in contract and tort.

Some tutors also deal with tribunals, public local inquiries, next steps agencies, contracting out and public sector ombudsmen. Some of these topics are the subject of lectures, which also occasionally deal with more theoretical aspects of the subject.

Coverage

See statement under examination regulations above. Students will be expected to know the general principles of the European Convention on Human Rights jurisprudence so far as they affect judicial review, natural justice, remedies and damages actions. 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.

**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 concerned with special rules governing specific types of contracts, such as sale, carriage or employment, except where these are significant for the general principles, 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.

**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.

Learning outcomes: an understanding of intellectual property law with specific reference to copyright and patents, and of various applications of this area of law.

NOTE: MJur and DLS students are welcome to take this course. The course may not be taken in conjunction with Copyright, Patents and Allied Rights.
Learning outcomes: an understanding of intellectual property law with specific reference to copyright and trade marks, and of various applications of this area of law.

**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

**Teaching**

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

**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.

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*Each student to do 4 from a choice of 6.
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:

i) 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.

ii) Litigation procedures and the overriding objective of the Civil Procedure Rules: how the courts balance accuracy, timeliness and cost in resolving disputes.

iii) Alternative dispute resolution: principles of mediation and arbitration, and the benefits and costs of private dispute resolution.

iv) Introduction to the history of English civil procedure.

v) Theories of procedural justice: the nature of procedural justice and its relationship to substantive 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.

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Commercial Law

Part of the fascination of commercial law springs from its responsiveness to the changing needs of the business community. Through the ingenuity of those in business and their legal advisers new instruments and procedures are constantly being devised which have to be tested for their legal effect against established principles of the law of property and obligations.

The core of the course involves a rigorous examination of personal property law in the context of commercial transactions, together with contractual issues of central importance to commercial transactions. The first part of the course looks at basic principles of commercial transactions, such as assignment, agency and possession as well as issues related to the sale of goods, such as implied terms, transfer of property and title disputes with third parties. The last part of the course looks 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 the student learns how a desired legal result can be achieved, or a legal hazard avoided, by selection of 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 Dr Thomas Krebs (convenor), Professor Ewan McKendrick and Professor Hugh Beale. Teaching is by a combination of tutorials (arranged by your college tutor), and seminars given in Michaelmas and Hilary Terms. Lectures are also given in Michaelmas and Hilary Terms.

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

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Figures in this table are in hours

Company Law

The company is one of the most important institutions in our society. There are over two million registered companies which, of course, vary radically in size and commercial significance ranging from the "one person" company to the large public companies. By virtually any measurement the company is the dominant vehicle through which business is conducted. There are a number of reasons for this but principally it is because it is a very flexible commercial institution and it is made conveniently and cheaply available.
The purpose of the course is to introduce students to the basic conceptual apparatus of company law and to analyse some of the policy issues raised in regulating this pervasive commercial form. It is important to note that the course is of relevance not only to those who wish to pursue a career as commercial or company lawyers, but also to those who have no such aspirations, as a knowledge of the company and how it works is relevant to many aspects of legal practice. The course involves an analysis of not only cases but also statute law and, although the Companies Act 2006 is among the largest statutes on the statute book, the course is not overly dominated by the study of statutory materials.

Learning outcomes: an understanding of the laws relating to the creation and regulation of companies.

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**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.**
Environmental Law

Environmental law is the law of environmental problems. This course is an introduction to the subject of environmental law and covers the main areas of substantive UK (with the focus on England) and – as far as applicable - EU environmental law. Topics covered include planning law, pollution control law, nature conservation, environmental impact assessment, access to environmental justice, and environmental principles. The course takes into consideration the socio-political context in which environmental law operates and it explores the innovative, complex and ever-expanding case law and legislation on the subject. Environmental law builds on the core subjects of Administrative Law and EU law. It also applies legal concepts from other areas such as criminal law and tort law.

A major theme of the course is an exploration of the type of challenges that environmental problems provide for law and legal reasoning. In the last decade environmental law has given rise to difficult legal questions including:

- what should be the rights of citizens to legally challenge ‘public’ environmental decision-making?
- what should be the limits of discretion placed on administrative decision-makers in dealing with environmental problems?
- how should environmental protection be balanced with other social and economic goals?
- what are the best legal means of achieving environmental protection?

Learning Outcomes: knowledge of the substantive legal aspects of environmental law in the UK; understanding of the complexity of environmental problems and how that complexity affects the application of the law; knowledge of how environmental law relates to core legal areas, particularly administrative law and EU law where relevant.

In the light of Brexit the course provides an opportunity to think about the direction that environmental law in the UK may and can take in the future. Will a distinct ‘UK approach’ towards environmental law (re-)emerge, despite the fact that environmental law in the UK in the past has been significantly shaped by both general and specific EU environmental law?
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Figures in this table are in hours.

