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## A. Introduction

Welcome to the University of Oxford.

This Handbook is a guide for students for the degrees of BCL, MJur, MPhil, MSt in Legal Research, MSc in Criminology, MLitt, and DPhil.

The people listed in the table below will be glad to provide or to find any further information that you may need. Please bear the following in mind in using this Handbook:

- The Handbook provides a guide to the rules for each degree programme, but in case of any conflict, the *University of Oxford Examinations Regulations* (published in the “Grey Book”) prevail. Amendments to the Regulations are published from time to time in the *University of Oxford Gazette*.
- You can find a great deal of further information (in particular, information about members of the Faculty and their work) on the Law Faculty website: [www.law.ox.ac.uk](http://www.law.ox.ac.uk).
- The Law Faculty Office communicates with students by way of messages to the Law Postgrads e-mail list, and we expect you to be reading those messages more-or-less daily.
- You are a member of a college as well as a student of the University. Your college will provide much of the support and many of the facilities you will need as a student, and will be able to provide you with information.
- There is a glossary of Oxford terminology at the end of the Handbook.

Timothy Endicott  
Director of Graduate Studies  
August 15, 2005

### HELPFUL PEOPLE:

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Emma Rampton	Head of Administration	<a href="mailto:emma.rampton@law.ox.ac.uk">emma.rampton@law.ox.ac.uk</a>	271560
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## **1. Administration: whom to deal with in the Faculty**

The Law Faculty carries out its responsibilities for graduate students through two Directors of Graduate Studies: the Director of Graduate Studies (research students), and the Director of Graduate Studies (taught courses). They report to the Faculty's Graduate Studies Committee, which meets in first and sixth week each term and in the third week of the summer vacation. Representatives of BCL, MJur and research students attend meetings of the Graduate Studies Committee (on student representation, see A.8, below). In some cases the Graduate Studies Committee has power to act; in others it makes recommendations to the Law Board, which is the governing body of the Law Faculty. The Law Board includes the Directors of Graduate Studies; most other members are elected from the Faculty, and student representatives attend its meetings. Its Chair, who usually holds office for three years, is the head of the Faculty. 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 fifth week of the Summer vacation.

The Faculty's Head of Administration is responsible for day-to-day administration of faculty activities and the Law Faculty Office; the Academic Administrator is responsible for day-to-day administration of academic affairs for graduate (and undergraduate) students. The Graduate Studies Officer is responsible for administration of student status and progression through the degree programmes.

The tutor in your college with special responsibility for graduate students, and your college law tutors, are available to help and advise you. Any query concerning taught courses in the BCL and MJur should first be discussed with your college tutor, who will refer you to the Director of Graduate Studies (taught courses) if necessary. The Graduate Studies Officer for the Law Faculty (Geraldine Malloy) is also able to help with queries relating to graduate taught courses and research degrees.

## **2. Lectures and Seminars**

The lecture list is published at the beginning of each term. Your college should give you a copy, and it may be accessed at <http://denning.law.ox.ac.uk/news/leclist.shtml>. Corrections and changes are notified to students by e-mail as and when they occur. 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 Method. Lectures on the undergraduate ("Final Honours School") sections of the lecture list may be useful to graduate students; it is best to consult your supervisor or college 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. The law lectures may take place anywhere in Oxford, but most are held in the St. Cross Building.

## **3. The St. Cross Building and Bodleian Law Library**

The St. Cross Building contains lecture and seminar rooms, and the Law Faculty Office, and one of the best law libraries in the world: the Bodleian Law Library. There is a student common room next to the senior common room at the top of the main steps. Coffee and tea are available there.

The Bodleian Law Library is a department of the Oxford University Library Service, which is one of the copyright deposit libraries and the largest university library in the United Kingdom. To use the Bodleian Law Library you need a University card, which is also your OULS card. This card is obtained for you by your college once you complete the form sent to you for this purpose and return it to your college. If you do so, your college should have your University card when you arrive, or soon afterwards.

Your University card admits you to all parts of the OULS and some other University facilities. You must show it to the porter at the door when you enter the Library.

Pamphlets with information about using the Bodleian Law Library are available at the entrance. Books may not be borrowed: they must be read in the Library. As a research student, you may apply for the allocation of a research reader seat in the Library; you should ask at the Enquiry Desk - preferably in good time as demand may exceed supply. The Library has a wireless network, and students' own laptops may be used, but they must be registered in the Library (for details of the generous provision of networked computers in the Library, see 6.4, below). The Baker & McKenzie Seminar and Discussion room is available for discussions when not in use for seminars. Self-service photocopying and printing services are also available. Details of all services are available in the Library.

Refreshments and more substantial food are available at two sites adjacent to the St. Cross Building. Holywell Manor, on the other side of Manor Road, sells hot meals and students of any college are welcome in its dining room. The new Social Sciences Building, behind the St. Cross Building along Manor Road, has a canteen that is open to students and faculty.

#### 4. Other Libraries

You are entitled to use all parts of the Bodleian and other OULS libraries, and you may be eligible to use many other libraries in Oxford. The libraries of the University and the Colleges are listed on the University website at [www.lib.ox.ac.uk/libraries/byname/](http://www.lib.ox.ac.uk/libraries/byname/). Click on the information symbol beside the name of each library for details of memberships, borrowing arrangements and hours. Those libraries of potential use to the study of law are briefly described here. The notes emphasise the holdings most likely to be useful for legal research. A wide range of books is held in each section and explanatory leaflets are available for most of them.

(a) The Old Bodleian Library in Catte Street is the original centre of the Bodleian Library. Today it contains the reading rooms for classical studies, history, theology including canon law, and early printed books.

(b) The Radcliffe Camera in Radcliffe Square houses British Parliamentary Papers and official publications from several other countries and international organisations. Some official papers of particular importance to law and the European Documentation Centre collection are held in the Bodleian Law Library.

(c) The New Bodleian on the corner of Broad Street and Parks Road has reading rooms for philosophy and Slavonic studies.

(d) The Rhodes House Library and the Vere Harmsworth Library (Rothermere American Institute) in South Parks Road contain American and Commonwealth history, politics and current affairs.

(e) The Radcliffe Science Library on the corner of South Parks Road and Parks Road contains the Bodleian's collection of forensic science.

(f) The Social Science Library. The libraries of the Centre for Socio-Legal Studies and the Centre for Criminological Research have been incorporated into the Social Science Library on Manor Road. This library is open to students working in these areas.

Most colleges have their own law collections which contain at least the Law Reports and basic undergraduate working materials. Those reading law are also permitted, by the courtesy of the Warden and Fellows, to read in the Codrington Library at All Souls College, which is both beautiful and well stocked: to be admitted, you need to have a form signed by your college tutor or supervisor.

#### 5. Graduate Work Space

A dedicated work space is under construction on the first floor of the Bodleian Law Library. The new work space provides approximately 55 study spaces, many of which are equipped with an ethernet socket providing access to the network; wireless access is also available. Laptops must be registered with the IT Support Officer before they can be connected to the network in the Graduate Work Space. For those

wishing to store their personal effects, there are 150 lockers in the St. Cross Building on the ground floor. Applications for a key to a locker should be made to the Administrator of the St. Cross Building. The Graduate Work Space has the same opening hours as the Bodleian Law Library.

## 6. Computing Services

### 6.1 E-mail lists

All graduate students are subscribed to the Faculty's law postgraduate e-mail list. Please give your Webmail address to the Faculty Reception office as soon as you have it (or e-mail [lawfac@law.ox.ac.uk](mailto:lawfac@law.ox.ac.uk)).

The e-mail list is the Faculty's principal means of communicating with graduate students. Information about lectures and seminars, visiting lectures, discussion groups, IT and library training, teaching opportunities and scholarships, library hours etc is distributed on this list.

If you do not receive messages from the e-mail list, contact the Faculty Reception office.

### 6.2 Faculty website

The Faculty website ([www.law.ox.ac.uk](http://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 postgraduate study, links to faculty centres, specialisations, publications, library and computing facilities and more. The Intranet link gives access to detailed course information and support materials for taught courses ('Resources for Courses') at <http://denning.law.ox.ac.uk/oxfordonly/students/subjects.shtml>. Information about study-related and social events can be found on the graduate student webpages, as can announcements about committee meetings, grants, competitions, work available and so on. The password for accessing these pages when outside the Oxford network is available from the Faculty Office.

The graduate student webpage on the Intranet also includes a database of current graduate research students (<http://denning.law.ox.ac.uk/intranet/students/postgrad.php>) – please add your own details via the on-line editing system and use the database to look for students who share your interests. You may also wish to add yourself to the graduate teaching register. The on-line editing system may also be used for adding discussion group meetings. To request an account on this system or to resolve problems with an existing account, please contact the Faculty's web support officer, [catherine.donaldson@law.ox.ac.uk](mailto:catherine.donaldson@law.ox.ac.uk).

### 6.3 IT support people in the Faculty

Contact Sandra Meredith (271499, [sandra.meredith@law.ox.ac.uk](mailto:sandra.meredith@law.ox.ac.uk)) for help with using legal and journal databases and research resources such as EndNote, NVivo, and basic computer applications, and for information about using Weblearn (see 6.7). Bento de Sousa (281269, [bento.sousa@law.ox.ac.uk](mailto:bento.sousa@law.ox.ac.uk)) can give limited help to graduate students having problems with their laptops or connecting to the network. Catherine Donaldson (281681, [catherine.donaldson@law.ox.ac.uk](mailto:catherine.donaldson@law.ox.ac.uk)), the Faculty's web developer, can give you help with discussion group information, and registering on the Graduate Research Student Database or the teaching register. Contact Peter Humphrey (281263, [peter.humphrey@law.ox.ac.uk](mailto:peter.humphrey@law.ox.ac.uk)) if you need help with the computers in the PC training room or if your University card does not work in the swipe card machines at doors in the St. Cross Building. In general, for IT related problems to do with networks, hardware, and the PC training room, it is also possible to e-mail [system.support@law.ox.ac.uk](mailto:system.support@law.ox.ac.uk).

### 6.4 Computing in the St. Cross Building

Most of the computing provision for students is within the Bodleian Law Library. The Freshfields Bruckhaus Deringer IT Training Room has 26 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. USB ports allow document storage on USB keys and flash drives. This room is available for general use when not being used for teaching. There are also ten networked computers in the upstairs gallery 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 Bodleian Law Library.

Research students' desks have ethernet connection points. It is essential to register your computer for use on the library network. All computers on this network must have current and regularly updated anti-virus programs, and other security features. More information is available from the Bodleian Law Library.

The main reading room has wireless access to the network, and there are power points at the ends of several desks. To use wireless is it necessary to install the Virtual Private Network (see 6.6).

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.

The PC training room at the bottom of the stairs near the Faculty Office also has 26 networked computers with Word and other Microsoft applications. These are available for general use when not being used for teaching. Log-in information for these computers is available at the Faculty office, and entry is by swiping your University card. Printing from these computers is available in the small printing room opposite the PC training room. Use your library photocopy card to pay for printing. A scanner is also available in the printing room. The PC training room facilities are available when the main building is open, but generally not on weekends.

## 6.5 IT/electronic research resources training

Training in use of the Library's legal and journal databases is jointly provided by the Law Faculty and the Bodleian Law Library. It begins at induction, and continues in special sessions throughout term as advertised on the e-mail list and the Bodleian Law Library website. There are extensive electronic research resources available to Oxford law students, including case law and legislation from the UK, the EU, the US, Aust/NZ and Canada, as well as India, South Africa and more, and legal journal collections. These are accessible via [www.bodley.ox.ac.uk/oxlip](http://www.bodley.ox.ac.uk/oxlip). We also have specialist knowledge about accessing free legal web resources.

One-to-one support in using the electronic library resources and free web resources in using EndNote and other general computing applications is available during the regular drop-in sessions during term, or by appointment with Sandra Meredith or the Library.

Training and support in general computing applications is provided by Oxford University Computing Services (see 6.9).

## 6.6 Access to networked services, including during vacation

**Athens personal accounts:** All students must register for an Athens personal account on arrival at [www.oucs.ox.ac.uk/athens](http://www.oucs.ox.ac.uk/athens). This password is required for accessing Justis, Westlaw and other legal databases from within the University.

If you have any problems with registering for or using Athens personal accounts, e-mail [registration@oucs.ox.ac.uk](mailto:registration@oucs.ox.ac.uk), providing your University card number and describing the problem.

The Athens personal account also allows access to Butterworths, Justis, Westlaw, HeinOnline, JStor and many other online resources from outside the University network, anywhere in the world. To access these resources, go to [www.bodley.ox.ac.uk/oxlip](http://www.bodley.ox.ac.uk/oxlip) or [www.athens.ac.uk](http://www.athens.ac.uk).

**Virtual Private Network (VPN):** Oxford University Computing Services provide a VPN which allows access to the University network from anywhere in the world. Register for the VPN at [www.oucs.ox.ac.uk/network/vpn](http://www.oucs.ox.ac.uk/network/vpn). The VPN requires downloading and installation of software. Help with installing the software will be provided during induction, and is available during regular drop in sessions during term. Help is also available from OUCS.

The VPN is required to use the wireless network in the Bodleian Law Library.

## 6.7 Weblearn

Graduate students can have their own site on Weblearn, the University's Virtual Learning Environment ([www.weblearn.ox.ac.uk](http://www.weblearn.ox.ac.uk)). This site will be password protected with your Webmail password, invisible to everyone else, and accessible from anywhere in the world. You can upload copies of your thesis and other important documents to this site. It is backed up daily.

Discussion and study groups may also have their own password-protected space on Weblearn. As well as document holding, Weblearn provides threaded discussion boards and other features. Ask Sandra Meredith if you would like a Weblearn site.

Online tutorials for the main legal databases are available on Weblearn at: [www.weblearn.ox.ac.uk/bodington/site/socsci/law](http://www.weblearn.ox.ac.uk/bodington/site/socsci/law).

## 6.8 Document storage and file back up

Keeping back-up copies of your work is crucial. Graduate students can use Weblearn to store copies of their thesis and related documents (see 6.7). The OUCS also provides file back ups on its Tivoli Storage Manager (see [www.oucs.ox.ac.uk/hfs](http://www.oucs.ox.ac.uk/hfs)). Contact OUCS for help with this service. This service can only be used when you are on the University network. In special circumstances, file storage can be made available on the Faculty servers. Write to [system.support@law.ox.ac.uk](mailto:system.support@law.ox.ac.uk) for more information about this service.

## 6.9 OUCS

Oxford University Computing Services (OUCS) provide the main University IT services, including Webmail, Athens passwords and the VPN. The IT Help Centre at OUCS gives support in using these services by e-mail and phone. PCs and Macintoshes with a wide range of software, printers, and scanners are available for general use. OUCS also provides numerous courses in all manner of computing, from 'computing for the terrified' to training and testing for the European Computer Driving Licence to web publishing and using Flash and Photoshop to programming. The OUCS shop sells a limited range of computers, site licensed software, computer maintenance contracts, and USB keys, CDs, cables etc. For a general overview of services offered by OUCS go to <http://welcometoit.ox.ac.uk>. OUCS is at 13 Banbury Road, phone 273200, fax 273275 or e-mail [help@oucs.ox.ac.uk](mailto:help@oucs.ox.ac.uk).

## 6.10 University Rules for Computer Use

The University's Regulations Relating to the Use of Information Technology Facilities, and various associated rules and codes of conduct, are listed at [www.ox.ac.uk/it/rules](http://www.ox.ac.uk/it/rules).

## 7. University Resources

The University has a vast array of resources for its students. Here is a list of some of them with links to the relevant websites.

The Oxford University website	Main source of information about the University	<a href="http://www.ox.ac.uk">www.ox.ac.uk</a>
Oxford Examination Papers Online	Very useful! -includes past BCL, MJur and MSc papers; <u>only available from within Oxford.</u>	<a href="http://oxam.ox.ac.uk/pls/oxam/keyword">http://oxam.ox.ac.uk/pls/oxam/keyword</a>
The University Club	Social, sporting and hospitality facilities	<a href="http://www.club.ox.ac.uk">www.club.ox.ac.uk</a>
The Oxford University Student Union	Central student union for all Oxford students	<a href="http://www.ousu.org">www.ousu.org</a>
The Oxford University Law Society	Invites speakers, arranges moots and social activities	<a href="http://www.oxfordlawsoc.com">www.oxfordlawsoc.com</a>
The Oxford Union	Debating and discussion society	<a href="http://www.oxford-union.org">www.oxford-union.org</a>
The Language Centre	Library/courses for those interested in languages	<a href="http://www.lang.ox.ac.uk">www.lang.ox.ac.uk</a>
The Newcomer's Club	Resource for partners of University members	<a href="http://www.wolfson.ox.ac.uk/clubs/newcomers">www.wolfson.ox.ac.uk/clubs/newcomers</a>
University Sports Centre	Central focus for University sport	<a href="http://www.sport.ox.ac.uk/facilities">www.sport.ox.ac.uk/facilities</a>
Oxford University Gazette	Official journal of the University of Oxford	<a href="http://www.ox.ac.uk/gazette/">www.ox.ac.uk/gazette/</a>
Careers Service	Information and guidance to students and graduates	<a href="http://www.careers.ox.ac.uk">www.careers.ox.ac.uk</a>
Oxford University Society	The University's official alumni organisation	<a href="http://www.alumni.ox.ac.uk">www.alumni.ox.ac.uk</a>

## 8. Law Graduate Students' Representatives and Association

Oxford's graduate law students have an association for the purposes of encouraging graduate law students to get to know one another, and co-ordinating academic and social events. The students' association depends on the work of elected student social representatives. Students who would be interested in serving their fellow students in this way are warmly encouraged to stand for these positions in elections run at the beginning of Michaelmas Term over the law postgraduate [LPg] e-mail list. The extent of community amongst the graduate law students ultimately depends on the effort each graduate is willing to make.

As well as social representatives, graduate law students also elect student representatives for Law Faculty committees in Michaelmas Term. A BCL representative, an MJur representative, an MSc (Criminology) representative, a first-year research students' representative, and a DPhil representative all attend meetings of the Law Faculty's Graduate Studies Committee, which is both a decision-making body and a forum for the discussion of graduate student issues. Some student representatives also attend other committees, including the Library Committee, the General Purposes Committee, and the Joint Consultative Committee (a committee to provide liaison between the Faculty Board and the graduate and undergraduate students in the Faculty), as well as the Law Board, to which committee decisions go for any final discussion and approval. It is useful for the Law Faculty to hear student perspectives, and student issues are best heard when students participate fully in such processes.

## 9. The Oxford University Commonwealth Law Journal

The Oxford University Commonwealth Law Journal (OUCLJ) is a project of the Oxford graduate law student body, produced under the aegis of the Oxford Faculty of Law. It is a fully peer-reviewed, student-edited journal, published twice yearly. Its aim is to foster international academic debate and exchange on a wide range of legal topics of interest throughout the Commonwealth. Graduate law students at Oxford have the opportunity to apply to be an Associate Editor of the OUCLJ (and subsequently to be an Editor). Associate Editors will have the unique opportunity to shape the content and future of the journal on behalf of the graduate student body, while also gaining invaluable publishing and editorial experience, and contact with legal scholars around the world. Student subscriptions to the OUCLJ are available at a reduced price. More information can be obtained from the OUCLJ website: [www.law.ox.ac.uk/ouclj](http://www.law.ox.ac.uk/ouclj), or contact Nerisha Singh, the General Editor for 2005-2006, at [nerisha.singh@law.ox.ac.uk](mailto:nerisha.singh@law.ox.ac.uk).

## 10. Funding Opportunities

Information about funding opportunities for graduate students may be found in the University's Graduate Prospectus at [www.admin.ox.ac.uk/gsp/finance/home.shtml#law](http://www.admin.ox.ac.uk/gsp/finance/home.shtml#law) and [www.admin.ox.ac.uk/gsp/finance/more.shtml](http://www.admin.ox.ac.uk/gsp/finance/more.shtml).

A limited number of studentships is offered by the Law Faculty in June, when most other competitions have been completed. The Winter Williams Studentship (currently worth £7,500) is awarded annually to a candidate for any graduate law degree, or to a graduate student already on course. The Commercial Bar Studentship, currently £7,500, is intended for students embarking on a one-year research degree or for students entering the final year of a DPhil. Five Freshfields Scholarships, set up through the generosity of Freshfields Bruckhaus Deringer, are awarded annually to a candidate for BCL, MJur, or a one-year research degree (including final year of DPhil). These awards are worth £5,000 each.

Information on how to apply is available on the Law Faculty website (see <http://denning.law.ox.ac.uk/postgraduate.scholarships.shtml>). The Graduate Studies Officer can also advise. There are in addition recurrent competitive opportunities for funding of different kinds made available by Colleges and by the University itself. They are all advertised in the Gazette, which can be read on the University's website.