**European Union Law**

(May not be taken in conjunction with Constitutional Principles of the EU, or European Business Regulation from list I)

**Examination Regulations**

Comprises:

A. The basic structure and functions of the institutions; the aims of the EU; law-making; the composition and jurisdiction of the Court of Justice; the penetration of EU law into national legal orders.

B. Free movement of persons and services.

C. Free movement of goods.

**Syllabus**

The law of the European Union is based largely on the Treaty on European Union and the Treaty on the functioning of the European Union, and legislation made under the Treaties by the Council, the Parliament, and the Commission. The case law of the European Courts is of considerable importance and looms large in the study of EU law. EU law takes immediate effect in English Law, and is enforceable by English courts. EU law raises issues of intrinsic theoretical interest, and considerable practical importance. No linguistic expertise is necessary, since EU legislation and case law are published in all official EU languages, including English.

The Oxford course deals with: (i) the institutions of the EU, including the jurisdiction of the Court of Justice and General Court; (ii) the essential features of the EU law, and its incorporation into national law; (iii) the principle of free movement of persons and services within the EU; and (iv) the rules governing the free movement of goods within the EU. Study of the institutions entails consideration of the majority voting rules used by the Council in making EU legislation, and examination of the roles of the Commission and European Parliament in decision-making. Emphasis is placed on the scope of the law-making competence of the institutions, in particular as regards the internal market, and on the principle of subsidiarity, which is intended to act as a brake on the exercise of such competence. Most of the course, however, is concerned with the nature and operation of rules of EU law rather than with institutional matters.
The ‘general part’ of the course covers such matters as the aims and policies of the European Union, the sources and supremacy of EU law, its direct effect before national courts and its impact on domestic legal rules, procedures and remedies, including the principle of State Liability for breach of EU Law. The court of final recourse in matters of EU law is the Court of Justice of the European Union. It has jurisdiction, e.g., to give preliminary rulings on references from national courts (references are an increasingly common occurrence in the U.K.), and to review the legality of EU legislation. Such matters receive detailed treatment in the course.

The free movement of persons aspect of the course presents a combination of social and commercial law. The rights of EU employed and self-employed persons to free movement and non-discrimination graphically illustrate the significance of the EU legal system for such persons, while at the same time being of considerable significance to commercial undertakings and their advisors. General principles applicable to mutual recognition of qualifications are covered, as are the Directives on establishment and service provision by lawyers. All nationals of Member States are also “EU Citizens” and this status is of increasing importance as regards rights of free movement, residence and equality. The syllabus also includes study of EU rules on the free movement of goods. These have been given wide-ranging effect by the European Court and have given rise to considerable litigation in English courts, which have made many references to the European Court.

A more detailed breakdown of the sections appearing in the Examination Regulations reads as follows:

(A) 1. The basic structure and functions of the EU. 2. The aims of the EU: free trade, customs union, internal market, economic community. 3. Law-making within the EU: (a) composition, functions and inter-relation of the main institutions involved in law-making; (b) forms of law-making; (c) competence of the institutions to make law, in particular to regulate the internal market under Article 114 TFEU, and the application of the principle of subsidiarity. 4. The Court of Justice (and General Court): (a) composition, powers and style; (b) suits against Member States; procedure and effect; (c) suits against EU organs: (i) review of legality: grounds (including general principles of EU Law); locus standi; (ii) suit for inaction; (iii) plea of illegality; (iv) non-contractual liability; (d) Preliminary rulings. 5. The general principles of EU Law, including fundamental rights; the Charter of Fundamental Rights. 6. Direct effect of EU Law: conditions for and consequences of norms having direct effect within Member States; including effects on national rules on procedures and remedies, State liability.

(B), (C) The free movement of persons, services and goods, and the principle of non-discrimination on grounds of nationality. 1. The free movement of goods; quantitative restrictions and measures having equivalent effect. Exceptions on grounds of public policy, public health etc., and mandatory requirements in the general interest. 2. The free movement of workers, non-discrimination, entry to and residence in the Member States, the right to seek work in other Member States, eligibility for employment in other Member States, equality in social and tax advantages and rights of members of the family. Mutual recognition of qualifications (principles from case law plus legislation on lawyers’ qualifications). Exceptions on grounds of public policy, public security and public health, and mandatory requirements in the general interest. 3. The Right of Establishment and Freedom to provide services, including non-discrimination. Entry and residence for self-employed persons in the Member States. Mutual recognition of qualifications (see above). Exceptions on grounds of public policy, public security and public health, and mandatory requirements in the general interest. 4. European Citizenship, rights to entry and residence and non-discrimination, other rights of European Citizens.

Coverage
Learning outcomes

A knowledge of EU law which directly impinges on the law of England and Wales, and of the institutions of the EU; an understanding of aspects of EU law which have no direct impact on the law of England and Wales but which are of relevance from a comparative perspective.

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 eighteenth 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 (depending on students’ other option choice). A different set of questions will be set for each week.

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 and is virtually exclusively taught as a final year option. 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 eighteenth century, including an understanding of relevant social, political and economic contexts.
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(Figures in this table are in hours.

(Lectures: MT Prof. Macnair weeks 1, 3-6, with a gap in mid-term; Prof Getzler weeks 2, 7-8; HT Prof Getzler weeks 1-2, Prof Sampson weeks 1-5)

**Labour Law**

Labour law (also called 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 working-age 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 racism, sexism and other forms of 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. Statutes and a case-list are provided in the examination, in which you answer four questions from a choice of twelve.

The subject is taught by means of a programme of lectures and seminars in Michaelmas and Hilary Terms, and by tutorials which are co-ordinated 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 around an hour of pre-recorded lecture material covering the basics, and a one-hour live session dealing with the more challenging aspects of the topic and providing ample opportunity 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.

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<tr>
<th>Paper</th>
<th>Faculty</th>
<th>Comments</th>
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<td></td>
<td>Term</td>
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<td>Labour law</td>
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Figures in this table are in hours.

There may be an additional session in HT covering recent developments or a cross-cutting topic of current interest.

Land Law

Syllabus

The focus of attention within the course is on interests in land: interests which do not merely operate not merely between the parties to a particular transaction involving the land, but can also affect third parties - other people coming into contact with it, such as later purchasers. Examples of such interests are the fee simple (virtually equivalent to ownership of the land), leases, easements and mortgages. The course concerns itself with questions such as: What interests count as interests in land? How are they created? Exactly when will they affect third parties?

Land Law has a well-established set of principles, often regulated by statute, to govern it. In part this is because people dealing with land need to know with certainty what the result of a particular transaction will be. Even so, there are many areas of the subject which are currently being developed by case law.

The course is not about conveyancing, the buying and selling of land. It is true, however, that in Land Law we are conscious of the needs of purchasers. Thus, for example, the circumstances in which purchasers will be bound by interests are inextricably tied in with the way land is bought and sold.

Land Law covers material in the “foundations of legal knowledge” and so must be taken by those seeking a professional qualification in England and Wales. Candidates in the FHS examination must offer both Land Law and Trusts.

Specific topics comprise the following:
(a) Estates and interests in land; the idea of ownership; the numerus clausus principle
(b) Formalities required for transactions relating to land: estoppels
(c) Successive and concurrent interests and trusts in land
(d) Leases
(e) Easements, covenants,
(f) licences; propriety estoppel
(g) Mortgages
(h) Protection of title to and of rights in and over land by registration
(i) Human rights as relevant to land law.
(j) Acquisition of title by possession; Loss of title because of dispossession.

Coverage
All the topics listed above are examinable. Candidates will not be expected to display in-depth knowledge of human rights issues in answering problem questions.

Learning outcomes
A knowledge of the law dealing with the rights to use, alienate, or exclude other from land, but excluding the buying and selling of land.

Core reading list
https://weblearn.ox.ac.uk/portal/site:socsci:law:undergrad:land-law/tool/7a89ef93-91cf-4057-9849-ce3ab8a7b60a?panel=Main

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

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 a trust arises where someone (a trustee) nominally owns property, and may wield many of the powers of ownership, but is generally unable to take advantage of that ownership. Instead the trustee-owner holds the property to the benefit of some other person (known as a beneficiary), a class of persons, or an object such as a charitable purpose bringing benefit to the public. Trusts can arise in two main ways – by intention; or because the law has other reasons to make an owner into a trustee. The purpose of the intentional trust is to transfer wealth in a more complex way than would be easy or possible to achieve by straight-out conveyance, such as to have the property distributed on particular terms and conditions, or to disperse ownership to win tax advantages, or to allow ongoing management of the asset. There are myriad situations in which the law has other reasons to make an owner of property into a trustee. The course looks at the scenarios in which the different kinds of trusts arise, and at how they behave.

In one respect, the course also looks outside trusts. A trustee is a fiduciary, being someone having a duty to act for another’s benefit through the control of property. But there are other examples of fiduciaries too, such as solicitors, who must act for their clients’ benefit; or agents who can contract on behalf of their principals. 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 a 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 effect of promises to settle.