## 11. Travel Grants

Any graduate student on the BCL, MJur, MSc in Criminology and Criminal Justice degree programmes, or a research degree programme in Law, may apply to the Graduate Studies Committee for a grant of up to £250 in any one year for travel associated with their studies. This may include attending a conference, giving a paper at a conference, or doing fieldwork, but other relevant proposals will also be considered. Applications are normally invited in week 2 for submission by the end of week 4 each term. Further information and application forms may be obtained from Ms Lorna Costar, Law Faculty Office, St. Cross Building (Tel: 271479; e-mail [lorna.costar@law.ox.ac.uk](mailto:lorna.costar@law.ox.ac.uk)).

## 12. Support for Students with Disabilities

The University and colleges can offer support to students with disabilities in a number of ways. These are summarised in the University's Disability Statement, which is reproduced at the end of this Handbook. The Law Faculty itself has two Disability Contacts (contact Dr. Kotilaine in the first instance):

Dr Jennifer Kotilaine – Academic Administrator	Prof. Ewan McKendrick – Chair of the Law Board
St. Cross Building	St. Cross Building
St. Cross Road	St. Cross Road

Oxford OX1 3UL  
Tel No: 01865 271495  
Fax No: 01865 271493  
E-mail: [jennifer.kotilaine@law.ox.ac.uk](mailto:jennifer.kotilaine@law.ox.ac.uk)

Oxford OX1 3UL  
Tel No: 01865 281050 or 01865 271776  
Fax No: 01865 271493  
E-mail: [ewan.mckendrick@law.ox.ac.uk](mailto:ewan.mckendrick@law.ox.ac.uk)

The Disability Contacts work with the University Disability Staff and other bodies, such as the Bodleian Law Library, to help facilitate students' access to lectures, classes, and tutorials, and access to information.

The Contacts are also involved in an ongoing programme to identify and promote good practice in relation to access to teaching and learning for students with disabilities within the Faculty, and to ensure that the Faculty meets the requirements of SENDA (Special Educational Needs and Disability Act 2001).

### 13. Alumni Relations

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. Because the Law Faculty organises and provides all graduate supervision and runs the postgraduate taught courses, graduate students tend to have stronger ties with the Faculty.

The Law Faculty is eager to maintain contact with all law alumni, including those who go on to practice law from other Oxford faculties. To encourage this, the Faculty has begun a selection of alumni events, both social and professional, which have taken place in the UK and America with plans of taking these reunions further afield in the years ahead. E-mail forwarding for those graduates who would like the @law.oxon.org e-mail address should become available within the current academic year. We are compiling an alumni database and encourage you to register your details before you leave. Annually the Faculty sends out Oxford Law News to those Oxford alumni practicing or teaching law. To ensure that you are on our mailing list or to enquire how you might help organise some of these events, please contact: Maureen O'Neill, Director of Development, Faculty of Law, St. Cross Building, or by e-mail at [maureen.oneill@law.ox.ac.uk](mailto:maureen.oneill@law.ox.ac.uk).

### 14. Careers

Graduate students who have academic careers in mind may be able to obtain information about suitable vacancies from their tutors and supervisors. Academic posts are advertised in The Times Higher Education Supplement and in some other national newspapers.

The Oxford University Careers Service, 56 Banbury Road, maintains comprehensive information on almost every career and notifies details of vacancies through its weekly newsletter The Bridge to those registered with it. For more information see [www.careers.ox.ac.uk/](http://www.careers.ox.ac.uk/).

## B: Research

### 1. The Research Community in Oxford

The Law Faculty is home to a thriving community of research students. Students are encouraged to be involved in all aspects of academic life, including teaching as well as research. The Faculty has developed various opportunities, both formal and informal, for students to gain exposure to these facets of scholarly life.

#### Teaching Opportunities

Both for material reasons and in order to gain experience, you may want to do some teaching during your period as a research student. For those who have successfully finished the first year of their research there are opportunities to do this. There is a long tradition of informal arrangements for teaching by graduate students in the University. In 2005-2006, the Faculty is conducting a pilot scheme for a programme of Graduate Teaching Assistantships (GTAs) for students in areas of need specified by the Faculty's subject convenors. GTAs are awarded £1000 by the Faculty and are expected to provide 48 hours of tutorial teaching over the course of the academic year. The teaching itself will be paid for by colleges at senior tutors' rates (approximately £20 per hour of tutorial time). These positions are competitive and applications are due in late Hilary Term. More details will be distributed over the law postgraduate e-mail list, as will announcements about other teaching opportunities during the year.

The Faculty runs a teacher training course in Trinity Term. Completion of the course is required for GTAs and students who wish to be listed on the Faculty's Teaching Register. Other research students and new Faculty members may also participate. More details on this course will be made available in Hilary Term over the law postgraduate e-mail list. Students who have completed this course will be given a certificate which must be produced whenever any offer of employment is made. A letter from a student's supervisor must also be presented, which addresses the question whether the teaching obligation will endanger the punctual completion of the thesis. Students may not teach more than six hours per week (including preparation and marking time).

Students are encouraged to register themselves on the Teaching Register, which is found on the Faculty's intranet. This is a resource for Faculty members to consult if they find themselves in need of teaching.

#### Research Opportunities

Graduates can undertake research assistance at the request of Faculty members. All graduates (i.e. taught and research) can undertake *ad hoc* research assistance for which payment is currently £10.24 per hour. Graduates following research courses are also eligible to join the Faculty's Graduate Research Assistantship Scheme, for which payment is currently £12.87 per hour. You may not undertake work as a Research Assistant during your first year of graduate research work. After you have completed your first year (and the Course in Legal Research Method), you may ask the Faculty to add your name to the list of Graduate Research Assistants. The list is kept on the intranet part of the Law Faculty website, and allows Faculty members who need research assistance to see your areas of expertise. No student may do more than 120 hours research assistance in one year (whether as a GRA or not). Since claims for payment are submitted after the work is done, it is your responsibility to make sure that you do not go over the limit. Please note that you may not work as a research assistant for your own supervisor without the consent of the Chair of the Law Board.

**Work Permits:** If you want to do any work beyond a very limited amount of teaching and you come from outside the European Union, you are obliged to get a work permit. In practice the acquisition of short-term permits for intra-University work presents no problems.

### Discussion Opportunities

We regard our self-sustaining discussion groups as an essential part of the life of our graduate school. They are an important support to research. Knowing what others are doing and telling others what you are doing will help your work. For some years there has been a small fund through which the Law Board has met the minor expenses of running such a group, as for instance the cost of circulating papers.

A number of discussion groups are already in existence and their meetings are publicised by e-mail and on the web. If any graduate students are interested in starting a new discussion group, they should contact a faculty member who researches in the relevant area to discuss the viability of such a group, and if necessary to ask the faculty member to apply for funding from the Faculty's Research Support Fund for the group on their behalf. Grants of up to £200 per annum are normally available for discussion groups. Larger grants may be made in certain circumstances.

### Tuesday Lunch

There are also weekly lunches held during term time for research students to discuss their research with a more generalized audience. Organized by students, the Tuesday Lunches also provide a forum for discussing common issues of interest to research students. Past topics have included academic recruitment, the publishing process, the specifics of the Oxford research pyramid, the use of legal databases and the process of ratification of the European Constitution.

### Publication Opportunities

From the beginning, you should keep one eye on the goal of publishing your work. Many doctorates are published, frequently by Oxford University Press, and many research students publish articles during their degree work. Even shorter theses sometime become books, while others come out as articles or series of articles. It is a matter of pride to us to know that so much of the research which is done here succeeds in making this permanent contribution to the study of law. Some people make the mistake of thinking that they will have to exclude from their thesis anything that they have published in the course of their research. This is not right. **We encourage you to publish your work during your research, and to include it in your thesis.** There is a different bar, which is quite distinct, namely that there are strict rules against trying to get more than one degree wholly or partly with one piece of writing.

## 2. Four Research Degrees

**Important Note:** If you have any questions about your degree that are not answered here, or if you have any problem, please contact Geraldine Malloy or the Director of Graduate Studies for Research (Timothy Endicott; John Gardner will be Acting DGS for Research in Michaelmas Term 2005). Geraldine Malloy can provide you with the forms you will need for the various steps in your degree, or you can find them at [www.admin.ox.ac.uk/gso/forms](http://www.admin.ox.ac.uk/gso/forms).

Your supervisor can advise you on progress through your degree, and in particular on the academic standards that you must reach. But remember that administration of the degrees is not the supervisor's job. It is your responsibility to complete the requirements for your degree, and it is the Faculty's job to support you, and to provide any advice that you may need about the requirements.

**Another note:** Learn to **back up** your research from the start! See A.6.8, above.

The doctoral programme in the Faculty of Law takes the form of a pyramid built from four research degrees. The apex is the DPhil.

### **2.1 The DPhil**

The doctorate requires a thesis of up to 100,000 words. It should be completed in three or at the most four years. The thesis must make a significant and substantial contribution to its field. The examiners assess the contribution of the thesis having regard to “what may reasonably be expected of a capable and diligent student after three or at most four years of full-time study.”

We do not admit people directly to the full status of DPhil student, but to Probationer Research Student status. There is more about this below. The first year of research is substantially similar for all four degrees (2.5 below).

### **2.2 The MLitt**

The MLitt requires a thesis of up to 50,000 words in length. It is completed in two or at most three years. The thesis must make a worthwhile contribution to knowledge and understanding within its field. In parallel with the provision for the doctorate, the examiners make their judgment bearing in mind what is reasonably to be expected of a capable and diligent student after two or at most three years of full-time study.

### **2.3 The MPhil**

The MPhil constitutes the second year of the taught master’s programme, the BCL or MJur, and can only be taken by a student who has done one of these degrees. For information on how to apply for the MPhil, see C.7, below.

The MPhil requires a thesis of up to 30,000 words. Admission to the MPhil is potentially a doctoral admission, subject to availability of supervision and successful completion of the Qualifying Test (see 3.1). If you are given DPhil status, you can use your MPhil thesis as the basis of your doctoral thesis. For those who are able to follow it, that route is strongly recommended. The first year of advanced taught courses creates an ideal platform from which to launch serious research. Despite having spent that extra year before turning to research, those who follow this route reach their doctoral goal more expeditiously than others and often with less anxiety.

### **2.4 The MSt in Legal Research**

The MSt requires a thesis of up to 30,000 words. As will appear more fully below, the MSt is both the one-year research degree which some people make their final aim, and, for others, the first step on the way to a DPhil. Progression from the MSt to the DPhil is the same as from the MPhil to the DPhil.

### **2.5 Residence**

The minimum residence requirement for the MSt is three terms, for the MPhil three terms, for the MLitt six terms, and for the DPhil six terms. In the case of both the MLitt and the DPhil, the requirement is reduced to three terms if the candidate has already been in relevant postgraduate residence for at least three terms, as for example where a doctoral thesis is built on and incorporates a completed MSt or MPhil thesis (but note that residence for the BCL or MJur does not reduce the residency requirement for the DPhil). There is a narrow discretion to grant dispensation from periods of residence, as for example, where your research requires you to travel abroad. Subject to that, you cannot obtain your degree unless your college certifies that you have fulfilled the residence requirements. The technical definition of residence for a term requires that you be in Oxford for 42 nights during the term in question, “term” then

being defined as the extended, not the full, term. There are provisions for counting vacation residence instead, but they do not allow you to squeeze the equivalent of more than three terms into any one year. Most people remain in residence longer than is minimally required. Full fees then have to be paid, until a much lesser sum becomes payable after the ninth term of the DPhil and the sixth of the MPhil. You will see from this that the obligation to reside does not define the obligation to pay the fees.

Being “in residence” does not only mean living in Oxford. For the purpose of a research degree, it means being engaged in full-time supervised research in Oxford. You may not engage in any form of employment that is incompatible with that requirement, during your period of residence. Various forms of employment are compatible with the requirement, including limited amounts of teaching (which may actually enhance your research work). Work that will not hinder your research is fine, but you **must** discuss any substantial employment with your supervisor and the Director of Graduate Studies.

## 2.6 The Common First Year

Every research student begins work as either: 1) an MPhil, in the second year of the two-year master’s programme, 2) an MSt student, or 3) a Probationer Research Student (PRS). In their first year of research, all three sorts of research students will be doing very much the same thing, whatever their ultimate objective. All will complete the Course in Legal Research Method and will write a substantial piece of research work.

**The Course in Legal Research Method (CLRM):** Every research student has to do the CLRM. It is intended to help you define and carry through your project, and to give you some insight into the methods used in other areas of legal research. In addition, it confers a secondary benefit in bringing research postgraduates together. There are seminars and assessed exercises. The course does not lead to an exam, but everyone has to obtain a certificate to the effect that they have achieved a satisfactory level of proficiency. The person who does the certifying is the Director of the course, Professor Mark Freedland. You cannot transfer to a higher status or proceed to any examination without it (See also 3.1.5 below). The Director of the CLRM issues this certificate directly to the Graduate Studies Office. The CLRM is described in more detail in section 8 below.

## 3 Climbing the Pyramid

### 3.1 The Qualifying Test

The DPhil is a major, extended project. Because the standard is an original and substantial contribution to your field, we do not allow you to proceed beyond the first year of research without a serious test, by experts in your field, of the prospect that your project can make such a contribution.

By the end of fourth week of your third term as a PRS, or when you complete an MSt or MPhil, you need to apply to transfer to full DPhil status. This transfer requires successful completion of the Qualifying Test, in which your project and your achievements so far are assessed by two members of the Law Faculty. If you are a PRS, you submit a statement of your doctoral project in no more than 2,000 words (‘Part A’), together with a paper of up to 10,000 words (or 6,000 for the MLitt) (‘Part B’). The Part B essay must be written using the format for theses in law (below, 6.3). Two faculty assessors are then asked to meet you and discuss your submissions with you, and write a detailed report. Your supervisor will discuss possible Qualifying Test assessors with you, and propose the names of suitable assessors to the DGS(R).

If you are transferring to DPhil status on completion of the MPhil or MSt, the process is the same, except for two differences: (1) Timing: The Qualifying Test is conducted at the end of your MPhil or MSt, at the same time as the examination for the degree. (2) The Part B material: Your MPhil or MSt thesis is assessed, in place of the essay submitted by a Probationer Research Student for Part B. You will be assessed by your two MPhil or MSt examiners, one of whom must be external. If you are thinking of

applying to transfer from the MPhil or MSt to the DPhil, it is a very good idea to discuss the prospect with your supervisor at the beginning of your work on the master's degree. You will need to complete a self-contained project in order to earn the MPhil or MSt, and plan a larger project as well. Your supervisor can advise you on how to meet those challenges.

The Qualifying Test has three possible outcomes. The assessors may recommend that you be transferred to DPhil status; that you be transferred to MLitt status; or that you be asked to re-submit either your proposal or your paper or both. If they recommend re-submission, detailed guidance will be given in the assessors' report. We hope that the re-submission will meet the assessors' concerns, and transfer will be recommended. However, in a very few cases, this will not be so, and the assessors decide not to recommend transfer. This is a very disappointing outcome, especially for the student, but also for the supervisor and faculty. However, experience has proved that it is important to stop a project at this stage, rather than investing more time and emotional energy into it. A PRS in this position has the right to request retrospective transfer to the MSt. This request will usually only be granted if the supervisor agrees to continue supervising. This means that a student may convert the work done into a Master's thesis, using the remaining time.

The assessors are charged with the task of ensuring that your project is well conceived, matches your skills, and can be punctually completed. Their main purpose is to give an independent, serious and demanding assessment of your progress, in order for you to move on as efficiently and effectively as possible.

**Please note:** While you may apply for an extension of the time for transferring from PRS to DPhil status, in no case may the materials for the Qualifying Test be submitted or resubmitted after the end of the sixth term from admission as a PRS.

**3.1.1 Assessment:** The assessment must be completed within a month. Time runs from the day that the work is sent out to the two assessors. (You should be aware that the Graduate Studies Office must complete certain formalities before sending out the materials. This usually takes about a week.) Make sure that you are easily contactable. The assessors will call you to an interview. They will contact you very shortly after receiving the materials. Two weeks after submitting your materials to the Graduate Studies Office in the Law Faculty, if you still have not been contacted to fix an appointment for the interview, you should get in touch with Geraldine Malloy without further delay.

**3.1.2 Assessing the Qualifying Test:** The assessors are required to decide (a) whether the candidate's project is suitable for the degree in question and (b) whether the candidate has demonstrated the ability to complete it in good time. The assessors provide written reasons for their recommendation. On the first submission, the assessors have three choices. They can recommend that the transfer be granted; they can recommend reference back for resubmission, either on Part A or Part B or both, or they can recommend that the candidate be permitted to advance only to the MLitt. If, on the first submission, the assessors recommend a transfer to MLitt rather than DPhil, you are not barred until the end of your second year from making an entirely new submission with a view to transferring to the higher status.

**3.1.3 Resubmission:** The assessors cannot recommend that a transfer be refused on the first submission. There is always one chance to re-submit. The same assessors generally continue to act and it is highly advisable that they do so. However, you may, in exceptional circumstances, request new assessors. You should discuss this with your supervisor. An application for the appointment of new assessors must be made to the DGS(R) via the Graduate Studies Office and must come with the written support of your supervisor. You should be sure to re-submit your materials for the QT as soon as possible, and in any event before the end of the sixth term from your admission. Remember that the longer you take on your QT, the less time you have during your second year. You should make every attempt to have your resubmission out of the way as soon as you can. After a resubmission, the assessors may or may not need to interview you again before making their report.

A student who is not granted transfer on the second submission is permitted to request that she or he be allowed to register retrospectively for the MSt. If your supervisor supports this request, and it is feasible to convert the research into an MSt in the short time left, then this is a viable option. However, the request will not be granted unless your supervisor agrees to supervise, or alternative arrangements can be made. Sadly, if all available options have been exhausted, this signifies the end of this particular road. While of course this is deeply disappointing, not everyone is cut out to be a researcher. Every graduate student admitted the Law Faculty is highly talented, and your skills and talents will flourish in other contexts. The Faculty and your college will do everything they can to help and support you at this time. Do contact both your supervisor and your college adviser.

**3.1.4 CLRM Certificate:** You cannot be transferred to the new status unless the Director of the Course in Legal Research Method has certified that you have satisfactorily completed that course. If you pass the QT, your pass will remain conditional until you have that certificate.

**3.1.5 Advice on the Materials you Submit for the Qualifying Test:**

*Part A* (2000-word statement of the proposed project): The assessors need to know that you have a viable project and that you have all the necessary skills to allow you to complete it. The statement must map out a thesis which will make a significant and substantial contribution to its field, and the proposed work must fit comfortably within your remaining two or, at most, three years. Remember that a DPhil is regarded as a project for three or at most four years. There is more than one way of convincing the examiners of all these dimensions of viability. Many candidates use up about a third of their 2,000 word allowance in a general description of their proposed thesis, saying in connected prose what they hope to achieve and why it matters. It is a good thing, though not essential, to be able to say briefly how things stand in your field, so as to show what advance you hope to make. The remainder of the word allowance can usefully be devoted to a provisional contents page, showing the titles of the chapters and giving a short account of what each will do. Everyone understands that you cannot at this early stage be bound, also that there may be some chapters which you are not yet able to see into with much clarity. Feel free to say that that is the case, if it is so. If you can outline the reasons for your uncertainty, so much the better.

It is good to link this provisional contents page to a timetable. You need not go into great detail, but it is sensible to say roughly where you hope to be after one more year and how long you have set aside for writing up your final version. When it comes to confirmation of status towards the end of the second year, you will be asked for more a more detailed schedule leading to completion.

*Part B* (an essay under 10,000 words for a transfer from PRS status; or your MPhil or MSt thesis): The essay written by a PRS usually takes the form of a draft of one of the chapters of the thesis. Your crucial task in the essay is to show the reader that you can carry out the sustained argument that will be needed to accomplish the project you propose in your Part A statement. The best way to do that is usually to engage in an important part of the argument that the DPhil will present.

In a transfer from MPhil or MSt, your thesis forms Part B because you will ordinarily want to make your master's thesis into a substantial part of the DPhil. You will need to push your work further in the doctorate (from a 'worthwhile' contribution to the field for the master's, to a 'substantial and significant' contribution); in order for you to transfer to DPhil status, your thesis will need to show the assessors that you have the potential to do so,

The assessors will look to Part B for evidence that you have mastered the craft of serious legal writing and that you can conduct a complex argument in an orderly, structured and lucid manner. The argument should be clear and cogent, and not written so as to be intelligible only to a tiny number of insiders. Keep in your sights a notional reader who is well-informed and well-grounded in the law but not an insider within your own particular field - as it might be, yourself when reading someone else's article in a journal.

**3.2 Incorporating a Completed Thesis:**

As mentioned above, there is no bar to submitting work which you have published during your research work, but there is a general principle against trying to get an Oxford degree with or partly with work which has been submitted for another degree, whether at Oxford or at any other university. However,

there are some exceptions, narrowly defined. These exceptions allow you to move up the pyramid of Oxford research degrees. Within the exceptions, a thesis which has been submitted can be incorporated in a subsequent doctoral thesis. But an MLitt cannot be incorporated in a later doctorate, and an MSt cannot be incorporated in a later MLitt. In some cases people intend to incorporate their Oxford work in a thesis later to be submitted for another degree at another university. That is entirely a matter for that other university. Some permit that kind of incorporation, others do not.

### **3.3 Confirmation of DPhil Status**

The Examination Regulations require all DPhil students to apply for confirmation of DPhil status. Just as the Qualifying Test moves you up to full DPhil status at the end of the first year, so at the end of the second year the process which leads to confirmation of the status will carry you into the third and final stage of the doctorate. The purpose of the confirmation procedure is to determine whether a student has made adequate progress in their studies since transfer of status, and to ascertain whether or not they are on course to submit for examination. It is not possible to submit a thesis for examination until DPhil status has been confirmed.

The confirmation exercise is important. The form requires an element of self-reporting and, very importantly, asks you to set out in detail your timetable to submission. It also requires other relevant persons, chiefly the supervisor, to support your confirmation. You do not have to submit any work. But the Director of Graduate Studies requires to see, with the form, a provisional contents page for the thesis and a short statement as to the content of each chapter. These short statements must not exceed 200 words for each chapter. A sketchy or careless account of your progress and your schedule to completion will result in an instant reference back.

There will be one assessor for your Confirmation of Status application, which is decided upon by the Director of Graduate Studies (Research). One of the assessors who assessed your Qualifying Test will normally consider your application. The assessor will be looking for evidence that if your work on the thesis continues to develop satisfactorily, then submission within the course of three further terms is a reasonable prospect. The assessor will not normally be expected to arrange a meeting with you and the assessment will normally be of the materials you have submitted. However, the assessor may arrange a meeting if he or she deems it necessary. Confirmation will not be refused without a meeting. The Faculty may grant the application or refer it back for resubmission. No further resubmission is permitted after the end of the candidate's ninth term.

You should aim to have your status confirmed at the end of your second year, and to complete your project in three years, if it is feasible to do so. If you have special reason to wish to delay your Confirmation of Status, you should apply to the Director of Graduate Studies, stating your reason.

## **4. Supervision**

The Law Board will appoint someone to supervise your work. Some students have joint supervisors and many work with more than one supervisor during their degree. In providing you with a supervisor, the Law Faculty offers you something extremely valuable: a reader who will respond seriously and critically to your work. The supervisor will also advise you on your topic and how to develop it, and may guide you in your work in a variety of other ways. It is the single most important resource the Faculty provides. Your supervision arrangement is the responsibility of the DGS(R). If you think that a change would be helpful, bear in mind that a change in supervision is not a crisis; if the Faculty can help you with your project through a different supervision arrangement, please contact the DGS(R) ([timothy.endicott@law.ox.ac.uk](mailto:timothy.endicott@law.ox.ac.uk); [john.gardner@law.ox.ac.uk](mailto:john.gardner@law.ox.ac.uk) in Michaelmas Term 2005).

#### 4.1 Meetings

A question frequently asked is, 'How often should I see my supervisor?' Simple as the question sounds, it admits of no fixed answer. As you define your project, you may need to meet frequently. And in the period immediately before submission the same may be true. But when the work is under way there may be relatively long periods when you are making progress without needing to meet. While supervisors take different approaches, a meeting with your supervisor will ordinarily happen when you submit work. So the timetable is largely in your hands, and the way to make the most of your supervision is to submit written work often. In most cases, it is a mistake to go a month without submitting a substantial piece of written work. It helps a lot to go to any lectures or seminars which are being given by your supervisor or your supervisor's group. Oxford's Educational Policy and Standards Committee requires supervisors to:

- ❑ meet students regularly and return submitted work with constructive criticism within a reasonable time;
- ❑ be accessible to students at appropriate times when advice is needed;
- ❑ assist students to work within a planned framework and time-table;
- ❑ monitor students' ability to write a coherent account of their work in good English;
- ❑ attempt to avoid unnecessary delays in the progress of the research;
- ❑ pursue opportunities for students to discuss their work with others in the research community (including the presentation of research outcomes where relevant) at University, national and international level;
- ❑ arrange appropriate temporary supervision for the student during periods of leave.

#### 4.2 Supervisor Away

If your supervisor is away for a term or more you will almost certainly require to be assigned to a new supervisor, usually only until the other returns. There is generally plenty of time to discuss the change, and where there is time your supervisor should talk the matter over with you. It is often possible to make informal arrangements which suit everyone, but it is essential that such arrangements be formalized through the Graduate Studies Office. The Law Faculty cannot discharge its responsibilities through informal arrangements of which it knows nothing. The Faculty must at all times know who is supervising you and, except for very short periods, there must be no time during which you have no supervisor in Oxford.

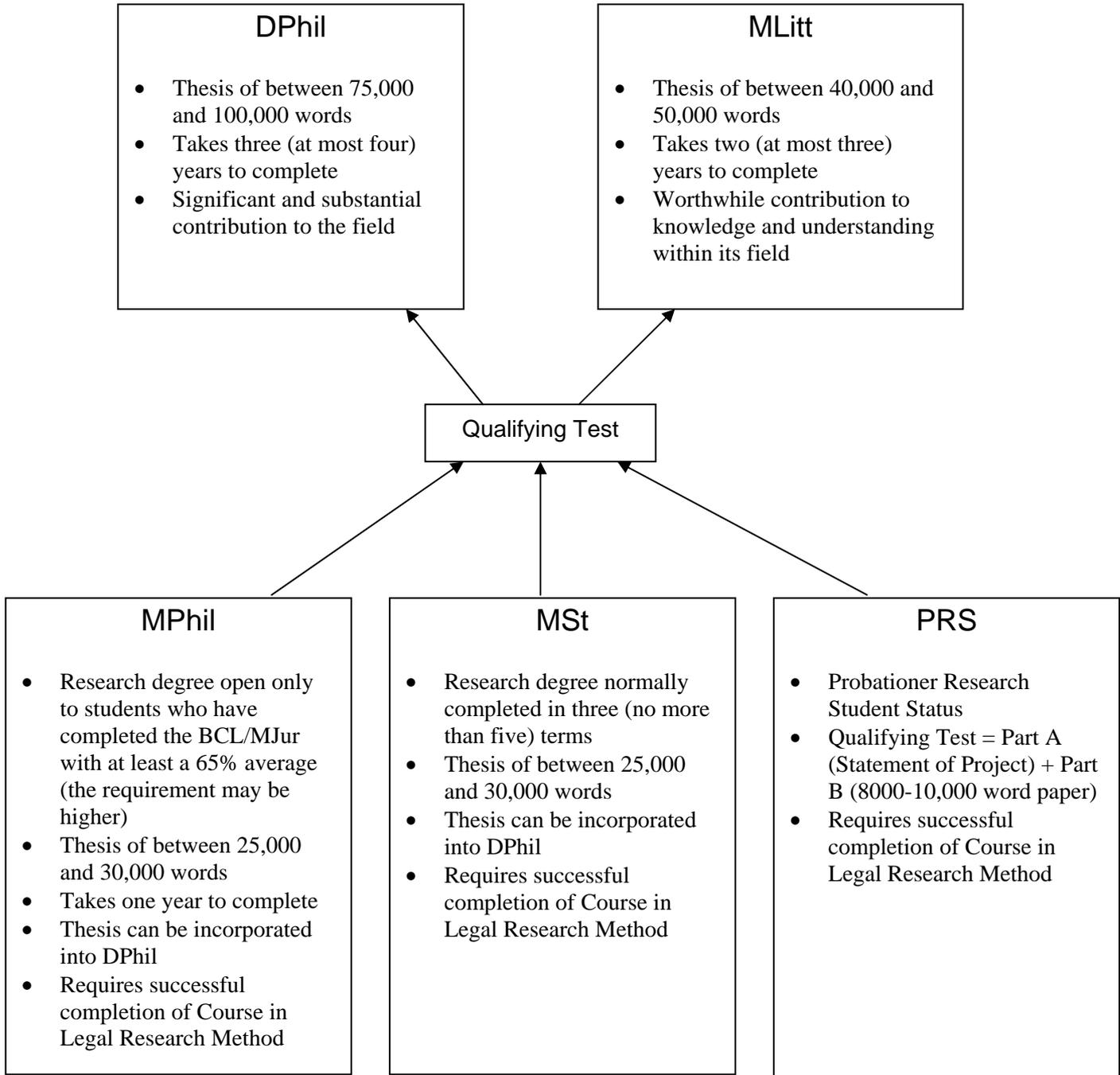
#### 4.3 Vacations

The traditional distinction between term and vacation means very little for those engaged in research. Work, if anything, intensifies when undergraduate teaching stops. You may need to make some allowance for the fact that after term supervisors are themselves desperate to get on with their research, which sometimes also means their going off to use libraries and other facilities in other places. Once again, the best solution is to talk things over with your supervisor. A prolonged absence, even during vacation, triggers the steps discussed in the previous section. Though the rhythm may change, supervision does not stop during the vacation.

### 5. Requirements as to time

Time limits and related requirements are outlined in the table on the following page. Some have been mentioned already. Most people most of the time only need to know the normal expectations because a combination of good discipline and good luck keeps them well away from the formal deadlines. However,

if you do run into time trouble, you need to know the limits. You may also need to know what discretions exist to suspend or waive the limits and what kind of case has to be made in order to invoke their assistance.



## 5.1 Discretions and Dispensations

The Law Board has power to stop the clock by granting a suspension of status. If for any good reason you are temporarily not able to study, you may apply through the Graduate Studies Office. The Board can grant a maximum of six terms' suspension, never more than three at one time. Suspension is different from extension. Extension allows more time. Suspension stops the clock.

We make no attempt to set out in detail in this handbook all the powers to extend deadlines and waive other rules. Very few people will need their help. For those who do, there are two guiding principles. The first is that provided you do have a genuine and strong reason for needing the dispensation it will probably be possible for you to get it. The second is that your chances of getting the help you need will be greatly improved if you talk to someone about it well before the burdensome rule operates. Take advice early. You can talk to your supervisor about it or to your college advisor, or, if that is not appropriate in your case, you can go straight to the Director of Graduate Studies (Research).

## 6. Submission

### 6.1 Stage 1: Application for Appointment of Examiners

As you approach completion of your thesis you have to apply for the appointment of examiners. The application requires signature by your supervisor, and another on behalf of your college.

You and your supervisor have a say in the choice of the examiners. In all cases (MSt, MPhil and DPhil), two examiners will be needed, one from Oxford and one external. The form asks for suggestions. It would be a rare case in which those suggestions were not accepted, and the Law Faculty Board would be unlikely to appoint others without first consulting with the supervisor, who in turn would be likely to consult you. It is not uncommon for the appointment of examiners to be a somewhat protracted process, especially where one suggested name turns out to be unable to act. It is therefore very important that you put in the relevant forms at the earliest opportunity. Where possible, your supervisor should contact proposed examiners informally to ascertain whether they are willing to act and available at the expected time. The withdrawal of one name sometimes creates problems of imbalance. It is very important indeed that you should be contactable during this phase at the place in which you have said that you will be, and you should independently make sure that your supervisor knows how to get in touch with you quickly. In case of difficulty, the Graduate Studies Office will contact your supervisor, and the supervisor will want to talk to you.

### 6.2 Stage 2: Submission of the Thesis

The deadline for submissions is the last day of the vacation which follows the term in which the thesis is due to be submitted. Two bound copies, printed or typed, have to be put in. The only proper recipient is the Graduate Studies Office in Wellington Square (not the St. Cross Building). The thesis must state the number of words to the nearest hundred, and the number so stated must be within the prescribed word limit. There must be an abstract of the thesis, of about 300 words. At the end of the process, successful DPhil theses must be submitted for the Bodleian Library.

Be careful to comply with the Faculty's Format for Theses which follows this section. If you think you have not understood any of the requirements, you must raise the matter as early as possible with the Graduate Studies Officer.

### 6.3 Format for Theses in the Faculty of Law

- 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, and dissertations offered in the examination for the BCL, MJur, or MSc. It does not include essays set by way of examination for the BCL, MJur, or MSc.
- 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 7 to 10 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.
- 4 Every thesis which mentions cases and statutes must contain separate tables of cases and statutes. Those tables must be indexed, so that each entry shows on what pages the case or statute in question is mentioned. The tables must appear at the beginning of the thesis, after the title page, the abstract, and the table of contents (in that order).
- 5 A bibliography must appear at the end of the thesis. It need not be indexed.
- 6 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 use A4 paper.
- 10 The thesis must be word-processed using size 12 font on one side of the paper only, 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.
- 11 The lines in the main text must be double spaced (8mm).
- 12 The first line of every paragraph must be indented unless the paragraph immediately follows a heading or sub-heading, or an indented footnote.
- 13 Quotations must use single inverted commas, saving double inverted commas for use for quotes within quotes. Quotations longer than two 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.
- 14 Endnotes must not be used. Footnotes must be internally single spaced with double spacing between the notes.
- 15 The thesis must comply with OSCOLA (the Oxford Standard for Citation of Legal Authorities: <http://denning.law.ox.ac.uk/published/oscola.shtml>), or another useful standard for citation. You should consult your supervisor if you wish to depart from OSCOLA.
- 16 The thesis must be bound in a soft or hard cover.

17 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.

18 The word limits for theses:

	<b>minimum</b>	<b>Maximum</b>
<b>DPhil</b>	75,000	100,000
<b>MLitt</b>	40,000	50,000
<b>MPhil and MSt</b>	25,000	30,000
<b>QT Part B (for DPhil)</b>	8,000	10,000
<b>QT Part B (for MLitt)</b>	5,000	6,000
<b>MSc dissertation</b>	12,000	15,000
<b>BCL or MJur dissertation</b>	10,000	12,500

### 6.3 The Title of the Thesis

The exact title has to be approved, and the thesis must be submitted under the approved title. However, it is relatively easy to obtain permission for a modification. There is a form for seeking this permission. It is available from the Graduate Studies Office in the Law Faculty. Do not make the title too long. It is the business of your first few pages, not of the title, precisely to define your project and make clear what questions will and will not be addressed. Think of your title as the title of a book.

## 7 Examination

### 7.1 Timing

The internal examiner will contact you to arrange the date of the viva. In the normal course you might expect the examiners to have fixed the date for the viva within three weeks from submission. The viva usually takes place roughly eight weeks after submission. Do not hesitate to contact the Graduate Studies Officer if you think something has slipped up. It is extremely important that the examiners should be able to contact you in the period after submission. The forms oblige you to say where you will be, but even so some people turn out to be very elusive. In addition to the contact point given on the form, examiners will generally try your address. If they cannot contact you, very long delay can ensue.

Examining a thesis is hard work and requires the examiners to clear a substantial slice of time. You cannot reasonably expect to be viva'd within a month of submission, but, if you have a good reason for needing a viva as early as possible, you can say so when you apply for examiners to be appointed. It is then sometimes possible to fix dates in advance. If you want to do this, apply for the appointment of examiners well ahead of the actual submission. Once again, be sure that all relevant people know where to contact you.

### 7.2 The Viva: A Public and Inescapable Event

The viva is a public event. You have to wear sub fusc, and so also do members of the University who come to spectate. Sometimes people do come. They are usually people who expect to go through the same ordeal themselves and want to see what it is like. The ordeal is also inescapable, in the sense that, however clear the examiners think they are as to their likely recommendation, they are obliged to conduct the oral examination. And you cannot get your degree unless you have been viva'd. Your supervisor can advise you on preparing for the viva. Its purpose is partly for the examiners to satisfy themselves that you

have a sound grasp of the general area of your thesis, but the primary focus of the viva will to give you an opportunity to defend your own work. Take your own copy of your thesis with you to your viva.

### **7.3 The Recommendation of the Examiners**

The final decision lies with the Director of Graduate Studies. The examiners do not decide. They recommend. It goes without saying that departures from the examiners' recommendation are not common. Nevertheless, the fact that the examiners cannot make the decision is a serious reason inhibiting their communicating to you the nature of their judgment. Some examiners feel more inhibited than others in this respect. Every effort will be taken to minimize the time within which you are kept in suspense, and the DGS(R) will take a final decision as soon as possible following the receipt of the report. But there may well be some delays. Sometimes the examiners are not able instantly to complete and submit their report after the oral examination. There may be grounds to refer the report to the Faculty Board. Hence you may have to wait for the final result.

### **7.4 Being Referred**

You should remember that many candidates, even those who have written really excellent theses, are referred back for resubmission. There is often some aspect of the thesis which strikes the examiners as incomplete or unfocused. It is of course a blow to have to do more work on something which you had hoped was finished, but the result can be a substantial improvement in the work. Nearly all candidates who are referred do get their degrees on the resubmission. If they refer you, the examiners will tell you, in writing, exactly what parts of the thesis require to be rewritten and why. After you resubmit, there may or may not be a second viva, depending on whether the examiners need to meet you in order to decide whether you have done what they required.

If the examiners spot minor errors they may, without referring you, require the mistakes to be put right. If they take that course, you have to make the corrections before depositing the final version in the Library. That copy must be submitted through the Graduate Studies Office. Where corrections have been required, the Library copy must be accompanied by a signed statement from the examiners that the corrections have been implemented. You should remember that you cannot actually take your degree until the Library copy of the thesis has been deposited.

### **7.5 Publication Again**

In the immediate aftermath of your examination, you may find it difficult immediately to turn back to your thesis. The sense of exhaustion will quickly wear off. And when it does you should do your best to bring it out either as a series of articles or as a book. Your supervisor and the tutors in your college will be happy to advise how to go about it and in particular how to get in contact with a publisher. It is important that the research which you have done should make its contribution in the most effective way. Often that means writing a chapter or two more, and perhaps making some quite radical changes to others. It will be worth the effort. When you publish work arising from your research, we hope very much that you will remember, in advance, to draw the publication to the attention of the Faculty through the DGS(R). We do not lose interest in you or in your work when you leave.

## **8. Course In Legal Research Method**

Participation in this course is required for Probationer Research Students, MSt in Legal Research students, and MPhil in Law students.

The aim of this course is to assist our first-year or one-year research students in establishing a sound methodological base for their legal research and writing in its early stages. This we seek to achieve by providing a focus for structured and purposive discussion between graduate students and members of the Faculty about the methodology and problems of legal research and writing. This serves to emphasise

the community of concerns between graduate students and law teachers in their legal research and writing activities, and helps to avoid or dispel the sense of intellectual isolation which can inhibit the development of legal research work.

### **Teaching Programme**

The course has two components: seminars in various aspects of legal research method, and individual assessed exercises. All students must complete the exercises to the required standard as part of their degrees.

The seminars cover a wide range of topics, the aim being to provide a discussion of various disciplines or sub-disciplines of legal research method, such as comparative, historical socio-legal methods, as well as general guidance in research design and access to sources. A detailed programme of seminars in Michaelmas Term will be available in the induction for research students before the beginning of Michaelmas Term; the core programme of seminars takes place on Tuesdays during Michaelmas Term from 4.00-5.30pm. The seminars continue in Hilary Term.

The individual assessed exercises are designed to help individual students with the planning and development of their future research work and legal writing in their chosen area of work; students will prepare and submit them during the Hilary and Trinity Terms. Arrangements for the preparation and supervision of the individual assessed exercises will be announced during Michaelmas Term.

### **Availability of advice**

Any further queries about the course may be directed to the course co-ordinator, Professor M R Freedland (St John's College), e-mail: [mark.freedland@sjc.ox.ac.uk](mailto:mark.freedland@sjc.ox.ac.uk).

## C: The BCL And MJur

### 1. The Aims of the BCL

The BCL degree programme aims 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.

**Note:** Details of how these aims are pursued are in the programme specifications available at: [denning.law.ox.ac.uk/published/documents.shtml](http://denning.law.ox.ac.uk/published/documents.shtml)

### 2. The Aims of the MJur

The MJur degree programme has all the same aims as the BCL, and aims in addition to give students from non-common-law backgrounds an opportunity to explore some of the distinctive methods, practices and doctrines of the common law.

**Note:** Details of how these aims are pursued are in the programme specifications available at: <http://denning.law.ox.ac.uk/published/documents.shtml>

### 3. Teaching Arrangements

Teaching is by lectures and seminars in the Faculty, and also by college tutorials and classes (often as an aid to revision). The lecture list for each term will be distributed to your college. Please contact your college secretary for a copy. It does not contain times for tutorials: tutors arrange these individually with their students. The lectures and seminars offered differ from one term to the next. Likewise the fact that lectures or seminars in a particular subject took place at certain times in the week of one term does not mean that lectures or seminars in that subject will take place at the same time in the week in other terms. Each term, therefore, has a different lecture list (but the Michaelmas Term lecture list also contains details of lectures and seminars provisionally arranged for Hilary Term and Trinity Term). Information about the subjects available in the BCL and MJur (and the permissible combinations of subjects) is given in section 7 below. Information about Final Honour School of Jurisprudence standard subjects available in the MJur is given in “FHS Subjects” in the *Student Handbook (Undergraduate Students)*, which is available in print or on the Faculty website.