3 Constructive trusts

Certain possible instances of constructive trusts. 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, Lyus v Prowsa Developments);
- failure for want of formality (Rochefoucauld v Boustead, Blackwell v Blackwell);
- the tracing rules (Foskett v McKeown);
- mistaken payment (Chase Manhattan v Israel-British Bank);
- perfecting imperfect gifts (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 offer 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 WebLearn no later than noon on the Friday of fifth week of the Trinity full term in which the examination is to be taken. Further information on how submit dissertations via WebLearn 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 the 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 Philip Lloyd (philip.lloyd@law.ox.ac.uk) and ask your supervisor to send an email to Philip 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.

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, eg 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: https://www.law.ox.ac.uk/research-subject-groups/publications/oscola), 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 2021, then the earliest you would likely return would beat the start of Trinity term 2022.

**Changes of course**

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 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 you at least four times during the academic year. The first meeting will take place during 0th week of Michaelmas term, the second meeting at the end of Michaelmas term, the third meeting at the end of Hilary term, and the final meeting shortly before examinations begin in Trinity term. During the first meeting, the Academic Advisor will provide guidance on choosing options and other induction related matters, whilst subsequent meetings will involve discussion regarding your academic progress, and any other problems that have arisen. Each meeting will last approximately thirty minutes.
2. To respond, at their discretion, to any academic concerns that you may have.
3. To read and write reports for you on GSR (Graduate Supervision Reporting system). Further information on GSR can be found in the Feedback section later in this handbook. Advisors will read your reports before the termly meetings and will write a report comprising of their own observations and comments from those who have taught you in your various options.
4. To raise any concerns arising from the termly meetings with option convenors or tutors if relevant.
5. To provide references, as and when required, on your progress.
6. To attend graduate social events, where possible.

**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 the course administrator 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 (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 or the MSt in legal research (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 his/her degree programme and playing an appropriate part in working with tutors and supervisors to that end. He/she is 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 he/she has 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 http://www.admin.ox.ac.uk/edc/policiesandguidance/
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 will 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 Academic Administrator, Paul Burns (paul.burns@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 Academic Administrator (paul.burns@law.ox.ac.uk). He will arrange you 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.

- Competition Law
- Jurisprudence and Political Theory
- Principles of Financial Regulation
- Restitution of Unjust Enrichment

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. Feedback of a more general sort is available for options assessed by means of timed examinations in the form of the examiners’ reports that will be available in the October following your completion of the course on the Faculty website. These 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 term\(^1\), 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 MJur 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 £40\(^2\) by Examination Schools. For further information about changing options, see the entry on page 10.

**Submission of the dissertation**

If you have chosen to write a dissertation, then you must submit your dissertation online via WebLearn 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**

In each case below, 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. Candidates will be given access and instructions on how to upload their essay to WebLearn in due course. 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.

<table>
<thead>
<tr>
<th>Option</th>
<th>Number/length</th>
<th>Time-period(s)</th>
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<tr>
<td>Jurisprudence and Political Theory</td>
<td>3 essays, 5,000-8,000 words total</td>
<td>Friday Week 8 Hilary to Friday Week 0 Trinity</td>
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<tr>
<td>Law and Society in Medieval England</td>
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<td></td>
</tr>
<tr>
<td>Law and Computer Science</td>
<td>2 essays, 3,000 words each</td>
<td>Friday Week 8 Hilary to TBC</td>
<td>See further alternative forms of assessment</td>
</tr>
<tr>
<td>Commercial Negotiation and Mediation</td>
<td>2 essays, 4,000 words each</td>
<td>Friday Week 8 Michaelmas to Friday Week 0 Hilary; Friday Week 8 Hilary to Friday Week 0 Trinity</td>
<td>See further alternative forms of assessment</td>
</tr>
<tr>
<td>Corporate Insolvency</td>
<td>2 essays, 4,000 words each</td>
<td>Friday Week 8 Michaelmas to Friday Week 0 Hilary; Friday Week 8 Hilary to Friday Week 0 Trinity</td>
<td>See further alternative forms of assessment</td>
</tr>
</tbody>
</table>

\(^1\) Specific information about dates is not yet available, but it is likely that the email invitation will be sent in week 2 and the deadline for registering options will be the end of week 4