The Faculty welcomes student feedback on lectures and seminars. Questionnaires are issued during one week each term in the hope that students will comment anonymously on each lecture/seminar attended. In addition, at the end of the year the Faculty invites BCL/MJur students to complete an anonymous questionnaire about their experience of their degree programme as a whole.

#### 4. Assessment for BCL and MJur

The standard in the BCL and MJur is higher than that required in a first degree in Law. Students are expected to analyse material critically and to consider it from different perspectives. Attention is given particularly to policy issues, and you are encouraged to make your own contribution to the debate.

The formal assessment of most BCL and MJur courses is by written examinations, held at the end of the year. Typically these are of three hours' duration and require answers to three or four questions chosen from a range of about eight to ten. Attempting fewer than the required number of questions (or otherwise failing to follow the 'rubric' at the top of the examination paper) is penalised. Examinations are unseen, and you are not normally allowed to take books or notes into the examination room (except that students whose first language is not English may, with permission from the Proctors, provide themselves with a dictionary of translations between their language and English). However, in many examinations you will be provided with copies of statutory and other official material relevant to the subject: details of this are notified to you in advance. You will normally be required to hand write your examination answers, so you must take care that your handwriting is legible. If an examiner is unable to read what you have written, you may be required to have your script typed out, at your own expense.

If you think your performance in an examination will be or has been affected by factors such as illness, there are procedures for feeding this into the examination process, where it will under appropriate circumstances be taken into account. You should consult your tutor.

BCL courses and those MJur courses also on the BCL syllabus are examined in early July. MJur courses drawn from the undergraduate syllabus are examined in mid-June. The BCL/MJur course in Jurisprudence and Political Theory is examined by the submission of three essays written unsupervised and unaided during the Easter vacation, on topics chosen from a list set by the examiners.

You will also be subject to assessment of a less formal character. Some seminar series offer students the opportunity to present their own papers. All courses on the BCL and MJur have a tutorial component (typically four tutorials for BCL/MJur courses and seven or eight for MJur courses drawn from the undergraduate syllabus). Tutorials are in groups of up to five students, but typically pairs or threes. They give you the opportunity to ask detailed questions, write essays, and receive feedback from your tutor. You should also have the opportunity - although as graduate students you are generally not required - to sit practice examinations if you want to. Please consult your tutor on this. Performance in tutorials, essays and practice examinations will be recorded by each tutor in a report to your college, which may of course be used in the writing of recommendations etc. A very bad report might also be the basis for a college to invoke its academic disciplinary procedures. College reports are not, however, part of the degree classification process. The classification of the degree depends entirely on the formal examinations at the end of the year.

The assessment of each of your formal examination papers begins, obviously, with a grading of each of your answers. The examiners' approach to grading your answers is described below. Once they have graded your individual answers, they produce a grading for each of your examination papers. This will very often be an average of the grades awarded for the individual answers, though the examiners may depart from this average if for some reason it does not appear appropriately to reflect the true quality of your paper. Then they will take the grades awarded for each of your examinations and deduce from these which of the possible degree classifications you should be awarded (distinction, pass, fail). Their approach to this task, known as the "examiners' conventions", is also explained below.

These are the standards used in assessment of BCL and MJur examination answers:

**Distinction (70% and above):** Distinction answers are those that represent an excellent level of attainment for a student at BCL/MJur level. They exhibit the following qualities:

- acute attention to the question asked;
- a deep and detailed knowledge and understanding of the topic addressed and its place in the surrounding context;

- excellent synthesis and analysis of materials, with no or almost no substantial errors or omissions, and coverage of at least some less obvious angles;
- excellent clarity and appropriateness of structure, argument, integration of information and ideas, and expression;
- identification of more than one possible line of argument;
- advanced appreciation of theoretical arguments concerning the topic, substantial critical facility, and personal contribution to debate on the topic.

**Pass (50-69%):** Pass answers represent a level of attainment which, for a student at BCL/MJur level, is within the range acceptable to very good. They exhibit the following qualities:

- attention to the question asked;
- a clear and fairly detailed knowledge and understanding of the topic addressed and its place in the surrounding context;
- good synthesis and analysis of materials, with few substantial errors or omissions;
- a clear and appropriate structure, argument, integration of information and ideas, and expression;
- identification of more than one possible line of argument;
- familiarity with theoretical arguments concerning the topic, and (especially in the case of high pass answers) a significant degree of critical facility.

**Fail (below 50%):** Qualities required for a pass answer are absent.

In assessing the optional dissertation, examiners are particularly instructed by the Examination Regulations to judge “the extent to which a dissertation affords evidence of significant analytical ability on the part of the candidate”.

The “**Examiners’ Conventions**” that will be used to work out whether your overall performance adds up to a distinction, a pass, or a fail, are as follows:

Scripts are marked on the University scale from 1 to 100. In practice a mark above 75 is very rarely seen, and a mark of 80 would indicate an utterly exceptional script. In the BCL or MJur marks of 70 and above are Distinction marks and marks of 50-69 are pass marks. Marks of 49 or below are fail marks.

The short informal statement is that you get the BCL or MJur by passing all the subjects which you offer and you get a distinction if you do well in all subjects and have a distinction mark in those which add up to a total credit value of at least 6 credits. More fully and formally:

**Pass.** For the award of the degree of BCL or MJur there must be no mark lower than 50. A mark lower than 50 but greater than 40 may be compensated by very good performance elsewhere, but a mark of 40 or below is not susceptible of compensation.

**Distinction.** For the award of a Distinction in BCL or MJur a candidate must secure marks of 70 or above on subject papers with a total credit value of at least 6 credits. In addition, there must be no other mark lower than 60.

It is important to appreciate that these conventions are not inflexible rules. The examiners have a residual discretion to deal with unusual cases and circumstances.

As for the discretion to depart from the normal conventions, candidates may be assured that it is not exercised except in very unusual circumstances in which the examiners are convinced that the convention would yield an indefensible result. The discretion has to be exercised rationally, and the primary component of rationality in this context is that all candidates should be subjected to exactly the same rules. It follows that the discretion will not be exercised in favour of a candidate merely because the marks very narrowly fail to satisfy the convention or against a candidate merely because they only very narrowly succeed in satisfying the convention.

In relation to the convention for the award of a distinction, there are clearly consequences of which candidates will wish to be aware. The convention undoubtedly has some differential impact on the

various possible combinations of credit-weighted courses. (Please see sections 7.1 and 7.2 below.) A few candidates offer just three exams, each with a credit weighting of 4, adding up to 12 credits. At the other extreme candidates have been known to offer as many as five exams, with, say, one 4, two 3s, and two 2s, adding up to 14 credits. As the convention requires marks of 70 or above in subject papers with a total credit value of at least 6 credits, there are obviously different routes to achieve that, and the award of distinction will depend on which subjects have earned the 70's, but in all cases 70 must be achieved in at least two subject papers (three if the papers with marks of 70 or above have credit values of, for example, 2, 2 and 2, or 2, 2 and 3).

Clearly these are matters to bear in mind as you choose your subjects. On the other hand there is no single opinion as to which pattern, if any, improves your prospect of getting a distinction. Some people will say that, all things being considered, the 3x4 combination is the more favourable, while others will be equally passionately of the opinion the five-exam mixed bag gives the best chance. The moral is that, without absolutely neglecting the impact of the convention, you should choose the components of your course according to what you want to learn.

In applying these conventions the examiners will treat a mark for a dissertation (please see section 7.5, below) in the same way as a mark for an examination paper.

## 5. Plagiarism

The work that you present for your examination (this includes assignments, projects, dissertations and examination papers) must be your own work and not the work of another individual. You should not quote or closely paraphrase passages from any source (including books, articles, webpages, lecture or seminar papers or presentations, or another student's work), without acknowledging and referencing that source. If you do present someone else's work as your own work, you are committing plagiarism. That is cheating and the Faculty and the University treat any alleged offence of plagiarism very seriously.

If you are unsure how to reference your work properly, and would like further advice, you should contact your Tutor or Supervisor, or the Director of Graduate Studies. The Educational Policy and Standards Committee's statement on academic integrity and the avoidance of plagiarism can be found in the appendices.

## 6. Residence

The three University "full" terms, called Michaelmas, Hilary and Trinity, last eight weeks each. But terms simply set the periods during which formal instruction by way of lectures and seminars and most college tutorials are given. The University functions throughout the year: you will need to work in vacation as well as in term time (less reasonable breaks) and you should not in any way feel inhibited from making contact with your supervisor, college tutor or other member of the Faculty out of term.

The official requirements for residence are however measured by terms. Residence for a term means that you must have been in Oxford for 42 nights, not necessarily consecutive, during that term. (For this purpose the "term" is longer than the eight-week full term: the relevant dates are given in the Examination Decrees, the University diary, and various other places.) Your college will be called on to certify this before you can obtain your degree.

## 7. The MPhil

Candidates who have completed the BCL or the MJur may apply to go on to the MPhil in Law. The Law Board will normally admit to the MPhil in Law only candidates whose thesis topic and supervision

arrangements have been approved by the Graduate Studies Committee for Law and who have at least a 65% weighted average in their BCL/MJur examination. While 65% is a minimum requirement for the Faculty, certain subject groups may impose a higher standard. Applicants apply during the course of the BCL or MJur; the application requires a proposal for a project that can be supervised in the Law Faculty. Information on how and when to apply will be provided during the year.

The MPhil entails a further year of study, which will normally occur immediately after having done the BCL or the MJur. A candidate who does not wish to proceed to the MPhil immediately after the BCL or MJur will have to seek the permission of the Graduate Studies Committee.

Candidates for the MPhil will have to complete the Course in Legal Research Method (see B.8 above), and a thesis of up to 30,000 words. The thesis may cover the same area of law as a dissertation offered in the BCL or MJur, but the text of the dissertation must not be incorporated into the thesis. See Section B.2, above, for information on the MPhil thesis, the Course in Legal Research Method, and progression from the MPhil to the DPhil.

## 8. Courses in the BCL and MJur

### 8.1 The Available Courses

Below is a listing of all the courses which are currently recognised as available to be taken in the BCL and/or MJur.

Beside the name of each course is given the credit rating which the course will carry in 2005-2006. The courses are grouped into three categories. This is of significance for the rules governing the availability of these courses for those doing the BCL or MJur which are described below. Courses shown in italics are NOT being offered in 2005-2006.

#### **List I: Courses involving advanced common law study** **credits**

Corporate Finance Law	3
<i>Corporate Insolvency Law</i>	3
Evidence	4
Law of Personal Taxation	3
Legal History: Legislative Reform of the Early Common Law	4
Philosophical Foundations of the Common Law	3
Restitution	4

#### **List II: Courses involving advanced study, but placing less emphasis on common law technique** **credits**

Comparative Human Rights	3
<i>Comparative Law: Delict (French)</i>	3
Comparative Public Law	3
Competition Law	4
Conflict of Laws	4
Constitutional Theory	3
<i>Corporate and Business Taxation</i>	3
Crime, Justice and the Penal System	3
European Business Regulation	3
European Employment and Equality Law	3
European Private Law: Contract	3
European Union as Actor in International Law	2
Global Comparative Financial Law	3
Globalisation and Labour Rights	2

Intellectual Property Rights	3
International Dispute Settlement	3
International Economic Law	2
<i>International Environmental Law</i>	3
International Law and Armed Conflicts	2
International Law of the Sea	3
Jurisprudence and Political Theory	4
<i>Philosophical Foundations of Property Rights</i>	4
Principles of Civil Procedure	3
Regulation	3
Roman Law (Delict)	3
Transnational Commercial Law	3

**List III: Courses derived from the syllabus of the BA in Jurisprudence** **credits**

Administrative Law	3
Company Law	3
Comparative Law of Contract	3
Constitutional Law	3
Contract	3
Criminal Law	3
Ethics	3
European Community Law	3
Family Law	3
History of English Law	3
International Trade	3
Jurisprudence	3
Labour Law	3
Land Law	3
Principles of Commercial Law	3
Public International Law	3
Tort	3
Trusts	3

Any amendment to the above list of courses will be posted in the Law Faculty Office by the Monday of week minus 1 of the first term (generally late September) (in the case of new subjects, announcement will be made in the Oxford University Gazette by the same date).

## 8.2 The Required Number of Credits

Subject to the possibility of offering a dissertation, you are required to take courses, carrying between them a total credit value of between 12 and 14 units. A dissertation carries three credits. You must take a minimum of *three* and a maximum of *five* courses. A dissertation counts as one course for this purpose.

The credit rating of a course is intended to reflect the amount of work (judged both qualitatively and quantitatively) which the course involves, relative to other BCL/MJur courses. The credit rating in turn dictates the minimum teaching package which must normally be provided in connection with the course. The amount of teaching provided may of course exceed these minima, but where this in turn significantly increases the students' workload, that is reflected in the credit rating.

The minimum norms are:

- 2-credit courses: 16 hours of seminars/lectures, 3 tutorials
- 3-credit courses: 24 hours of seminars/lectures, 4 tutorials

- 4-credit courses: 32 hours of seminars/lectures, 4 tutorials

These norms do not, however, apply to courses in List III. These courses are derived from the BA in Jurisprudence, and the teaching for these will usually take the same form as is provided at BA level: involving more emphasis on tutorials, and less on seminars and lectures.

In addition, the Faculty occasionally permits a course in List I or II to be offered at a certain credit rating even though its teaching package does not match the relevant minimum norm, where this appears appropriate (eg where the number of students taking the course is expected to be small, so that the distinction between seminars and tutorials is hard to make).

For these purposes, a tutorial will normally consist of at least an hour's teaching in a group not exceeding five students. You will not always be obliged to produce written work for your tutorials, but the tutor will normally receive from you, and comment on, a substantial amount of written work. Tutors will also seek to meet any reasonable request to set you and mark a trial examination (known in Oxford as a "collection"), which will then count as one of your pieces of written work. Except in the case of collections, tutors may, if they wish, "receive and comment on" your work by having you read it aloud and discussing it orally, a method which is quite often used in Oxford.

### 8.3. Permitted Combinations of Courses

(a) If you are a BCL student, you may take:

- (i) any course in List I or List II; and
- (ii) a dissertation subject to the rules set out below.

(b) If you are a MJur student, you may take:

- (i) any course in List II or List III (though not more than one course from List III);
- (ii) any course in List I for which you obtain the permission of the Law Faculty's Director of Graduate Studies (taught degrees), given on the recommendation of your college tutor and a teacher of the course in question. (List I courses involve advanced common law study. The Faculty does not intend to close them absolutely to students with non-common law backgrounds, but will wish to see evidence that the student in question is likely to be able to take them successfully. This evidence will often take the form of the student having studied the same topic to an advanced level in his or her own jurisdiction.)
- (iii) a dissertation subject to the rules set out below.

(c) Whether you are a BCL or a MJur student, you may not take:

- (i) two courses having the same syllabus;
- (ii) any course with the same title and/or syllabus as one which you have previously taken in the Oxford BA in Jurisprudence or Diploma in Legal Studies.

The number of seminars and lectures offered to BCL and MJur students is greater than the number of time-tabling slots available, so some clashes are inevitable. However, the Faculty will attempt to avoid clashes between lectures in subjects which are closely related.

### 8.4 Optional Dissertation in the BCL and MJur

A BCL or MJur student can offer a dissertation, which carries three credits.

- The total number of credits must not exceed 14.
- The dissertation must be written in English
- It must not exceed 12,500 words which includes notes, but which does not include tables of cases or other legal sources.
- The subject must be approved by the Graduate Studies Committee.

The Committee will take account of the subject matter and the availability of appropriate supervision. Candidates must submit the proposed title and description of the dissertation in not more than 500 words, not later than Monday, Week Minus One of Michaelmas Term (the first day of registration) to the Director of Graduate Studies (Taught Courses).

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, therefore, 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 (two copies) must be delivered to the Clerk of the Examination Schools for the attention of the Chairman of the BCL and MJur Examiners. It must arrive not later than noon on the Friday of fifth week of the Trinity Full Term in which the examination is to be taken.**

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 must be excluded from consideration by the BCL and MJur Examiners. Although BCL students cannot take the List III 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. Candidates for the MJur will not normally be given approval to do a dissertation on a subject which falls with List I (those subjects which entail an advanced knowledge of the common law).

Please be aware that you must follow the Law Faculty's format for theses in writing your dissertation. See section 2.6.

## 9. Descriptions of courses in the BCL/MJur

Please note: (i) Teaching in some subjects may not be available every year; (ii) Every effort has been made to ensure that references to statutory materials to be supplied in examinations are correct at the time of going to press, but these are liable to change and definitive information will be provided to candidates by examiners nearer the time of the examinations; (iii) Descriptions of List III subjects can be found under the FHS Syllabus in the Student Handbook (Undergraduate Students).

### Comparative Human Rights

The course involves a study of human rights drawing on legal and non-legal materials primarily (though not exclusively) from the United Kingdom, the United States, the Commonwealth and Europe. The course considers the meaning of particular human rights and their significance in theory and in practice, and the approaches taken by the legal institutions designed to protect them at the national and European regional levels, including those of the European Convention on Human Rights and the European Union. A number of specific substantive issues (most notably, freedom of speech and protection from discrimination) are studied in depth to illustrate the complex interplay between theory, legal concepts and procedure, and between legal and non-legal sources of protection.

Teaching for this subject comprises of seminars and revision tutorials. In general the seminars aim to encourage extensive class participation and extended high-level discussion of particular topics of importance. Revision 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.

This course is normally co-taught by Professor McCrudden and Professor Sandra Fredman. Professor Fredman will not be available to take tutorials this year, and consequently the option will be limited to a maximum of 20 students. If there are more than 20 applications to take this subject, a ballot will be held.

Applications to take this course should be sent to Professor McCrudden, at Lincoln College (christopher.mccrudden@law.ox.ac.uk) by the end of 0th week (8th October). In the event of a ballot, students will be notified of the outcome by Wednesday of First Week (13th October). Those who were not successful in the ballot will be placed on a waitlist, and any spaces that become vacant will be offered on the basis of position on the waitlist. All students who wish to take the course, whether successful in the ballot or waitlisted, should attend the first seminar on Friday, 15th at 11.00 am in the Law Board Room at the St. Cross Building.

Teaching is in the form of a two-hour seminar which runs each week during Michaelmas and Hilary Terms.

[Comparative Law: Delict (French)]

This course is not available in 2005-2006.

### Comparative Public Law

Judicial protection against unlawful (and sometimes lawful) legislative and administrative acts or rules is of concern to individuals and companies in a variety of contexts. This course covers the central aspects of procedural and substantive judicial review under the public law of England, France and the European Community. The course will consider these issues against the constitutional framework which exists in the three systems. Throughout the course the emphasis will be on making comparisons between the different systems. To facilitate this each of the topics studied will be analysed within the same week's work.

The principal course objective is to enable students to acquire knowledge and understanding of the law in this area, and to be able to discuss at an advanced level elements of public law as they are evolving in England, France, and in the EC.

It is possible to undertake the course exclusively on the basis of English language materials, but the ability to read French is an advantage, since some of the primary and secondary sources on French law are only available in the French language.

Advice on this and other aspects of the course is available from the course convenor, Professor P P Craig (St. Johns College).

The course is taught by Professor P P Craig and Professor M R Freedland. Teaching is primarily through seminars in Michaelmas and Hilary terms. Tutorials will be available in Trinity Term. The structure of the course is as follows. Michaelmas Term: There will be eight seminars which deal with the central aspects of procedural and substantive review in the three systems. The course will begin with an overview of the constitutional foundations of the three systems. There will be an analysis of the following topics: procedural review; review for jurisdictional error; improper purposes; irrationality; proportionality; legitimate expectations; equality; and fundamental rights. Hilary Term: There will be a further eight seminars which deal with: damages actions, including damages for losses caused by lawful governmental action; standing to seek relief; other conditions precedent for the seeking of relief, such as time limits and the existence of a reviewable act; and the procedures for the seeking of relief.

**Teaching Conventions:** The treatment of substantive law takes account wherever appropriate of the different procedures which are applicable under the laws of the United Kingdom, France, and the European Communities. Some of the examination questions will enable candidates to place principal emphasis on comparison between any two of the three systems studied during the course. Other examination questions will require candidates to make comparisons between all three systems.

**Materials available in exam:** Rudden and Wyatt's EU Treaties and Legislation, 8th edition, OUP, 2002

## Competition Law

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 EC and the UK, including the control of monopoly and oligopoly; merger control; anti-competitive agreements; and other anti-competitive practices. The emphasis is placed predominantly on EC competition law to reflect the importance it assumes in practice. UK competition law is also taught in detail, 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.

Seminars: Competition law is taught in seminars by Dr Ariel Ezrachi, Slaughter and May University Lecturer in Competition Law, and Mr Aidan Robertson, visiting lecturer and barrister, Brick Court Chambers. Tutorials: In addition to the seminars, a course of four tutorials will be given in the Hilary and Trinity terms. Tutorial arrangements will be made in due course. All students taking tutorials will be asked to submit written work before they attend tutorials.