\(^2\) This figure is correct as of September 2020 but may be subject to increase in Michaelmas term 2020
<table>
<thead>
<tr>
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</tr>
<tr>
<td>Legal Concepts in Environmental Law</td>
<td>2 essays, 5,000-8,000 words total</td>
<td>Friday Week 4 Trinity to Friday Week 8 Trinity</td>
</tr>
<tr>
<td>Law in Society</td>
<td>2 essays, 4,000 words each</td>
<td>Friday Week 4 Trinity to Friday Week 8 Trinity</td>
</tr>
<tr>
<td>Philosophy Law and Politics</td>
<td>2 essays, 4,000 words each</td>
<td>Monday Week 9 Michaelmas; Friday Week 0 Hilary; Friday Week 8 Hilary; Friday Week 4 Trinity</td>
</tr>
<tr>
<td>Modern Legal History</td>
<td>1 4,000 word essay</td>
<td>Friday Week 8 Hilary to Friday Week 0 Trinity</td>
</tr>
<tr>
<td>Taxation of Trusts and Global Wealth</td>
<td>1 4,000 word essay</td>
<td>Monday Week 1 to Friday Week 1 Trinity</td>
</tr>
<tr>
<td><strong>Half-options</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advanced and Comparative Criminal Law</td>
<td>2 3,000 word essays</td>
<td>Monday Week 0 to Friday Week 0 Trinity</td>
</tr>
<tr>
<td>Comparative Constitutional Law</td>
<td>4,000 word essay</td>
<td>Monday to Friday Week 0 Hilary</td>
</tr>
<tr>
<td>Comparative Corporate Governance</td>
<td>4,000 word essay</td>
<td>Monday to Friday Week 10 Michaelmas</td>
</tr>
<tr>
<td>Corporate Control – Law and Finance</td>
<td>4,000 word essay</td>
<td>Monday to Friday Week 9 Hilary</td>
</tr>
<tr>
<td>Families and the State - Children</td>
<td>Two extended essays Week 9 HT</td>
<td>Monday to Friday Week 9 Hilary</td>
</tr>
<tr>
<td>Incentivising Innovation</td>
<td>Two extended essays Week 9 MT</td>
<td>Monday to Friday Week 9 Michaelmas</td>
</tr>
</tbody>
</table>

**Further forms of alternative assessment**

In addition to the information above, certain options have variants on the standard online open book examination.

<table>
<thead>
<tr>
<th>Course Title</th>
<th>Format Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced Property and Trusts</td>
<td>Assessment will be by an online open book exam taken at the end of Trinity Term, over an 8 hour period (the additional time being the element which distinguishes this from other online open book exams)</td>
</tr>
<tr>
<td>Commercial Negotiation and Mediation</td>
<td>Students may choose to be assessed either by extended essays, as outlined above, or by timed examination; choices must be made before end of Week 4 of Michaelmas Term</td>
</tr>
<tr>
<td>Corporate Insolvency</td>
<td>Students may choose to be assessed either by extended essays, as outlined above, or by timed examination; choices must be made before end of Week 4 of Michaelmas Term</td>
</tr>
<tr>
<td>Law and Computer Science</td>
<td>There will be a group work exercise (pass/fail) in Hilary Term as well as the extended essays</td>
</tr>
</tbody>
</table>
### Modern Legal History
If completing the extended essay (details above) students must also complete a four hour-open book examination in Trinity Term. In place of this essay and examination, students may choose instead to be examined by a single eight hour examination; choices must be made before end of Week 4 of Michaelmas Term.

### Taxation of Trusts and Global Wealth
In addition to the essay (details above) students must take a two-hour timed examination at the end of Trinity Term.

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#### 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 Saturday 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](http://www.ox.ac.uk/students/academic/exams/timetables).

#### The format of the examinations (including changes due to COVID-19)

Examinations are unseen, and for 2021 will be open-book and be submitted online. Guidance on open-book examinations can be found on the University website, see [https://www.ox.ac.uk/students/academic/exams/open-book](https://www.ox.ac.uk/students/academic/exams/open-book). In many examinations you will also be provided with copies of statutory and other official material relevant to the subject: details of this are notified to you in advance. 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; this rule too is strictly enforced, and attempting fewer than the required number of questions is penalised. You may also hand-write your examination answers. If you choose to do this, you must take care that your handwriting is legible (see information about illegible scripts below).

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

#### Procedures for dealing with illegible scripts

Examiners are not bound to take account of illegible material and may ask for illegible scripts to be typed if they are unable to read them. Examiners will try to identify such scripts as early as possible in the examining process; once scripts are identified, the candidate’s college will be notified and the candidate will be asked to read out the script to a scribe who will then transcribe it. The candidate will be charged for the re-typing of the script. To accommodate this possibility, it is recommended that candidates remain in Oxford for up to five days after their final examination.

#### 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 Examiners’ Edict

The Examiners’ Edict, also known as the Notice to Candidates, will be circulated to all students during Hilary term. This is a set of instructions about all aspects of the BCL/MJur examinations and covers information such as how many questions each paper will comprise, what materials you will be provided with in the exam room, and information about examination protocol. Typically, this is followed by further notices to candidates to provide supplementary information that was not available at the time of the initial circulation.

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 http://www.admin.ox.ac.uk/examregs/information/contents/. 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 at http://www.admin.ox.ac.uk/examregs/information/contents/.

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 2019-20 will be appointed in the course of 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.

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. These are available in the October following completion of the course and can be found on the Faculty website. These reports 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.
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:


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 text book may set out 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 as ‘the only’ way that the topic can be understand. It is likely, however, that other writers will present the material differently. The breakdown of the principle into those 3 ways is the author’s work, and if this structure is adopted, the author must be acknowledged.

Students often use text-books 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.

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
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.

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 in week 6 of Michaelmas term (see the lecture list for further details). 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 Associate Dean for Graduate Studies (Taught), Christopher Hare (see page 6 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 Associate Dean for Graduate Studies (taught). 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 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 Associate Dean for Graduate Studies 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.

When reporting on academic progress, students on taught courses should review progress during the current term, and measure this progress against the timetable and requirements for their programme of study. All students are asked to describe briefly which subject-specific research skills and more general personal/professional skills they have acquired or developed during the current term. GSR is not for registering complaints – please refer to the entry below for information about complaints procedures.

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.

<table>
<thead>
<tr>
<th>Teaching/learning methods and strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intellectual Skills</strong></td>
</tr>
<tr>
<td>A highly-developed ability to parse a problem into its component sub-problems.</td>
</tr>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>
In addition BCL courses are shared with the MJur, allowing 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 argument of another. | Again the seminar format is conducive to sustained argument under pressure, with different students adopting and developing rival positions and gaining support or opposition from their peers. The tutorial essay encourages students to do the same, but this time representing both sides in the argument. |

**Practical skills**

| 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 can 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. |

**Transferable Skills**

| 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 | A typical BCL reading list contains material of several types with diverse sources, sometimes from several |
organise complex information. 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, and 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.

Skills training

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. Online tutorials for key legal and journal databases are available at http://ox.libguides.com/law-uklaw. The BLL also gives classes on using databases, finding 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
NEW: 'Oxford Minds' series for ALL Social Science graduate students

The Social Sciences Division will be offering a 'curriculum enrichment programme' for all graduate students (PGTs and PGRs) throughout the academic year. It will divide into three areas 'Themes' (Michaelmas), 'Theory' (Hilary), and 'Methods' (Trinity). It will comprise a fortnightly 'campus-wide' theme with lecture, panel, and small group discussions.

Overview

Oxford is built on people, and the way they engage with pressing global issues within and across disciplines. People matter more than ever. This new series will convene the great minds of Oxford and beyond to discuss the issues that matter to our graduate students. It aims to provide all our graduates with an educational experience that transcends disciplinary boundaries. Serving as a graduate enrichment programme during extraordinary times, Oxford Minds is based upon three eight-week pillars: themes, theory and methods. The series will unfold on a fortnightly cycle. Four times per terms, a globally recognised speaker will give a public lecture on a specific topic. In each subsequent week, this will be followed by both an inter-disciplinary panel discussion and small, interactive discussion groups. Our overarching goal is to create an interdisciplinary space in which we can collectively rethink social science for a changing world.

Aims and Objectives

The programme aims to meet three goals:

Engaging Students -- To ensure that all graduate students across the Social Sciences Division have a stimulating and interactive opportunities to apply cutting-edge social science thinking to contemporary global challenges.

Thinking Beyond Disciplines -- To enhance the opportunity for graduate-level social science training and education beyond disciplinary and departmental boundaries, including through opportunities for engagement across Divisions.

Supporting Digital Learning -- To ensure that graduate students have guaranteed access to world-class learning and training opportunities that are fully adaptable to changing circumstances.

Schedule

The series will be organised around a fortnightly cycle, with all events hosted via Teams Live. In weeks 2, 4, 6 and 8 (on Tuesdays at 17.00), an Oxford Social Science Lecture will be delivered online.
by a global thought leaders on a particular topic. In weeks 3, 5, 7 and 9 (Tuesdays at 17.00), a 45-
minute interdisciplinary panel discussion will take place between two Oxford social scientists and
one external speaker to debate the same topic. SSD graduate students will have the opportunity to
sign-up for a 1-hour small group, interactive discussion (Wednesdays at 12.00 in weeks 3, 5, 7 and 9).

Each fortnightly issue will pose questions that matter both globally and here in Oxford. The four ‘themes’ for Michaelmas Term are ‘race’, ‘sustainability’, ‘justice’, and ‘protection’.