Visiting speakers: There is a programme of visiting speakers details of which are found on the CCLP website.

**Teaching Conventions:** The teaching of this subject is based on the assumption that the matters listed below are included in the syllabus: (i) European Union law under Articles 81-86 Treaty of Rome, and Regulation 139/2004 EC (the EC Merger Regulation); (ii) United Kingdom competition legislation set out in the Competition Act 1998 and the Enterprise Act 2002 together with associated subsidiary legislation. Knowledge is also required of the common law doctrine of restraint of trade, though not as it applies to employment contracts; (iii) The practice and procedure of governmental institutions in the application of competition law; (iv) The general principles of economics relating to competition law.

Detailed knowledge is not required of specific UK statutes, applying competition policy in specific industries, including the Financial Services, Telecommunications, Water, Gas, Electric and Rail industries.

### **Materials available in exam:**

Blackstone's UK and EC Competition Documents (3rd edition 2003); Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation).

For The University of Oxford Centre for Competition Law and Policy see: [www.competition-law.ox.ac.uk](http://www.competition-law.ox.ac.uk)

## Conflict of Laws

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 allow a claimant to trace and recover funds which were fraudulently removed, and so on. In fact this component of the course, in which a court chooses which law or laws to apply when adjudicating a civil claim, represents its middle third. Prior to this comes the issues 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 really should not be there at all. The final third 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.

The syllabus as studied in Oxford has to omit some subject areas which are properly part of the conflict of laws. Accordingly, candidates will not be required to show knowledge of (i) state and diplomatic immunities, (ii) jurisdiction in admiralty actions in rem; (iii) family law and the law of persons; (iv) succession to property and the administration of estates; (v) negotiable instruments; (vi) choice of law in respect of immovable property; (vii) foreign arbitral awards. However, they may be required to show outline knowledge of the choice of law rules relating to marriage and the law of persons as is necessary to understand, analyse and explain the doctrines of characterisation, renvoi, and the incidental question.

In England the subject has an increasingly European dimension, especially in relation to the jurisdiction of courts and the recognition and enforcement of judgements. The 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 a problem arising in international commercial litigation.

The teaching is principally in the hands of Adrian Briggs and Edwin Peel, with assistance from other members of the Faculty. In principle the course is covered by lectures; a set of seminars which take the form of problem classes; and by a diet of tutorials.

**Materials available in exam:** Civil Jurisdiction and Judgments Act 1982, sections 32-34; Contracts (Applicable Law) Act 1990 (the whole Act); Private International Law (Miscellaneous Provisions) Act 1995, sections 9-15; Civil Procedure Rules 6.17 - 6.21; Council Regulation 44/2001/EC; Foreign Limitation Periods Act 1984

## Constitutional Theory

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.

**Teaching Conventions:** Detailed knowledge of the British Constitution is not presupposed. Though the course is not focused on the British Constitution, it may draw examples from the British Constitution to illustrate broader theoretical points.

## [Corporate and Business Taxation]

This course is not available in 2005-2006.

## Corporate Finance Law

The corporate form 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; and (b) to explore the fundamental legal propositions around which corporate finance transactions are usually organised. 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. It concentrates on the structure and regulation of capital markets and on debt and equity financing. The course 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. The course will take into consideration the EU legislation dealing with financial markets, concentrating on 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 developments in the harmonisation of these matters within the EC.

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 is of some advantage. Those with no knowledge of company law may need to do some additional background reading prior to the start of seminars, and advice can be given on this issue. MJur students are welcome, especially if they have prior knowledge of corporate finance in their own jurisdictions, but they must be prepared to engage with the case law and with UK statutes where appropriate.

A course cap of 25 applies

The teaching group comprises Ms J Payne, Professor D D Prentice, Ms L Gullifer and Mr R McCormick. The teaching primarily of twelve seminars in Hilary and Trinity Terms, and tutorials in Trinity term, which will be arranged in the seminars. Corporate finance practitioners will also give guest lectures throughout the year.

**Syllabus:** The main areas studied are: 1. Equity financing including the legal nature of shares, minimum capital requirements, payment for shares, raising additional capital, dividends, reductions of capital, financial assistance, gearing issues, and reform options in these areas. 2. Public Distributions including choice of market issues, the role of institutional investors, the structure and regulation of public offers and listing, enforcement of the listing rules and civil liability for defective prospectuses, and a discussion of the role of law in the development of a securities market. 3. The Regulation of Financial Services and Investor Protection including disclosure issues, Insider dealing and Market Abuse. 4. Takeovers including the regulation of takeovers, the duties of the target board, equality of treatment of shareholders and the rationales for takeovers. 5. Legal issues arising in relation to secured and unsecured debt, including analysis of the different forms of security, issues relating to set-off, assignment, priority between different creditors, re-characterisation issues. 6. Policy issues underlying the rules on secured lending, and consideration of proposals for reform. 7. An analysis of project finance transaction structures as an illustration of legal issues in practice. 8. The impact of these capital raising devices on corporate governance issues.

**Materials available in exam:** Butterworths Company Law Handbook (latest edition)

[Corporate Insolvency Law]

This course is not available in 2005-2006.

**Crime, Justice and the Penal System**

This course offers an opportunity to study the phenomenon of crime and the ways it is dealt with by the criminal justice and penal systems. The subject is approached from the socio-legal, philosophical,

historical and empirical perspectives. While the main focus of the course is upon the British criminal justice system, international material is incorporated and comparative perspectives are welcomed.

The precise content of the course varies each year. In 2005-06 it will begin by examining the construction of crime and the contemporary politics of crime control. It then moves on to the justifications for punishment, the relevance of previous convictions to sentencing, the role of victims and of restorative justice. The first term ends by questioning the place of plea negotiation in the criminal process. The second term begins with seminars on crime prevention and on policing, and then moves on to prisoners' rights and the privatisation of prisons. The course concludes with seminars on plural policing and private security, and on the regulation of disorder and anti-social behaviour.

The focus of teaching is the weekly seminar on Crime, Justice and the Penal System, which all those taking the course are required to attend. Students are expected to read and think about the assigned materials in advance of the seminar. The seminar will be introduced by a Faculty member, and then there is discussion, usually based around a set of questions distributed in advance. The aim is to explore issues in considerable depth and to encourage students to take part in informed debate. The seminars run for the first six weeks of Michaelmas and Hilary terms, and in the last two weeks of each of those terms there will be tutorials.

The Centre for Criminology organizes seminars during the academic year at which invited, distinguished speakers discuss current research or major issues of policy. This programme is advertised on the Centre's website at [www.crim.ox.ac.uk](http://www.crim.ox.ac.uk) and students are encouraged to attend. Students are also encouraged to attend the lecture courses (advertised under Criminal Justice and Penology on the undergraduate list) held in Michaelmas and Hilary Terms as there are no satisfactory textbooks which cover this subject as a whole.

An Oxford student who offered Criminal Justice and Penology in the Final Honour School (FHS) may not offer this paper in the BCL or MJur examination. This course and Criminal Justice and Penology, which is the equivalent course in the FHS, are both available in the MJur. However, choice is restricted according to the MJur student's previous legal background. The combination of BCL and FHS courses available in the MJur is explained in the Examination Decrees and also in the Faculty Handbook but, briefly, a MJur student whose previous legal training is primarily in the common law will not be permitted to choose Criminal Justice and Penology from the FHS syllabus.

**Teaching Conventions:** Teaching in this subject is based primarily on seminar reading lists which will be provided by the course co-ordinator at the start of each term. These reading lists indicate the essential material with which students are expected to be familiar in the examination and may also indicate some further reading. The lectures provided in criminal justice and penology do not necessarily cover all of this material. No statutory or other material is provided to students in the examination.

## European Business Regulation

This course examines the legal basis of the "level playing field" of the internal market of the European Community, covering harmonisation, public procurement, and state aids. The techniques of harmonisation are examined and illustrated by reference to commercial, social, and environmental directives and the European Court litigation which has resulted from their application. There is coverage, against the background of the treaty rules on the free movement of goods, persons or services, of harmonisation of laws in such areas as company law, European Economic Interest Groupings, banking and legal services, product labelling, consumer protection, and public procurement.

The principal course objective is to enable students to acquire knowledge and understanding of the law in relation to the above subject matter, and to be able to discuss critically at an advanced level the legal and policy issues arising therefrom.

Teaching is likely to cover (1) Community competence to regulate business; (2) Free movement of goods and harmonisation of national rules on product composition, labelling etc; (3) Establishment and Services, in general, and for lawyers; the impact of the Treaty rules on establishment and capital

movement on safeguards (such as golden shares) on the privatising of public sector undertakings; the rationale for company law harmonisation, and reference to the European Economic Interest Grouping, and the European Company Statute; the second banking directive as a model for inter-State regulation of financial services; (4) EC Environmental law - the place of Environmental law and policy in the scheme of the Treaty; essential principles of European environmental law; the directive on environmental impact assessment; (5) Public Procurement; (6) State Aids; (7) Consumer Policy.

The normal pattern of teaching involves seminars and lectures in Michaelmas and Hilary Terms, and tutorials in Trinity Term. The teaching group includes Dr E Fisher, Professor S R Weatherill, and Professor D A Wyatt.

**Materials available in exam:** Rudden and Wyatt's EU Treaties and Legislation, 9th edition, OUP, 2004; EC Directive 2004/18 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts OJ 2004 L 134/114; OJ Directive 89/665 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts, OJ 1989 L 395/33; Community Guidelines on State Aid for Rescuing and Restructuring Firms in Difficulty - OJ 2004 C 244/2; Commission Regulation (EC) No 69/2001 on the application of Articles 87 and 88 of the EC Treaty to de minimis aid OJ 2001 L 10/30; Commission Regulation (EC) No 70/2001 on the application of Articles 87 and 88 of the Treaty to state aid to small and medium-sized enterprises, OJ 2001 L 10/33.

## European Employment and Equality Law

Recent decades have witnessed a dramatic transformation of the aims of the European Community. The assumption in the Treaty of Rome that economic integration would naturally bring about social development was replaced in the 1970's by the view that "vigorous action in the social sphere is ... just as important as achieving Economic and Monetary Union." This realisation led to the rapid evolution of a social dimension to the internal market, culminating in the incorporation into the Treaty of Amsterdam of a proper legal basis for legislating on employment law and the strengthening and expansion of equality law. This course aims to develop a critical perspective whereby students can assess these developments, examining the conflicting pressures of harmonisation and subsidiarity, the legitimacy and effectiveness of EU intervention, the role of the social partners in producing employment and equality legislation, and the nature and form of regulation which has thus far emerged.

The course does not presuppose that students should have taken an undergraduate labour law or EC law course. The course will be taught by a series of seminars in Hilary Term and Trinity Term, with integrated lectures corresponding to the seminars. It will begin with an examination of the development of European Community Social Policy from a historical and theoretical perspective, and proceed to focus on particular aspects of employment policy, including anti-discrimination law, flexibility and social protection, industrial democracy and freedom of association, and the interaction with other aspects of Community law, such as job creation policies and human rights.

The course can be taken independently, as a "three credit" course, or together with Globalisation and Labour Rights to form an integrated "five credit" course. A set of relevant documents will be made available to students. The teaching group for the course comprises Professor M R Freedland, Professor J C McCrudden, Dr ACL Davies and Ms C Costello, who between them are willing to provide tutorials to back up the seminars and lectures. There will also be some input from Professor S Fredman, Mr A Bogg, and Dr D Ashiagbor. Tutorials will be offered in Trinity Term in order to give practice in writing essays in this subject. Any students who would like to discuss this course further are encouraged to contact one of the members of the teaching group.

**Materials available in exam:** Blackstone's European Law Statutes 2003-2004.

## European Private Law: Contract

European Private Law is an emerging and dynamic subject. It concerns the gradual approximation and harmonisation of the national private laws of the European Union's Member States, one of the most fascinating contemporary developments in the law. The Europeanisation of private law has two dimensions. One is fairly imminent and extremely relevant to legal practice. It concerns the implications of existing legislation and case-law emanating from the organs of the EU for national private laws. The other is more forward-looking and rather of a scholarly nature. It relates to a number of academic proposals for common European rules and principles in the area of private law, based on thorough comparative research. Thus European Private Law combines issues from at least three branches of legal scholarship, ie European Law, (national) Private Law and Comparative Law.

The course attempts to combine these disciplines, constantly approaching particular problems from a European point of view as well as from the perspective of various national private laws, thus necessarily adopting a comparative approach. The course first considers fundamental questions relating to the desirability, the constitutional legitimacy and the feasibility of the harmonisation of Private Law in Europe. An overview of the existing state of European Private Law, the imminent developments and the long-term proposals by various groups of academics is provided. The main part of the course consists in the study of a limited number of specific substantive issues taken from one of the core areas of private law, the law of contract. These are studied, as far as possible, with reference to primary materials, ie legislation and case law, and are likely to include topics such as pre-contractual liability, formation of contract, third parties in contract, mistake, good faith, standard terms, supervening events, breach of contract and remedies. Examples from national legal systems will mainly be drawn from English, French and German law. If, however, another legal system offers an interesting and original solution this will also be taken into account.

This approach already indicates that the course does not aspire to cover the whole of contract law with all its, say, constitutional and procedural implications, in all or even the most important European legal systems, but is rather of a more topical nature. The search is for – common or diverging – solutions to legal problems arising in all legal systems (including EU law and recent proposals for further harmonisation). These are looked at both from a rather technical point of view and with respect to the underlying principles so that a balance between 'black letter' law and general policy issues is struck. Participants will thus be in a position to evaluate the status quo of European contract law(s), the potential for further harmonisation and the methodological implications of this process. The principal objective of the course is to enable students to acquire knowledge and understanding in the area of European Private Law and to discuss and assess critically at an advanced level the legal and policy issues arising therefrom. Participants may expect to gain a deeper understanding of the nature of contract law, basic knowledge of the major European traditions in this area of the law and the ability to master a wide range of strongly heterogeneous sources – all of which are competences and skills of increasing importance in a Europe growing together.

The course is convened by Professor S Vogenauer who teaches it together with Mr J Cartwright. In addition, Dr S Whittaker will occasionally join the teaching group. Teaching comprises of eight lectures, mostly of an introductory nature, and eight two-hour seminars. The seminars will usually run during Michaelmas Term. Four revision tutorials will be offered in the following term. Each seminar has a designated seminar leader who introduces the topic with a short presentation and initiates discussion. Students are encouraged to contribute their experience with their own legal systems. Revision tutorials provide the opportunity to write essays and to practise examination technique. Prospective students are not required to be familiar with any of the national legal systems covered although, of course, this is of advantage. So is basic acquaintance with the constitutional fundamentals of EU law. Students lacking it will be referred to introductory reading in this field. No knowledge of foreign languages is required. All foreign materials are made available in English translations which are contained in a course pack to be distributed at the beginning of the academic year.

Note. This course is open to a maximum of 20 students in any one year. If applications exceed this number, a ballot will be held.

**Materials available in exam:** Oliver Radley-Gardner and Hugh Beale (eds), *Fundamental Texts on European Private Law*, Hart Publishing, 2003; Translation of extracts from national statutes in the area of contract law as compiled by the teaching group and distributed in the course pack.

## European Union as an Actor in International Law

The process of European integration has entailed a transfer of foreign relations powers from the Member States to the European Union (EU) that does not follow the lines of any other legal development. It is different from the experience of federal States, in so far as the devolution of foreign relations powers is only partial, and it has certainly not entailed the disappearance of the Member States as international legal persons. On the other hand, the quantity and the quality of the functions exercised by the EU on the international plane, and its capacity to develop its own course of foreign relations, makes it an entity with few, if any, traces of resemblance with other existing international organisations.

The course deals with questions at the intersection of European law, public international law, and international relations. It looks both to the inside, giving an overview of the foreign relations law of the EU, and to the outside, examining the legal framework in which the EU acts on the international plane. Looking at some of the core areas of international law, the course examines the problems of and prospects for a supra-national actor in a legal system which is still largely dominated by States. The ultimate question to be explored: Is international law adapting to a new actor or must the EU assume statehood to be a full actor in international law?

The course covers the following topics: the foreign relations law of the EU, the relationship between international law and European law, treaty relations of the EU and its member States (mixed agreements), the EU as a member of international organizations and a party before international tribunals, international relations and diplomatic powers of the EU, promotion and enforcement of international law by the EU (sanctions, human rights, standards of democratic governance), violations of international law by the EU and its member States and their international responsibility.

The course is directed at graduates with an interest both in international law and European law. Basic knowledge of these subjects is an advantage. Students without such knowledge will be directed to basic reading in these fields.

Teaching consists of eight two-hour seminars and three revision tutorials. The seminars aim to encourage extensive class participation and students will have the opportunity to present short papers for discussion by the group as a whole. Revision tutorials will provide the opportunity to write essays and discuss essay and examination technique. Seminars and tutorials will be conducted by Dr S Talmon in Hilary and Trinity Terms. Detailed handouts and reading lists are distributed during the year. In addition, there is a reader for the course available.

**Materials available in exam:** Material Available in the Examination Room: Blackstone's EC Legislation 2005-2006, 16th edition 2005; Blackstone's International Law Documents, 6th edition, 2003.

## Evidence

The Law of Evidence is a popular subject in the BCL because it is in all common law jurisdictions still dominated by common principles. This means that overseas graduates can both bring more to it, and gain more from it.

The aim of the course is to establish the basic structure of this branch of the law to which all students can relate the knowledge they acquire so as to be able to grasp it instinctively and to be able to "think on their feet." It is the one area which lawyers need to know in detail rather than know how to acquire since

problems arise, often unexpectedly, in the course of a trial for which no preparation has been possible. The more thorough the understanding of basic principles the more readily the detail can be slotted in, or created. All of these features owe their existence to the fact that the law has been gradually accreted by individual decisions of the judges in the course of trials, sometimes without the benefit of extensive reference to materials. It is because judges have so often drawn upon their instinct for the fundamentals of this branch of the law that it has developed so similarly in different jurisdictions, and has largely resisted radical statutory intervention.

These factors have also created an opportunity for useful academic reflection to draw out the principles often left unarticulated beneath the surface of the decisions. The subject has benefited from a succession of particularly talented commentators such as Thayer and Wigmore in the United States, and Cross in the United Kingdom. It tends to be in the forefront of change as increasing efforts are made to streamline civil litigation, and to cope more effectively with an increasing tide of criminal cases. These have led to the proposal of a number of innovations such as the reform of the hearsay rule, and changes in the evidential use of silence or an accused person's previous record. The law is also adapting to newer forms of record-keeping, and the exploitation of the possibilities offered by video-recording.

In all jurisdictions the subject is in constant ferment with new codes and consolidations under consideration or implemented. Since the subject tends to highlight perceived tension between the efficient resolution of disputes and the importance of resolving them fairly, it is never short of topicality or fierce controversy.

The course in Oxford concentrates more on central principles than on the minutiae of procedure, and makes an effort to draw upon the experience of the whole of the common law world.

A comprehensive reading list is available to support students reading the subject, and this is supplemented by a number of courses of lectures each developing a particular central aspect of the subject in more depth than is possible in a general survey of the whole subject. The main seminar currently takes place in Trinity term and is designed to explore particularly topical or difficult subjects by setting problems. The teaching group regards tutorials as very important, and these are arranged by college tutors. The examination is in the third week of the Summer vacation.

**Teaching Conventions:** The following topics comprise the elements of the examined course; General Concepts: Relevance and Admissibility; Burden and Standard of Proof; Presumptions; Functions of Judge and Jury; Witnesses (including Character); Course of Evidence; Character of Parties; especially the Accused in Criminal Cases; Evidential Privileges; Public Interest Immunity; Opinion Evidence; Hearsay, including Common Law and Statutory Exceptions; Confessions and Unfairly/Unlawfully Obtained Evidence; Evidential Use of Silence (in both Criminal and Civil cases) and Police Questioning; Matters not Requiring Proof (including Issue Estoppel); Judicial Findings as Evidence; Identification.

**Materials available in exam:** Butterworths Student Statutes, Evidence, 5th edition (if available, otherwise 4th edition)

## Global Comparative Financial Law

Intangibles (financial assets) play a major role in modern economies. Thus the flows through the major payment systems are a substantial multiple of gross domestic product and a much bigger multiple of trade flows. Capital market flows and international bank loans are very large. The securities held by a single internal depository in Brussels exceed the gross domestic product of the United Kingdom and France.

The laws of the several hundred jurisdictions are fragmentary and in some important areas the fragmentation is increasing. There is no doubt that the intricacy is increasing. The result is that world financial law is difficult to grasp and legal risk is great.

However, the law and practice rest upon fundamental principles of contract, property, trusts, security and insolvency, and although their application may seem complex, one of the aims of the course is to show the simplicity of the underlying concepts. The emphasis of the course is on the following: The approach is

global and comparative. The course aims at a comprehension of the main principles and policies. The course is reasonably comprehensive in its coverage of debt financial markets. The course aims to cover the actual practices of the markets and the main transactions.

The emphasis is on distillation and synthesis. The course is designed for (1) those who wish to be practitioners so to enhance their ability to deliver transactions globally; (2) those who wish to participate in the formulation of policy in their jurisdictions; (3) those who wish to pursue an academic career at the university level and to make a contribution to the literature; and (4) those who wish to follow other avenues but would like to have a succinct view of this field.

The course is suitable for students from all jurisdictions. It is not necessary to have prior knowledge of financial law.

The main areas studied are: 1. Overview of financial markets and transactions. Participants and institutions. History. Understanding financial law in the world's legal systems and the core indicators of financial law globally. 2. International bank loans and syndications. 3. International debt capital markets. Principles of securities settlement systems. 4. Impact of insolvency law on markets: comparative survey of the key principles and policies globally. Judicial reorganisations and private reschedulings. State insolvency. 5. Set-off and netting world-wide, especially for derivatives, payment systems and the like. 6. Trusts and their equivalent internationally in the context of international finance, in particular global custodianship of securities, settlement systems, security trustees and bond trustees. 7. Security interests in international finance: comparative review of international principles and policies. Title finance, including repos. Market applications and security packages, including project finance. 8. Special areas, notably derivatives and securitisations. 9. Regulation of international finance and markets.

The course is not concerned with consumer finance.

The course is led by Professor Philip R Wood, assisted by Ms Jennifer Payne. Students will be provided with a complete set of short-form lecture notes in instalments, accompanied by a selective reading list. A set of copy materials will be available for purchase.

## Globalisation and Labour Rights

The appropriate relationship between the liberalisation of the global economy and other national and international norms seems set to be a critical legal and political debate well into the next century, and study of the issue is still in its infancy.

This course concentrates on the interaction between international economic law and labour rights. We shall consider several theoretical and practical issues. Some examples include: the problem of protecting labour rights in a liberalised global market, the issue of labour rights criteria in admissions to the World Trade Organisation, the current role of the International Labour Organisation in securing international labour standards, the appropriateness of a "social clause" in international trade and investment agreements, the use of economic sanctions against countries which violate labour rights norms, and the effectiveness of corporate codes of labour rights practice. The problem of child labour will be examined as case study illustrating some of these issues.

There is no expectation that those taking the course should have any prior background in labour law, international economic law, or any other specific area of legal studies. The course is taught by means of a series of seminars in Michaelmas Term. Materials for purchase will be available at the end of September that will form the basic reading for the seminar. The teaching group comprises Dr A C Davies and Professor J C McCrudden, who between them will provide revision tutorials in Trinity Term to back up the seminars.

## Intellectual Property Rights

Intellectual Property rights (“IPRs”) must constantly adapt to developments in technology (biotechnology, computing, satellite communications, etc), whilst also conforming with general theories of competition and property law. This subject therefore represents a link between law, science & technology, design & creative arts, and economics. It is international and comparative in nature, taking into account the many standardization initiatives within the European Union and World Trade Organization as well as the impact of EC competition law. It is also theoretical, considering the various economic and other justifications for the existence of different IPRs nationally and internationally.

The subject consists of eight lectures and corresponding seminars (held weekly in Michaelmas and Hilary Terms) under the following headings: (i) IP Theory; (ii) Patents; (iii) Trade Marks & Unfair Competition; (iv) Copyright; and (v) Moral Rights. Tutorials are offered in Trinity Term.

**Materials available in exam:** Blackstone’s Statutes on Intellectual Property, 7th edition (2004/5); Directive 97/55/EC amending Directive 84/450/EC concerning misleading advertising so as to include comparative advertising; The Registered Designs Regulations 2001, Statutory Instrument No 3949; “Council Regulation (EC) No 6/2002 of December 2001 on Community designs” Official Journal L 003, 05/01/2002 p.0001-0024.

## International Dispute Settlement

The course on International Dispute Settlement is concerned with the peaceful settlement of disputes involving the application of international law, including inter-State disputes, and disputes between States and individuals or corporations.

One part of the course is concerned with the study of a range of institutions concerned with dispute settlement such as arbitral tribunals, the International Court of Justice, and more specialised bodies such as the International Centre for the Settlement of Investment Disputes, the World Trade Organisation, and other institutions handling economic, political and human rights disputes. The institutions selected for study vary from year to year.

The other part of the course provides an outline of the principles of procedural law that operate in international tribunals, including international commercial arbitration tribunals. This part of the course involves the study of issues such as jurisdiction and admissibility, the determination of law governing procedure and the law governing the merits of a case, remedies, the recognition and enforcement of judgments and awards, and the review of judgments and awards.

Teaching consists of weekly classes in the Michaelmas and Hilary Terms, in some of which students will present short papers for discussion by the group as a whole. The examination is held at the same time as the other BCL/MJur examinations, in the summer vacation.

Detailed handouts and reading lists are distributed during the year. The most recent handouts are posted on the Faculty’s intranet.

**Materials available in exam:** Blackstone’s International Law Documents, 6th edition, 2003.

## International Economic Law

This 2 credit course introduces students to the main principles and institutions of international economic law. It focuses primarily on the institutions and substantive law of the World Trade Organization (WTO) and the General Agreement on Tariffs and Trade (GATT). In addition to introducing participants to the major legal disciplines under the GATT/WTO and the basic principles and core 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.

Dr D. Sarooshi will deliver lectures in Hilary Term. Tutorials will take place in Trinity Term. The examination is held at the same time as the other BCL/MJur examinations, in the summer vacation. Detailed reading lists are distributed at the start of the course.

**Materials available in exam:** The Legal Texts: The Results of the Uruguay Round of Multilateral Trade Negotiations (Cambridge University Press: 1999).

### [International Environmental Law]

This course is not available in 2005-2006.

### International Law and Armed Conflicts

This course examines the international law issues which arise in relation to armed conflicts. The course will be divided into three parts. It will begin by considering that aspect of international law which determines whether States are entitled to use armed force. This part of the course will also examine the powers of the United Nations to authorize the use of force. The second part of the course will examine the law that applies during an armed conflict. The focus will be on international armed conflicts, though there will also be some consideration of the law that applies during non-international armed conflicts. The third and final part of the course will focus on international criminal law, i.e. the enforcement of international humanitarian law and other norms prohibiting human rights violations through criminal prosecutions. In this part, there will be consideration of the jurisdiction of international criminal courts as well as an examination of general principles of international criminal law. There will also be some consideration of substantive international crimes such as genocide and crimes against humanity. Although there will be some consideration of the relationship between human rights law and the law of armed conflict, there will be no general examination of the law relating to the protection of human rights.

### International Law of the Sea

The Law of the Sea course is concerned exclusively with public international law and not with any aspects of commercial shipping law.

The course 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, scientific research and military activities).

The teaching involves relating the problems of the law of the sea to underlying principles and policy factors and to other relevant areas of general international law, including sources, the law of treaties and principles of state responsibility.

The teaching consists of weekly classes in the Michaelmas and Hilary Terms, in some of which students will present short papers for discussion by the group as a whole. The examination is in the third week of

the summer vacation. A detailed syllabus and reading-list is made available to students at the beginning of each academic year.

**Materials available in exam:** Blackstone's International Law Documents, 6th edition, 2003.

## Jurisprudence and Political Theory

Students taking Jurisprudence and Political Theory have the opportunity to participate in wide-ranging but analytically precise discussions of the presuppositions and methods of legal, political and therefore also, to some extent, moral philosophy, and of related social theories in their bearing on the institutions, norms and methods of legal systems. The syllabus covers the concepts of law, legal system, legal right and legal obligation; the nature of adjudication and judicial discretion; the range and limits of law as a means of social control; the individual's moral duty to obey the law; the individual's moral rights against his or her government; and the justification of political (including judicial) authority.

Much of, for example, Dworkin's *Law's Empire*, Raz's *The Morality of Freedom*, and Finnis's *Aquinas* was earlier presented and discussed in this course's seminars, which provide a good context for critical testing of advanced work-in-progress. The seminars do not necessarily cover all of the topics mentioned in the syllabus, and of those covered some may be covered in much greater depth than others. Nevertheless the syllabus 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. An acquaintance with some undergraduate-level jurisprudence is presupposed; those who enter on this course without having formally studied jurisprudence should prepare themselves by a careful reading of at least 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*, or Finnis, *Natural Law and Natural Rights*. But this list should not lead anyone to think that, in the course itself, the topics to be discussed are narrowly "jurisprudential" or that the authors to be read are narrowly "Oxford". Students with an Oxford Jurisprudence background, and others, could well prepare for the course by careful reading of (for example) Rawls, *A Theory of Justice* or *Political Liberalism*, Nozick, *Anarchy, State and Utopia*, Raz, *The Morality of Freedom*, Nagel, *Equality and Partiality*, Cohen, *If You're an Egalitarian, How Come You're So Rich?*, or Walzer, *Spheres of Justice*.

Seminars specifically designed for students on this course are convened by Professor J M Finnis, Professor J Raz, Professor A M Honore, Professor J Gardner, Dr N Stavropoulos, Dr J Dickson and Dr T Endicott. However, those taking the paper are also encouraged to participate in seminars taking place elsewhere in the university, particularly in some of those advertised on the Philosophy Lecture List. The same holds for lectures. Those who are not conversant with the basics of political philosophy, in particular, should consider whether to attend lectures on the undergraduate courses in Ethics (see the Philosophy Lecture List) and 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.

Since the seminars do not purport to be exhaustive, you are advised to take advantage of the wide availability of tutorials, arranged through your college tutors. Most of those offering tutorials provide them in Hilary Term, but approaches should be made as far in advance as possible.

Examination is by the submission of three essays, written over the Easter vacation. According to the relevant Regulation, "Candidates offering Jurisprudence and Political Theory will be examined by the submission of three essays. Topics for essays will be prescribed by the examiners and published on the notice board of the Examination Schools, High Street, Oxford, OX1 4BG, on the morning of the Friday of eighth week of the Hilary Term preceding the examination. The examiners shall offer a choice of six topics from which candidates shall be required to select three. The total length of the three essays submitted shall not be less than 5,000 words, nor more than 8,000 words. Two copies of each essay

submitted must be delivered to the Chairman of the BCL Examiners, Examination Schools, High Street, Oxford OX1 4BG, by noon on the Friday preceding the beginning of the Trinity Full Term in which the examination is to be taken. Essays need not be typed, but a candidate who submits an essay which in the opinion of the examiners is not clearly legible may be required to have a typed copy made at his or her own expense. Every candidate shall sign a certificate to the effect that the essays are his or her own work, and that no help was received, even bibliographical, with their preparation, and the candidate's tutor or tutors in Jurisprudence and Political Theory or, if not available, a Law tutor in the candidate's own college shall countersign the certificate confirming that, to the best of his knowledge and belief, these statements are true. Candidates shall further state the total number of words used in their essays. This certificate shall be presented together with the essays." Footnotes, bibliographies etc. are included in the word count. The prohibition on help with the essays extends to help from fellow students as well as help from tutors et al. Some candidates will be summoned to discuss their essays with two members of the Faculty (not examiners). The purpose of these meetings is to provide a random check against the danger of plagiarism, and does not bear on the assessment of the essays.

This course is among those supported with detailed material on the Legal Philosophy in Oxford website at <http://www.law.ox.ac.uk/jurisprudence/>

**Materials available in exam:** Not applicable

## Law of Personal Taxation

Taxation comprises a difficult and complex mass of material. It is hard to deny that proposition, but the Oxford Personal Tax course is designed to be questioning and challenging. For a start, only a limited range of taxes is within the syllabus: income tax on trusts and annual payments, capital gains tax and inheritance tax. Legislative and judicial methods of countering tax avoidance are dealt with in depth. We attempt to teach the material in such a way that the detail is much less important than the cases and the ideas underpinning the law. Company taxation is not covered in the Personal Tax course, but is dealt with in the Corporate and Business Taxation course. The two tax courses on the BCL are complementary but are also completely freestanding so may be taken alone or together depending on the student's interest. It is not essential to have studied tax previously in order to take either the Personal Taxation course or Corporate and Business Taxation but students who have studied the subject at undergraduate level will find that the material in the graduate courses will flow on well from their initial courses and will enhance their existing knowledge of taxation.

A theme that runs through a significant proportion of the course is the way in which trusts are affected by taxation, particularly in comparison with taxation of individuals. This involves considerable use of trusts cases and theories – not surprising when one remembers the number of trusts cases that have arisen in a taxation context. Accordingly, it is not advisable to study Personal Taxation unless you have covered Trusts already or are taking it as an option in the BCL or MJur.

Personal Taxation offers the opportunity to consider an almost entirely statutory area and study the reaction of the judiciary to it. This is particularly revealing in the fast developing area of judicial reaction to tax avoidance schemes. This is an area of intense judicial activity and disagreement, at its heart being the question as to how far the courts should go to defeat schemes that set out to frustrate the intended effect of taxes or exemptions from taxation. This is an area that benefits from comparisons with other countries, although most of Personal Taxation has its focus on purely English taxation provisions.

In 2005-6 the course will be taught by Judge J D R Adams, Mr R J Smith, and Mr E J F Simpson. Lectures in Michaelmas and Hilary Terms set out to cover virtually the entirety of the syllabus. Tutorials should be arranged through your college tutor. There is a "Tax Problem Class" in Trinity Term which combines the objectives of developing the necessary skills to handle problem questions on taxation and of enabling seminar discussion of some of the more perplexing issues in the subject. Although we are not particularly interested in the mass of detail to be found in the relevant parts of each annual Finance Act,

there can be significant changes from one year to the next. Anyone who wishes to have further information before deciding whether to take Personal Taxation is welcome to contact Mr R J Smith (Magdalen College).

**Teaching Conventions:** Teaching convention. This course covers selected topics within (a) Income Tax; (b) Capital Gains Tax; (c) Inheritance Tax and other methods of taxing capital; (d) general responses to tax avoidance. The taxes are to be studied with particular reference to the taxation of gifts and settlements. Candidates will not be examined on the details of the Finance Bill or Act of the year of examination. Candidates are advised not to offer this paper unless they have studied the law of Trusts in their first law degree course. Income Tax comprises: (i) Principles of the general charge to tax on individuals and families: personal reliefs and allowances in general; (ii) taxation of settlors, trustees and beneficiaries; foreign element. Capital Gains Tax comprises: (i) General charge to tax on individuals; (ii) disposals and acquisitions of assets in general; (iii) gifts and settlements; (iv) disposal on death and administration of estates; (v) computation of gains and losses in general (but not the rules relating to leasehold interests, or wasting assets); (vi) exemptions; (vii) foreign element. Inheritance Tax comprises: (i) historical background; (ii) general charge to tax on individuals; (iii) settled property; (iv) administration of estates; (v) reliefs and exemptions; (vi) valuation; (vii) foreign element.

**Materials available in exam:** Tolley's Yellow Tax Handbook 2005-6 (August edition). Appropriate volumes to be determined on publication.

### Legal History: Legislative Reform of the Early Common Law

The English Common law had been created in the last quarter of the twelfth century by the reforms associated with the reign of Henry II. That law had continued to develop during the succeeding century, but it had been little affected by legislation (other than the various issues of Magna Carta) prior to the final years of the reign of Henry III, a period of institutional reform and political change, when the first major legislation since Magna Carta was enacted in the Provisions of Westminster 1259 and Statute of Marlborough 1267. The reign of Edward I (1272-1307) saw a continuation and intensification of a programme of legislative change in the Common Law, partly in a response to the demands of the King's subjects as expressed in a newly prominent parliament, partly in fulfilment of the King's own desire for improvements in English law.

In a period of about twenty years, Edwardian parliaments enacted some 50,000 words of legislation (some in orthodox statutory form, some not). The great bulk of the legislation concerns the processes of litigation, crime, the church, wardship, technicalities of title to land, distress/replevin and control of royal officers. This was not a codification like Justinian's (some 2 million words), but it brought statute to the forefront of the legal system and it was unprecedented in England. The important reforms of Henry II were on a smaller front and a smaller scale. The statutes of the reign of Edward I were to form the core syllabus of the law teaching at the Inns of Court through the later middle ages, and their particularist drafting technique was to shape English statutory draftsmanship into the modern period. The Edwardian experience also confirmed legislative reform as a viable technique for the regular and structured reform of the law. During the reign of Edward III, for example, in a period of fifty years, some 175,000 words were enacted. But the Edwardian statutes retained their centrality to the idea of the Common Law. (It is no accident that in 1853, the state of Florida had on its statute book, fifty-two separate enactments of Edward I).

This course singles out eight topics from the Edwardian legislation which exemplify some of the greatest reforms and illustrate the different techniques of control and explanation. The aim is to illuminate the social and legal world of this reign, and also to cast some light on the origins of one of the shakiest relationships in the common law, that of legislation and judge made law.

The syllabus is the early English law, from the mid 12th to the early 15th centuries, relating to mercantile securities; restrictions on the power to alienate land and attempts to prevent the avoidance of incidents; the real actions; heritable estates and warranties; trespass and case; the enforcement of tenurial obligations; wardship and marriage of infants; franchises and liberties; the jurisdictional relations between

church and state: studied in connection with the following Statutes, as translated in *The Statutes of the Realm*, vol.I: Statute of Westminster I (1275), cc. 16, 17, 22, 36, 39, 48; Distresses of the Exchequer (1275); Statute of Gloucester (1278) preamble, cc. 3, 4, 7, 8, 11; Statute of Mortmain (1279); Statute of Acton Burnell (1283); Statute of Westminster II (1285), cc. 1, 2, 3, 4, 11, 16, 18, 21, 24, 25, 32, 35, 36, 37, 39, 41, 45, 46; Statute of Merchants (1285); *Circumspecte Agatis* (1285); *Quia Emptores* (1290); *De Consultatione* (1290); Statute of Quo Warranto (1290); *Statutes De Inquisitione* (1292).

This option is wholly taught in eight seminars. All documentation is provided in translation so that knowledge of Latin and French is not required, though a capacity for not being frightened by it is an advantage.

### [Philosophical Foundations of Property Rights]

This course is not available in 2005-2006.

### Philosophical Foundations of the Common Law

This course explores the principles which may be thought to underlie each of the three areas it is concerned with – contract, tort, and the criminal law – and the relations between them.

Do notions such as causation, intention and foresight, which figure in all three areas, lend them doctrinal unity, or do these branches of the law represent different (complementary or conflicting) 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, or pursue efficiency or some other goal, or is it the case that no underlying principles can be discerned? Does the law make sense only in the light of certain assumptions about the nature of persons (e.g. that they are rational choosers, that they are autonomous beings)? These are some of the issues explored in this course.

The course presupposes knowledge of the basic doctrines of contract, tort, and criminal law. While some philosophical background might be helpful, it is not essential.

The main teaching is by seminars. At least two but not necessarily all three of the areas identified in the syllabus (criminal law, torts, contracts) are covered in depth in any given academic year. Up to 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 web site at <http://www.law.ox.ac.uk/jurisprudence/>

**Teaching Conventions:** Teaching will be based on the assumption that: 1. Students are to be introduced to the study of philosophical issues through the study of doctrines of English common law, with comparisons to other legal systems as appropriate. 2. At least two but not necessarily all three of the areas identified in the syllabus (criminal law, torts, contracts) will be covered in depth in any given academic year. 3. In the study of doctrines, special emphasis is to be given to similarities and contrasts between the three specified areas of the common law. 4. Students are to be given the opportunity of discussing problems local to each of the specified areas as well as problems that cut across them.

### Principles of Civil Procedure

The aim of the course is to acquaint students with the basic principles of Civil Procedure, and with their operation in English law and in the jurisprudence of the European Court of Human Rights. Attention is given to the core areas of procedure. In each the emphasis is on major aspects of procedure against the

background of English law. But given that the basic issues are common to all systems, the discussion is of significance to any other system of procedure.

The course consists of 16 lectures, 8 seminars and 4 tutorials. The lectures are held in Michaelmas and Hilary Terms and the seminars in Trinity Term.

The bulk of the lectures is given by Mr A A S Zuckerman, with the remainder by members of the Oxford Institute of Legal Practice, and invited scholars. The seminars address central issues in contemporary procedure. The sessions are conducted by Mr A A S Zuckerman with guest scholars, practitioners and judges from England and abroad. Tutorials may be concentrated in one term or spread over two terms.

Students are encouraged to participate actively throughout the course and draw comparisons with their own procedural systems.

**Teaching Conventions:** A - Procedural Fairness: A general theory of procedure; The components of the right to fair trial; A general view of the English system; Practical aspects of the right to be heard: Notice of proceedings; Interim remedies. B - Adversarial Freedom, Court Control and Timely Justice: The adversarial philosophy and court control; Sanctions for non-compliance with rules or orders; Summary Adjudication. C – Disclosure: Principles of disclosure; Exceptions. D - Group Actions. E - Justice and Costs: The “winner recovers costs from loser” rule v. The no-costs rule; Economics and justice: hourly fees, conditional fees, contingency fees; Protection from costs: payment into court; security for costs; wasted costs orders.