<table>
<thead>
<tr>
<th>Theme</th>
<th>Date</th>
<th>Title</th>
<th>Speakers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>Week 2 20 October, 17.00</td>
<td>Oxford Social Science Lecture</td>
<td>Eusebius McKaiser, Broadcaster and author of ‘Run, Racist, Run’</td>
</tr>
<tr>
<td>Race</td>
<td>Week 3 27 October, 17.00</td>
<td>Panel discussion</td>
<td>Professor Simukai Chigudu, Associate Professor of African Politics, ODID</td>
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<td></td>
<td></td>
<td></td>
<td>Professor Patricia Daley, Professor of Human Geography, Geography</td>
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<td></td>
<td></td>
<td></td>
<td>Professor David Kirk, Professor of Sociology, Sociology</td>
</tr>
<tr>
<td>Sustainability</td>
<td>Week 4 3 November, 17.00</td>
<td>Oxford Social Science Lecture</td>
<td>Professor Dame Polly Courtice, Director of Sustainability Leadership Programme, University of Cambridge</td>
</tr>
<tr>
<td>Sustainability</td>
<td>Week 5 10 November, 17.00</td>
<td>Panel discussion</td>
<td>Professor Cameron Hepburn, Professor of Environmental Economics and Director of the Smith School of Enterprise and the Environment Dr Rhadika Khosla, Research Director of the Oxford India Centre for Sustainable Development, Geography Professor Colin Mayer, Peter Moores Professor of Management Studies, SBS</td>
</tr>
<tr>
<td>Justice</td>
<td>Week 6 17 November, 17.00</td>
<td>Oxford Social Science Lecture</td>
<td>Baroness Helena Kennedy QC, Labour Member of the House of Lords and former Principal Mansfield College</td>
</tr>
<tr>
<td>Justice</td>
<td>Week 7 24 November, 17.00</td>
<td>Panel discussion</td>
<td>Professor Carolyn Hoyle, Professor of Criminology, Law</td>
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<td></td>
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<td>Professor Zofia Stemplowska, Associate Professor of Political Theory, DPIR</td>
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<td></td>
<td></td>
<td></td>
<td>Professor Jonathan Wolff, Alfred Landecker Professor of Values and Public Policy, BSG</td>
</tr>
<tr>
<td>Protection</td>
<td>Week 8 1 December, 17.00</td>
<td>Oxford Social Science Lecture</td>
<td>Dr Hugo Slim, Former Head of Policy, International Committee of the Red Cross, and BSG</td>
</tr>
<tr>
<td>Protection</td>
<td>Week 9 8 December, 17.00</td>
<td>Panel discussion</td>
<td>Professor Kate O'Regan, Director, Bonavero Institute for Human Rights, Law</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Professor Danny Dorling, Haford Mackinder Professor of Geography, Geography</td>
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<td></td>
<td></td>
<td></td>
<td>Professor Stathis Kalyvas, Gladstone Professor of Government, DPIR</td>
</tr>
</tbody>
</table>

In Hilary Term, the focus will be ‘Theory’. The four themes are ‘power’, ‘space’, ‘belonging’ and ‘identity’. The Trinity Term we will look at ‘Methods’, with the themes of ‘ethnography’, ‘interviews’, ‘statistics’ and ‘archives’. The speakers for these events are to be confirmed.

To sign-up for sessions, visit [http://www.socsci.ox.ac.uk/oxford-minds](http://www.socsci.ox.ac.uk/oxford-minds). Bookings will open on 4 October 2020.
For enquiries, please contact the series convenors, Professor Alexander Betts and Professor Susan James Relly.

**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 the largest law collection in the United Kingdom. It offers not only its collection of books, journals and law reports, but access to all relevant legal electronic databases and online journals and ebooks.

Most 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 30 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. Public access computers are available in several areas of the Library, including the IT Room. They provide access to the catalogue and the extensive range of databases provided by the Bodleian Libraries. PCs in the IT Room also give access to word processing and other computing applications. Students' own laptops may be used in the Library, which has wireless and Ethernet access. There is a Seminar Room available for small group discussions, as well as three small discussion rooms, a small IT room and a graduate reading room.

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

NB Currently the Library is operating under restrictions as a consequence of the pandemic; please refer to the website for further information.

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 see http://welcometoit.ox.ac.uk IT Services is 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 students in the St. Cross Building is within the Bodleian Law Library (BLL). The IT Training Room has 24 networked computers, giving access to all the online resources within the Library and University. Word and other Microsoft Office applications and EndNote are available on these computers. It is necessary to use a USB key to save documents on these computers. **NB under the restrictions resulting from the pandemic, the Library is able to have only five of the networked computers in operation.**
Cafés

The Missing Bean café is situated on the floor above the St Cross Building reception and will serve drinks and snacks. 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.

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. Reading lists and lecture handouts are held on Canvas. All students have their own password-protected site on Canvas which provides calendars and some file storage. For help with Canvas, 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 facilities in the St. Cross Building

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The IT Training Room is available for general use when not being used for teaching. There are also networked computers in the small computer room, and more at various positions around the library. Kurzweil software, which allows blind readers to listen to pages of a book being read aloud, is also available in the BLL, but it must be booked in advance.