## Regulation

Regulation is a topic of central importance to the emerging shape of the 21st century state. Two trends of the last 20 years have led to this. Almost two decades of market liberalisation, the search for enhanced economic efficiency and productivity and the associated 'shrinking of the state' have been followed by a more recent renewal of calls to infuse policymaking with a greater dimension of 'social inclusion'. Regulation, broadly conceived of as state efforts to address social risk, market failure or equity concerns through rule-based direction of social and individual action, has become the prototypical technique for combining these often conflicting objectives.

The study of the regulation of social and economic activity engages fundamental issues at the intersection of public and private law due to its position as mediator of these tensions. Regulation is traditionally associated with prescriptive law, public agencies and public sanctions, but the politics of the shrinking state identified above may suggest that this function of law is overly intrusive and too blunt. The relevance of law remains, however, in the increasing importance of facilitative law. At its thinnest, law's role in this context is to support the interplay of purely private interests to enhance economic efficiency and productivity. But facilitative law, in combination with strategic use of private parties and private sanctions can also be used as a mechanism for guiding the interplay of private interests in ways that are likely to enhance public goals such as social inclusion. In all cases, the role of law is central to the efficacy of regulation as a social and economic technique.

The course will explore these broader issues in four principal ways. Michaelmas term will be devoted to analytical and conceptual issues. First, we will examine competing theoretical frameworks that explain the relationship between law, regulation and the various social groups that are affected by regulation: these will include economic approaches, political approaches and systems approaches. Second, we will explore different techniques of regulation, organised around a spectrum of command-and-control, market-based and hybrid techniques of regulation. Third, we will consider how different enforcement methods and compliance styles operate as an important facet of how regulation works effectively in practice. Important themes here will be the 'punish or persuade' debate and the merits of public versus private enforcement. Finally, we will consider the issues of legitimacy and accountability that are raised by the different regulatory rationales, techniques and compliance styles studied in the first three weeks.

In the second half of the course in Hilary, the general analytical tools acquired in the first half will be applied to a range of case studies that encompass both traditional and emerging areas of regulation. The

case studies will address the use of regulation to pursue a range of public interest goals, not only those of economic efficiency and productivity but also objectives more commonly referred to as 'social' (e.g. the reduction of risk and certain redistributive aims). The case studies may include utilities regulation, broadcasting regulation, the regulation of the health sector, the regulation of genetic databases and bureaucratic (internal governmental) regulation.

As well as exploring the normative debates raised by regulatory intervention into democratically governed economies, the course facilitates a perspective on the institutional design of regulatory mechanisms that would be useful for policy-oriented work as well as for empirical research. Although the case studies explored draw on domestic (UK) policy sectors, the course also illuminates the increasing salience of questions relating to the design of regulatory institutions at the transnational level.

The reading consists predominantly of articles and book chapters rather than cases, and is frequently interdisciplinary in nature. The course is suitable for candidates from both common and civil law backgrounds, and should appeal to both public and private lawyers. The teaching will consist of two one-hour lectures, up to two-hour seminars held fortnightly over Michaelmas and Hilary, and four one-hour tutorials in groups of two or three in Trinity. The course will be assessed by a three hour examination requiring three essay answers for both BCL and MJur candidates.

## Restitution

Restitution is about how and when a plaintiff can compel a defendant to surrender enrichment gained at the plaintiff'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 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 try to understand what has really been going on and to play back that understanding to the courts in accessible modern language. These aims are helped by keeping an eye on the main lines of civilian solutions to the problems with which the common law has to wrestle.

Teaching is through sixteen seminars. The seminars are supported by a number of lectures and by the provision of tutorials arranged by college tutors. A detailed account of the course is produced every year in booklet form. In that booklet the subject of every lecture and seminar is set out, with a list of cases and other materials to be read, together with questions and problems intended to stimulate thought.

**Teaching Conventions:** Questions will not be set specifically on the matters enumerated below but candidates will be expected to draw on them so far as is necessary in discussion of the structure and scope of the subject and in other contexts in which the discussion would otherwise be incomplete. Two of these matters, namely subrogation and resulting trusts, are considerably more likely to rise to the surface in this way than the others. The matters in question are: accounts stated, attornment, conditional gifts, contribution, fraudulent preferences, general average, restitution in criminal proceedings, resulting trusts, salvage, secret trusts, subrogation.

## Roman Law (Delict)

The course is focused on the set texts. Its primary aim is to understand those texts and the ideas and methods of the great Roman jurists who wrote them. The secondary aim is, by comparison, to throw light on the law of our own time. Delict is the Roman equivalent of tort.

In the examination candidates are required to comment on selections from the set Latin texts. The set texts are quite difficult and demand a good knowledge of Latin, though translations are not required in the examination.

The lectures are based on the set texts. Indeed, one of the advantages of this option is that the body of relevant texts and other authoritative material is more limited than it is in most, perhaps all, the other options. The course suits very well those whose intellectual preference is for detail, depth and precision rather than wide-ranging coverage.

This course attracts and is suitable for only very small numbers. This fact tends to dissolve the distinction between tutorials and lectures. However, it remains true that the backbone of the course is exposition of the set texts, supported by further lectures on associated topics. Tutorials are arranged by college tutors. This subject cannot be taken by an Oxford graduate who has offered Roman Law in the Final Honour School.

**Teaching Conventions:** Candidates will be required to compare the Roman Law with the relevant portions of the English Law of Torts. This paper shall not be offered by any candidate who offered Roman Law (Delict) when he or she passed the Final Honour School of Jurisprudence. Candidates will be expected to show competent knowledge of those parts of the Institutes of Gaius and of the Institutes and Code of Justinian which bear upon the subject, as well as of the general law and the history of the sources so far as is necessary for the proper understanding of the subject.

### Transnational Commercial Law

With the growth of international trade has come a growing recognition of the benefits to be obtained through the harmonization of international trade law. Transnational commercial law consists of that set of rules, from whatever source, which governs international commercial transactions and is common to a number of legal systems. Such commonality is increasingly derived from international instruments of various kinds; such as conventions, EC directives and model laws, and from codifications of international trade usage adopted by contract, as exemplified by the Uniform Customs and Practice for Documentary Credits published by the International Chamber of Commerce and the Model Arbitration Rules issued by the UN Commission on International Trade Law. Underpinning these are the general principles of commercial law (*lex mercatoria*) to be extracted from uncodified international trade usage, from standard-term contracts formulated by international organisation and from common principles developed by the courts and legislatures of different jurisdictions.

The first part of the course concentrates on the general framework, policies and problems of transnational commercial law, while in the second part these are examined in the context of specific international trade conventions, model laws and contractual codes, so that the student gains a perception of the way transnational law comes into being and helps to bridge the gap between different legal systems.

The course will be taught by Professor Ewan McKendrick and Dr Thomas Krebs. There will be lectures in Michaelmas Term and a weekly two-hour seminar in Hilary Term. Students will receive four tutorials in the first part of Trinity Term. The lectures and seminars will examine the following main areas: General issues of harmonisation; Recurrent problems in harmonisation through conventions; Harmonisation through specific binding instruments (Vienna Sales Convention); Harmonisation through contract and institutional rules; Harmonisation through model laws; The future development of transnational commercial law.

Note. This course is open to a maximum of twenty-four students in any one year. If applications exceed this number, a ballot will be held.

**Teaching Conventions:** The purpose of the course is to examine the reasons for the emergence of transnational commercial law, its nature and sources, the institutions and methods by which harmonisation is achieved and some of the key problems involved in harmonisation. Specific Conventions and other instruments of harmonisation selected for study in the second half of the course are chosen as vehicles to illustrate the general principles and problems discussed in the first half of the

course, not as fields or, substantive law to be covered. Accordingly students are not expected to familiarise themselves with all the substantive rules of these instruments or of the areas of law (sale, contract, etc) to which they relate but rather to study them as illustration of the harmonisation process and as methods of bringing about a rapprochement between different legal systems in the field of commercial law.

**Materials available in exam:** Collection of primary materials compiled by the course directors: EC Convention on the Law Applicable to Contractual Obligations (Rome, 19 June 1980); Principles of International Commercial Contracts (Rome, 2004, Unidroit); The Principles of European Contract Law Parts I, II and III; United Nations Convention on Contracts for the International Sale of Goods 1980; Convention on International Interests in Mobile Equipment; Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment; United Nations Convention on Independent Guarantees and Stand- By Letters of Credit 1996; ICC Uniform Rules for Demand Guarantees 1992 (No 458); ICC Uniform Rules for Contract Bonds 1994 (No 524); ICC Uniform Rules for Contract Guarantees 1978 (No 325); ICC Uniform Customs and Practice for Documentary Credits (1993 Revision - UCP 500); ICC International Standby Practices ISP 1998; UNCITRAL Arbitration Rules 1976; UNCITRAL Model Law on International Commercial Arbitration 1985; The New 1998 ICC Rules of Arbitration; Hague Convention on the Law Applicable to Contracts for the International Sale of Goods 1986; New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958; Inter-American Convention on the Law Applicable to International Contracts 1994.

## D: The MSc In Criminology And Criminal Justice

### 1. The Educational Aims and Programme Outcomes of the MSc in Criminology and Criminal Justice

#### Educational aims

The MSc in Criminology and Criminal Justice degree programme aims to provide students with the ability to:

- evaluate the major theories and fundamental concepts in criminology and criminal justice;
- analyse critically the inferences that can be drawn from empirical and historical observations of crime and the operation of the criminal justice and penal systems;
- develop analytical skills required for critical appraisal of criminological research.

It also aims to provide an advanced understanding of particular fields within criminology and criminal justice, relevant to students' further careers or academic studies.

#### Programme outcomes

On completing the degree satisfactorily, students should:

- have a systematic understanding of the key theories and debates, and a critical awareness of current problems and new insights, at the forefront of criminology and criminal justice;
- be well equipped for critical analysis of crime, criminal justice and the development of criminal justice policy;
- have learnt how to assess critically the contribution of research to understandings of crime and justice;
- have demonstrated originality in the application of criminological and criminal justice knowledge, together with a practical understanding of how the established techniques of criminological and criminal justice research and enquiry are used to create and interpret knowledge about offenders, offending and criminal justice;
- have learnt how to produce substantial pieces of written work after researching particular topics for their options and for their dissertation.

Each student will develop a detailed knowledge and understanding of six particular areas of criminology (i.e., those areas studied through options and dissertation), whilst all students will have acquired a solid understanding (through the compulsory core course) of:

1. The importance of methodical inquiry in criminology;
2. Historical, sociological and Philosophical perspectives on criminal justice, and punishment;
3. Different theoretical perspectives on deviance, crime and criminal justice;
4. Competing perspectives on the intersection of criminal policy, social policy, politics, and academic research (particularly in the context of debates about (i) race (ii) gender and (iii) drugs).
5. The role of discretion in the criminal process.

Those students who have taken one or more options on research methods during the course will be able to evaluate methodologies and develop critiques of them.

### 2. Assessment Standards

The degree of MSc is awarded to any candidate who achieves a mark of at least 60% for (a) the assessed essays, (b) the core course paper, and (c) the dissertation. For this purpose, the individual marks of the five assessed essays are aggregated, and an average mark awarded for the assessed essays as a whole. The

examiners may award a distinction to any candidate who achieves marks of at least 70% on at least five of the papers; in this calculation, both the core course and the dissertation count as two papers.

**Distinction** (70% and above): A very good or excellent answer that is well structured, well argued and comprehensive. It will be analytical, rather than merely descriptive and will go beyond the most obvious sources of knowledge. The candidate will have demonstrated an unusually clear grasp of most of the issues (including all the more important ones), used an unusually wide range of material, and displayed very good skills in evaluating the material and using it to construct arguments which deal with the relevant issues.

**Pass** (60-69%): A reasonable or good answer. The candidate has demonstrated a competent grasp of most of the more important issues, a familiarity with and understanding of a reasonable range of relevant materials, and good skills in evaluating the material and using it to construct arguments which deal with the relevant issues.

**Fail** (below 60%): An unsatisfactory piece of work. At best, the answer will simply describe the most relevant research and debates but will not demonstrate any skill at analysis or argumentation. It is likely that the candidate will not have clearly demonstrated much understanding of the question or the issues it raises. Some of the most relevant material is likely to have been ignored and irrelevant material included.

### 3. Teaching Arrangements

Teaching is predominantly by seminars arranged by the Centre for Criminology, although some introductory lectures are also provided. You will be expected to contribute to all seminars. The Centre also holds four seminars, fortnightly, in Michaelmas and Hilary Terms, to which distinguished speakers are invited to contribute. These seminars are concerned with current research or major issues of policy. MSc students are strongly encouraged to attend these seminars and to put questions to the speakers about their talks. Students may also attend some of the lectures on criminal justice in the Faculty held in Michaelmas and Hilary Terms.

On this course you will find yourself in a stimulating intellectual environment, amongst people from different jurisdictions and with varied academic and professional backgrounds.

#### 3.1 Core Course

A single core module will run throughout Michaelmas and Hilary Terms. In seminars students will assess the major theories of crime and the criminal justice system, exploring both historical and comparative approaches.

The following topics will normally be covered:

- Crime, Modernity and the Urban Experience
- Crime, Conformity and Sources of Control
- Crime and Everyday Life: Rational Choice, Routine Activities and Emotional Life
- Crime, Inequality and Opportunity: Crime in Market Societies
- Constructing and Reacting to Crime: Labelling, Moral Panics and the State
- Criminology, Crime and Control in Late Modernity
- Models of Justice: Retributive and Restorative Justice
- The Exercise of Discretion
- Sentencing Reform
- Trends in the Use of Custody
- Punishment in the Community
- Crime and Criminal Justice: Public Knowledge and Opinion

### 3.2 Options

Each option will take up 90 minutes of class-time a week with seminars provided in weeks 1-6 in each term. Students will be required at the start of the academic year to choose two options in each of Michaelmas and Hilary Terms, and one in Trinity Term. The following options will normally be offered:

- Mafias
- Sentencing
- Methods I: An introduction to methods of data collection
- Public Opinion and Crime
- Victims
- Crime, Political Ideologies & Culture
- Desistance: the role of criminal justice agencies
- Human Rights and Criminal Justice
- Methods II: Advanced methods
- Risk, Security and Criminal Justice
- Public and Private Policing
- International Perspectives in Restorative Justice
- The Death Penalty.

### 3.4 Dissertation

In Trinity Term Students will write a dissertation of 12,000 to 15,000 words on a topic to be agreed by the Criminology Board of Examiners.

### 3.5 The Oxford Style of Teaching

Oxford is probably the only leading law school in the world where the main means by which graduate teaching is done is through group discussion in seminars.

This teaching system works satisfactorily only when students take responsibility for preparing well for classes, by reading extensively from the reading lists, and being willing to contribute to class discussions. Much of the time students will learn under their own direction and so need to be motivated to read the relevant literature and explore their critical responses to it in seminars.

Under the 'Oxford system', the following is expected of students taking the MSc:

- Students should read academic texts, mostly books (learned journals, monographs, textbooks) in libraries, but increasingly also texts accessed electronically. This reading is for the most part guided by a list provided by the core course or option tutor.
- Students should think about the results of their reading in relation to any pre-seminar questions set alongside the reading list.
- Students should attend all core course seminars, where the tutor will normally set out to portray a topic in such a way as to add value to the treatments of it which you can read for yourself. The tutor will expect students to contribute fully to the discussion.
- Students should attend all option seminars, which might be even more interactive than core course seminars, normally requiring substantial active participation by the students. They normally aim to review and develop the understanding of a topic which the students have gained from their own reading, thinking and writing, and/or attendance at other classes.
-

## 4. Assessment Arrangements

### 4.1 Assessment

The course shall be assessed as follows:

**Core course:** There shall be a three-hour examination for the core course, to be taken in week 1 of Trinity Term.

**Options:** Options other than Methods I and Methods II shall be examined by means of an assessed essay of no less than 3,500 and no more than 5,000 words, for which time will be set aside during weeks 7-9 of each term. A title, or choice of titles (as determined by the course leader for the option), shall be emailed to students and posted on the designated notice board at the Centre for Criminology by noon on the Friday of week six of the relevant term. Candidates shall be required to submit the essay to the Clerk of the Schools, Examinations Schools, High Street, Oxford not later than three weeks after this date, by noon.

There are two methods of assessment for the Methods options, and both must be satisfactorily completed by all candidates. First, each candidate will be required to complete weekly assignments which will be marked on a pass/fail basis. A candidate who fails may be required to re-submit the assignment, normally within 7 days. Secondly, at the end of each of the two terms each candidate will be required to submit an essay of 2,500 to 3,000 words. In Michaelmas, a choice from three titles will be offered; in Hilary the essay will take the form of an imaginary research proposal of the candidate's own devising.

**Dissertation:** Two typewritten copies of the dissertation shall be submitted to the Clerk of the Schools by noon on Friday of week 9 of Trinity Term. A copy of any dissertation achieving a distinction may be published on the Centre's website (with the permission of the student concerned).

### 4.2 Reassessment

No-one may gain the degree of MSc in Criminology and Criminal Justice without having attained a pass mark (60 per cent or more) for all three elements of the course, namely the core course examination, the option essays and the dissertation.

Arrangements for reassessment in the event of failed courses shall be as follows:

**Core course:** Candidates who fail the core-course examination may resit the examination in the Trinity Term of the following academic year. Such candidates who have completed successfully either or both of (a) the options (i.e. have obtained an aggregated mark of 60 per cent or more) and (b) the dissertation may carry forward the marks gained for the successfully completed parts of the course.

**Options:** Candidates who have failed to obtain an aggregate average mark of 60 per cent for their assessed essays in Michaelmas, Hilary and Trinity Terms may resubmit those essays in which they have received a mark of 59 per cent or less to the Clerk of the Schools according to the standard timetable for submitting essays in the following academic year. Such candidates who have completed successfully (a) the core course examination, (b) the dissertation, and (c) any essay for which they have received a mark of 60 per cent or more may carry forward the marks gained for the successfully completed parts of the course.

**Dissertation:** Candidates who fail the dissertation may resubmit the dissertation by the required date in the Trinity Term of the following academic year. Such candidates who have completed successfully either or both of (a) the core course and (b) the options may carry forward the marks gained for the successfully completed parts of the course.

## Appendix: University Policy Statements and Codes Of Practice

### Equal Opportunities Statement (Students)

The University of Oxford and its colleges aim to provide education of excellent quality at undergraduate and postgraduate level for able students, whatever their background. In pursuit of this aim, the University is committed to using its best endeavours to ensure that all of its activities are governed by principles of equality of opportunity, and that all students are helped to achieve their full academic potential. This statement applies to recruitment and admissions, to the curriculum, teaching and assessment, to welfare and support services, and to staff development and training.

#### Recruitment and admissions

Decisions on admissions are based solely on the individual merits of each candidate, their suitability for the course they have applied to study (bearing in mind any requirements laid down by any professional body), assessed by the application of selection criteria appropriate to the course of study. Admissions procedures are kept under regular review to ensure compliance with this policy.

We seek to admit students of the highest academic potential. Except in respect of the college admitting women only, all selection for admission takes place without reference to the sex of the candidate. All colleges select students for admission without regard to marital status, race, ethnic origin, colour, religion, sexual orientation, social background or other irrelevant distinction.

Applications from students with disabilities are considered on exactly the same academic grounds as those from other candidates. We are committed to making arrangements whenever practicable to enable such students to participate as fully as possible in student life. Details of these arrangements can be found in the University's Disability Statement, and information will be provided on request by colleges or by the University Disability Co-ordinator.

In order to widen access to Oxford, the University and colleges support schemes which work to encourage applicants from groups that are currently under-represented. The undergraduate Admissions Office can provide details of current schemes.

None of the above shall be taken to invalidate the need for financial guarantees where appropriate.

#### The curriculum, teaching and assessment

Unfair discrimination based on individual characteristics (listed in the statement on recruitment and admissions above) will not be tolerated. University departments, faculties, colleges and the central quality assurance bodies monitor the curriculum, teaching practice and assessment methods. Teaching and support staff have regard to the diverse needs, interests and backgrounds of their students in all their dealings with them.

#### Welfare and support services

Colleges have the lead responsibility for student welfare and can provide details of arrangements made to support their students. The University, in addition, provides for all students who require such support:

- a counselling service
- childcare advice
- disability assessment and advice, and
- a harassment advisory service

Further details of these services are included in the Proctors' and Assessor's handbook "Essential information for students", which is updated annually.

#### Staff development and training

The University, through its Institute for the Advancement of University Learning, will provide appropriate training programmes to support this statement.

#### Complaints

A candidate for admission who considers that he or she has not been treated in accordance with this policy, should raise this with the college concerned (or department in the case of graduate admission). Students in the course of their studies may use the student complaints procedure, and should, in the first instance, lodge their complaint with the Proctors, who will advise on the procedure to be followed thereafter. The Committee on Diversity and Equal Opportunity monitors complaints made by students.