The main reading room has wireless access and there are power points at the ends of several 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 unattended in the library or anywhere else – cables for securing your laptop are available at the library enquiry desk or at any computing shop. 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.

IT/electronic research resources training

The library’s electronic holdings are accessible via SOLO: http://solo.bodleian.ox.ac.uk/ and via OxLIP+: http://oxlip-plus.bodleian.ox.ac.uk 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 this website, from both on and off campus. For more detailed information about the e-resources in law, including any exceptions regarding passwords, see www.bodleian.ox.ac.uk/law/e-resources/databases

Online tutorials for key legal and journal databases are available at http://ox.libguides.com/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 Librarian’ for a session: email: law.library@bodleian.ox.ac.uk or phone (01865 271462). The Library distributes a Newsletter via the Faculty’s postgrad [LGp] 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.

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.

Equality and diversity at 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

As a member of the University you contribute towards making it an inclusive environment and we ask that you treat other members of the University community with respect, courtesy and consideration.

The Equality and Diversity Unit 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 Unit also supports the University in meeting the legal requirements of the Equality Act 2010, including eliminating unlawful discrimination, promoting equality of opportunity and fostering good relations between people with and without the ‘protected characteristics’ of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and/or belief, sex and sexual orientation. Visit our website for further details or contact us directly for advice: edu.web.ox.ac.uk or equality@admin.ox.ac.uk.

The Equality and Diversity Unit also supports 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 and Bullying policy and the support available for students visit: edu.web.ox.ac.uk/harassment-advice

There are a range of faith societies, belief groups, and religious centres within Oxford University that are open to students. For more information visit: edu.admin.ox.ac.uk/religion-and-belief-0

Student Welfare and Support Services

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: www.ox.ac.uk/students/shw/das

The Law Faculty itself has a Disability Contact:

Paul Burns, Academic Administrator
St. Cross Building
Tel No: 01865 271495
Email: paul.burns@law.ox.ac.uk

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: www.ox.ac.uk/students/shw/counselling

While working remotely due to the pandemic, the Disability Advisory Service and the Counselling Service are both offering virtual consultations.

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: www.ox.ac.uk/students/shw/peer

Oxford SU also runs a series of campaigns to raise awareness and promote causes that matter to students. For full details, visit: www.oxfordsu.org/communities/campaigns/

There is a wide range of student clubs and societies to get involved in - for more details visit: www.ox.ac.uk/students/life/clubs

The Equality and Diversity Unit also supports 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 and Bullying policy and the support available for students visit: www.admin.ox.ac.uk/eop/harassmentadvice

The Faculty has two harassment advisors whom students and Faculty may contact for advice:

Catherine Redgwell, All Souls College
Tel No: 01865 279342
Email: catherine.redgwell@law.ox.ac.uk

Roderick Bagshaw, Magdalen College
Tel No: 01865 276078
Email: roderick.bagshaw@law.ox.ac.uk

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: http://www.admin.ox.ac.uk/edc/

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 http://www.admin.ox.ac.uk/proctors/info/ 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 Manager (George.Newman@admin.ox.ac.uk).

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.


- 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 contact: Donor Relations Coordinator, Faculty of Law, St. Cross Building, St Cross Road, Oxford or by email at 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](http://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/](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/](https://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/)

**Disability Equality Scheme and Policy**
[http://www.admin.ox.ac.uk/eop/disab/](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](http://www.admin.ox.ac.uk/statutes/regulations/196-052.shtml)

**Policy on recording lectures by students**
[http://www.admin.ox.ac.uk/edc/policiesandguidance](http://www.admin.ox.ac.uk/edc/policiesandguidance)

**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 understanding of the central importance and specific roles of free speech in a university that underlies the detailed procedures of the University of Oxford.

[https://compliance.admin.ox.ac.uk/prevent/freedom-of-speech](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 Graduate Studies Committee. All survey responses are anonymised.

Lecture evaluation forms

For MJur students taking FHS courses, these are generally available for undergraduate lectures based in the St Cross Building (ask in the Faculty Office if there are not copies available in the lecture theatre itself). The forms are anonymised – i.e. you are not required to provide your name or college.

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

By contacting your student representative, as described below.

Student 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.

One of the two BCL/MJur representatives will also 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 nothave 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 the Associate Dean for Graduate Studies (Taught), Professor Christopher Hare (christopher.hare@law.ox.ac.uk) as appropriate. Complaints about departmental 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 Mindy Chen-Wishart (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 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).

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 career 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 is the only really quick and effective way for a student to get suspended.

**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.

**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 organizations 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 course leading to the second public examination (ie, 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.

MSt (Master of Studies): a research degree designed to be completed in one year.

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.
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.