### Code Of Practice Relating To Harassment

#### Principles And Definition

1. Harassment is an unacceptable form of behaviour. The University is committed to protecting members, staff, and any other person for whom the University has a special responsibility from any form of harassment which might inhibit them from pursuing their work or studies, or from making proper use of university facilities. Complaints of harassment will be taken seriously and may lead to disciplinary proceedings. All members and staff have a personal responsibility to ensure that their behaviour is not contrary to this code and are encouraged to ensure the maintenance of a working environment in the University which is free from harassment.

2. For the purposes of this code, harassment may be broadly understood to consist of unwarranted behaviour towards another person, so as to disrupt the work or reduce the quality of life of that person, by such means as single or successive acts of bullying, verbally or physically abusing, or ill-treating him or her, or otherwise creating or maintaining a hostile or offensive studying, working, or social environment for him or her. Forms of harassment covered by this code include harassment relating to another's sex, sexual orientation, religion, race, or disability.

Unacceptable forms of behaviour may include unwelcome sexual advances, unwelcome requests for sexual favours, offensive physical contact or verbal behaviour, or other hostile or offensive acts or expressions relating to people's sex, sexual orientation, religion, race, or disability. The abuse of a position of authority, as for example that of a tutor or supervisor, is an aggravating feature of harassment.

3. Being under the influence of alcohol or otherwise intoxicated will not be admitted as an excuse for harassment, and may be regarded as an aggravating feature.

**Note on confidentiality.** It is essential that all those involved in a complaints procedure (including complainants) observe the strictest confidentiality consistent with operating that procedure; an accusation of harassment is potentially defamatory.

#### Advice

4. Advice may be sought or complaints pursued **through any appropriate channel**. In addition to other officers, the following people have been specially appointed to give advice in this connection and to answer questions (whether or not amounting to a complaint):

(a) departmental or faculty 'Confidential Advisers', appointed by heads of department or the equivalent. Their names will be publicised within the institution;

(b) members of the 'Advisory Panel', serving the whole University. The Advisory Panel is a Standing Committee of Council consisting of members and employees of the University with special expertise or interest in relevant aspects of staff and student welfare. Members of the panel may be approached on a number specially designated for this purpose (Tel. (2)70760);

(c) special college advisers or advisory panels where colleges have established these.

Those protected by this code may appropriately seek advice in relation to harassment even if the conduct in question is not sufficiently serious to warrant the institution of disciplinary proceedings. Any of the advisers listed above may be approached in the first instance; those approached will direct enquirers elsewhere, if that seems most likely to meet the enquirer's needs.

5. Enquiries about harassment will be responded to promptly. University advisers (whether Confidential Advisers or members of the Advisory Panel) will discuss the range of options available to enquirers on an entirely confidential basis and whenever possible assist them in resolving the problem informally in the first instance. College advisers will be guided by college rules.

6. It is emphasised that the role of advisers is advisory and not disciplinary. All disciplinary matters lie in the hands of the relevant disciplinary bodies.

### Discipline

7. If a complaint is not resolved on an informal basis the complainant may refer the matter to the relevant authority which will determine whether there is a prima facie case under the relevant disciplinary provision and, if appropriate, set in motion disciplinary procedures. In respect of members of the University subject to the jurisdiction of the Visitation Board, the relevant procedures are those described under *Tit. XVI* of the University's Statutes. The disciplinary procedures which apply to non-academic staff are set out in the *Handbook for Non-Academic Staff* and *Handbook for Non-academic Staff in Clinical Departments*, as appropriate. Complaints against junior members shall be dealt with in accordance with the procedures contained in *Tit. XIII* of the University's Statutes (also set out in the *Proctors' Memorandum* and reproduced at the end of this Code of Practice). Colleges may have their own forms of disciplinary provision.

8. It may be that a complaint either against a member of staff or against a Junior Member could potentially be heard by more than one disciplinary body. When the person complained against is a Junior Member, the complainant will be expected to choose whether to pursue disciplinary procedures through his or her college or through the Proctors. If a complainant has previously brought or is in the process of bringing a complaint against the same person, founded wholly or in part upon the same matter, before any other disciplinary body, he or she is responsible for revealing that fact when seeking to institute disciplinary proceedings. It is also incumbent upon a disciplinary body to attempt to ascertain, for example by direct enquiry of the complainant, or by consulting other relevant authorities, whether any such other complaint has been instituted; if so, that body must consider whether it is appropriate for the same matter to provide a basis for two separate disciplinary hearings.

### Institutional Arrangements

9. The appointment of Confidential Advisers within each department or faculty is the responsibility of the head of department, or equivalent, who must designate two such advisers, one of each sex, return the names of those appointed to the Equal Opportunities Officer (or such other officer as may be designated by the Registrar from time to time), and ensure that the Code of Practice and the names of the Confidential Advisers are adequately publicised within the department or faculty. The Advisory Panel on Harassment will provide Confidential Advisers with information, advice and training opportunities. Confidential Advisers will be expected to make anonymised annual returns to the panel as to the number and general character of complaints they have dealt with. They may refer enquirers to members of the

panel, or themselves seek advice either about university provisions on harassment in general or about possible ways of handling individual cases.

10. Members of the Advisory Panel on Harassment will give advice on request to those troubled by harassment and to other advisers. The panel is responsible for supporting, co-ordinating, and monitoring the effectiveness of the University's arrangements for dealing with harassment. Members of the panel may be contacted on a number specially designated for this purpose (Tel. (2)70760).

11. The provisions of this code supplement and do not supersede or override college arrangements.

12. Nothing in this code shall detract from the position and jurisdiction of the Proctors or the right of free access to them by all junior and senior members of the University.

## Disability Statement

### Purpose Of Statement

This statement is intended as a resource for potential applicants and current undergraduate or graduate students. It provides information on the facilities available for students with disabilities at Oxford University and the University will be pleased to make it available in other formats, such as audio tape, disk and braille. The statement is accurate at time of printing, but there may have been changes in facilities since publication. It is advisable to check facilities by contacting the Disability Staff.

### 1. Current Policy

**1.1 Equal opportunities.** The University of Oxford is a confederation of autonomous, self-governing colleges and halls, most of which are responsible for the admission of students at the undergraduate level. Each of these institutions selects its own students, although applications are co-ordinated by a central Admissions Office. The University centrally has the primary responsibility for the admission of graduate students, though these must also be admitted by a college.

In its Admissions Prospectus and its introductory guide for student applicants with disabilities, the University makes the following declaration:

*The University is committed to making arrangements where appropriate, to enable students with disabilities to participate fully in student life.*

**1.2 Access and admissions.** The University and colleges view applications from students with disabilities on the same academic grounds as those from other candidates. At the undergraduate level, prospective student applicants with disabilities are encouraged to contact the Schools Liaison Officer in the Admissions Office and the University Disability Staff in advance of applying, in order to assist them in making their choice of college and subject of study. Special interview arrangements for disabled applicants (such as transport from college to department, the provision of a sign interpreter etc.) are made, where necessary, to enable disabled applicants to compete on an equal basis with their non-disabled peers. Financial assistance is available for this, where necessary. Successful applicants are encouraged to visit the college of their choice soon after they receive an admissions offer or unconditional acceptance, by arrangement with the Tutor for Admissions and the Disability Staff, to view facilities and discuss their specific accommodation, support and study needs. Similar arrangements apply to graduate applicants.

**1.3 Examinations.** Special provision in examinations (such as the use of a computer for students with mobility disabilities, a reader for blind students, or extra time for students with dyslexia) may be made by arrangement between the disabled student's college and the University Proctors. Standard guidelines have been drawn up to advise examiners in the case of students with dyslexia. The Disability Staff can discuss potential provision with students and can give advice on suitable recommendations as appropriate. Formal requests for examination concessions should be made through Senior tutors.

**1.4 Staff development and training programmes.** The University has a training and staff development programme open to staff both of the University and of the colleges. Training in

undergraduate admissions and selection of staff includes specific components on disability issues; these components have been amended to take into account the requirements of the Disability Discrimination Act and of the University's developing policy in this area (see also 3.1 below).

**1.5 Financial assistance to students with disabilities.** The University has designated funds to assist disabled students, although these can be over-subscribed. Thanks to the generosity of the Southern Trust, one of these funds is for the support of students who, by reason of their disability, need special equipment or other support in order to pursue their studies. The University has a Dyslexia Fund which can assist students with dyslexia or related conditions with grants towards an educational psychologist's report or towards a specialist tutor. The University Disability Staff can provide information to colleges on other sources of funding for disabled students. In addition, colleges usually make some contribution to extra costs incurred by disabled students who are unable to obtain financial assistance from other sources.

The Disabled Students Allowance is a major source of funding for undergraduates and graduates. It is administered by local education authorities, is not means tested and can provide financial assistance for equipment and academic support.

The Disability Staff can provide information on any of these funds and allowances.

The University does not charge disabled students for any extra use they may make of administrative facilities.

**1.6 Links with other organisations.** The University subscribes to SKILL, the organisation which gives advice on disabled students' affairs. The University has also made links with the Oxfordshire Council for Disabled People and the Oxfordshire Dyslexia Association in order to consult on the provision of services to disabled students and to seek advice. Links with the Royal National Institute for the Deaf's local communications office enables the University to provide sign language interpreters. Liaison with the Royal National Institute for the Blind's specialist officer facilitates assistance to blind and partially sighted students. The University Careers Service provides specialist careers advice for disabled students and has links with relevant organizations.

## 2. Current Provision

**2.1 Co-ordination.** The University Disability Office is part of the Diversity and Equal Opportunities Unit. The Office staff provide advice and guidance to University students and staff on: the effects of specific disabilities and medical conditions on study; access and adaptations to University buildings; applying for disability-related funding; assistive equipment and information technology; curriculum accessibility; how to apply for special examination arrangements; support services within the University and external links. Further details are available on the Disability Office website [www.admin.ox.ac.uk/eop/disab](http://www.admin.ox.ac.uk/eop/disab), or by contacting the Disability Office Staff, Deborah Popham, Ann Poulter and Hannah Young at:

Disability Office  
University Offices  
Wellington Square  
Oxford OX1 2JD  
Tel.: 01865 280459  
Fax: 01865 280300  
E-mail: [disability@admin.ox.ac.uk](mailto:disability@admin.ox.ac.uk)

**2.2 Published information.** The following publications are likely to be of assistance to disabled students:

*University of Oxford, Undergraduate Prospectus* (Revised each year; contains general information on admissions procedures, subject choice and colleges.) Obtainable from the Admissions Office at the University Offices.

*University of Oxford, Graduate Studies Prospectus* (Revised each year; contains information on taught and research courses for graduates, admissions procedures and colleges.) Obtainable from the Graduate Admissions Office at the University Offices.

*The Access Guide* Contains general advice on access and facilities such as lavatories, induction loops etc. Obtainable from the Admissions Office or the Disability Staff, or from Oxford University Student Union, Thomas Hull House, New Inn Hall Street, Oxford OX1 2DH.

*Accessing Disability Support at the University of Oxford: A Guide for Undergraduate Students* Guide for undergraduate students on how disability services are organized and co-ordinated, with step-by-step details of how to access appropriate support. Available from the University Disability Office.

*Accessing Disability Support at the University of Oxford: A Guide for Graduate Students* Guide for graduate students on how disability services are organized and co-ordinated with step-by-step details of how to access appropriate support. Available from the University Disability Office.

*Accessing Support for Dyslexia and other Specific Learning Difficulties (SpLDs) at the University of Oxford* Guide on how services for undergraduate and graduate students with dyslexia or another Specific Learning Difficulty (SpLD) are organized and co-ordinated with step-by-step details on how to access appropriate support. Available from the University Disability Office.

*Bridging the Gap: A Guide to the Disabled Students' Allowances (DSAs) in Higher Education* Information on the Disabled Students Allowance and how to apply for it. Available from the University Disability Office and online at:

[www.dfes.gov.uk/studentssupport/students/stu\\_students\\_with\\_d\\_1.shtml](http://www.dfes.gov.uk/studentssupport/students/stu_students_with_d_1.shtml).

### **2.3 Practical support for students with disabilities.**

**Funds:** The Central Disabilities Fund is comprised of central University buildings money, and money for HEFCE. The fund is administered by a Disability Funds Panel, and is available to help departments and faculty's to meet the needs of people with disabilities.

The University's Dyslexia Fund, is also administered by the Disability Funds Panel, can assist students with the costs of dyslexia assessments and specialist tutors. The Disability Staff can help with referrals to chartered educational psychologists.

Other provision. Full information about other provision for disabled students is detailed in the series of Disability Office guides, *Accessing Disability Support at the University of Oxford*, listed at 2.2 above. Disability Office Staff will provide further information and answer specific individual queries. Support from the Disability Funds Panel and advice to students with disabilities is not restricted to students in receipt of the Disabled Students Allowances.

A reader service for disabled members of the University is based at Ewert House. Oxford University Resources for the Blind, formerly Recording Centre for the Blind operates a service for recording texts onto tape by volunteer readers. Members of the University and students who wish to make use of the service are recommended to contact the University Disability Office for a referral, as soon as they are able to give a general idea of their likely requirements.

Detailed information on the Bodleian Library and its dependent libraries is available in a separate guide. In addition, students may like to read the guides for individual libraries for information on facilities for disabled users in each library. Students can search the library catalogues on computer using the OLIS system. This can be accessed via computers/terminals within the libraries or via external computers using Oxford University's website.

The Oxford University Computing Service (OUCS) has a Braille Embosser available to students who require text in Braille format. The Help Centre has the following software available, Jaws (screen reader), Magic (screen magnification), Text-help (word prediction, homophone checker and document reader) and Kurzweil 1000 (scanning, text-recognition and screen reading). The Centre also has a range of items such as scanners, large monitors, alternative keyboards/mice, height adjustable tables and chairs for use by disabled students at OUCS.

The Oxford University Student Union (OUSU) produce a range of publications, including the Disability Action Guide. OUSU coordinate a Disability Action Group and a Diabetes Network. They also run Student Advice Service to provide a confidential listening service as well as practical advice on resolving issues that students might encounter during their time at Oxford. The Student Advice Service is

staffed by a professional student adviser. OUSU sabbatical officers (the Vice-Presidents for Welfare and Equal Opportunities, Women, Graduates and Access & Academic Affairs) are also available for students to talk to in confidence. OUSU have a wheelchair-accessible Nightbus which runs on Thursday, Friday and Saturday nights and will pick up from and deliver you to any destination within the ring road.

**2.4 College support for students with disabilities.** As can be seen from the Access Guide, most colleges have had experience of admitting disabled student members. Any support required by a disabled student is usually arranged through a Student Support Document (SSD) meeting including the student's tutor, or college supervisor in the case of a graduate student in conjunction with the Disability Staff. The college may refer the student to the Southern Trust Panel for financial assistance which the college is unable to provide. Tutors and the Disability Staff can liaise with students' subject departments on any special arrangements required, for example, where practicable, rearranging the location of lectures to make them accessible.

**2.5 Counselling and careers support for students with disabilities.** The University has a Counselling Service which is available to all student members who wish to have an opportunity to talk over personal problems. There is also an Advisory Panel on Harassment whose members may be consulted by student members who feel that they are being harassed on any grounds by members or staff of the University. The University Careers Service will also give advice to disabled students and has links with the *Workable* placement scheme for disabled undergraduates and graduates.

**2.6 The physical environment of Oxford.** Oxford is Britain's oldest university and has been growing organically with its host city for over 800 years. University buildings are therefore located throughout the city and there is no campus or university precinct, although there are significant concentrations of university and college buildings in the city centre, and in the Science Area just to the north. Many of the university clinical departments are concentrated on the hospital sites at Headington.

Oxford is easily accessible by rail and coach. The railway station has level access to both platforms. There is a great deal of traffic in the city itself, so car parking is difficult. However, colleges and university departments may be able to provide specially designated spaces for drivers with disabilities in addition to those areas provided by the local authorities. There are accessible shops, banks, doctors' surgeries and places of worship, although in many cases, because the city is so old, access is not ideal. (Detailed information on access and university and college facilities for disabled people is contained in the Access Guide, described in 2.2 above.)

**2.7 Numbers of students with disabilities.** There are currently over 800 disabled students at Oxford. Those with Specific Learning Difficulties form the largest group (over 300) with unseen disabilities also accounting for a substantial minority.

### **3. Future Activity And Policy Development**

#### **3.1 Support for disabled students.**

Support for disabled students is continually developing. In the last year the Access Guide has been revised, with new summary pages and a star-rating system to aid easy comparison of facilities between colleges and departments; the Disability Office Staff have worked with the Student Counselling Service and Committee on Student Health and Welfare to co-ordinate provision for students with long-term mental health problems and a member of the Disability Office Staff now sits on the steering group of the Oxford Student Mental Health Network; the Disability Office have worked with library services and external providers to develop an efficient means of providing texts in electronic formats for disabled students; new guidance material has been added to the Disability Office website, including significantly updated information on applying for special examination arrangements and adjustments to mode of examination or duration of courses; and, the University has been a partner in the development of an Assistive Resources Centre (ARC) based at the Oxford and Cherwell College which is now approved to make assessments of study-needs for students applying for Disabled Students Allowance (DSA).

Plans for the current year include: continuing and developing the Disability Contacts Network with regular updates and information supplements via the Disability Office website; to increase the range and amount of loan requirement available to disabled students; and, to improve consistency of disability-related study support to international students. In addition, an in-house Dyslexia Support Tutor and Researcher is soon to be appointed to improve provision of study-skills assistance to dyslexic students and analyze the teaching and learning experience of dyslexic students at Oxford.

**3.2 Improved access and facilities.** The University Estates Directorate, in collaboration with the Disability Office Staff, will continue to plan and implement its rolling programme of adaptations and improved facilities at university buildings and sites.

In the last year, there has been an accessibility audit of University websites and development of guidance for departmental web-publishers to enable accessibility to be addressed throughout University web provision. Plans for the current year include conducting sample course audits to generate a template for analysis of the accessibility of courses for disabled students.

## **Statement on Academic Integrity and the Avoidance of Plagiarism from the Educational Policy and Standards Committee**

In their *Essential Information for Students*, the University's Proctors and Assessor draw attention to two extremely important disciplinary regulations for all students.

**4 No candidate shall present for an examination as his or her own work any part or the substance of any part of another person's work.**

**5 In any written work (whether thesis, dissertation, essay, coursework, or written examinations) passages quoted or closely paraphrased from another person's work must be identified as quotations or paraphrases, and the source of the quoted or paraphrased material must be clearly acknowledged.**

...The University employs a series of sophisticated software applications to detect plagiarism in submitted examination work, both in terms of copying and collusion. It regularly monitors on-line essay banks, essay-writing services, and other potential sources of material. It reserves the right to check samples of submitted essays for *plagiarism*. Although the University strongly encourages the use of electronic resources by students in their academic work, any attempt to draw on third-party material without proper attribution may well attract severe disciplinary sanctions. ”

*(The Proctors' and Assessor's Memorandum, Section 9.5)*

Plagiarism is the use of material from another source or from other sources with the intention of passing it off as your own work. Plagiarism may take the form of unacknowledged quotation, or substantial paraphrase, or translation. Sources of material include all printed and electronically available publications in English or other languages, or unpublished materials, including theses, written by others.

To avoid plagiarism, it is essential to learn, and to follow, good practice in the use of sources, in the identification of quotations and paraphrases, and in making accurate and complete citation. You will need to exercise judgement in determining when reference is required. Your supervisor can advise you, and you should ask the Director of Graduate Studies if you have any doubts about appropriate use of other people's work.

It is easy to copy someone else's work into your notes, and then from notes into thesis, without ever facing up to the simple fact that you are presenting someone else's work as if it were your own. To do responsible research you need to take a rigorous and deliberate approach to referencing. Cases of plagiarism are taken extremely seriously, and where examiners suspect that this has occurred, they or the Director of Graduate Studies bring the matter to the attention of the Proctors for investigation and disciplinary action.

## Glossary of Oxford Terminology

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!

**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. This year there are 29 subjects 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. The Senior Common Room in the St. Cross Building is only a room, not an organization.

**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 both undergraduates and graduates in taught courses. That makes them more than just student residences; they are residential communities whose focal purposes are teaching and learning.

**Dean:** not the head of a faculty, but a senior officer in a college, responsible for student discipline and (sometimes) welfare.

**DGS(Research):** the Law Faculty's Director of Graduate Studies (Research).

**DGS(Taught):** the Law Faculty's Director of Graduate Studies (Taught Courses).

**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 (i.e., 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, Magdalene, 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, Nuffield, St. Antony’s, Wadham), Provost (Oriental, 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. Faculty officers (the Chair and Vice-Chair of the Law Board, the Directors of 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.

**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. From 1334 to 1827, candidates for the degree had to vow never to lecture at Stamford.

**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. There are 41 subjects in the MJur this year.

**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.

**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!

**Lecturer:** a teacher holding one of a variety of academic posts. Most fellows of colleges are also university lecturers. Some college lecturers do not have university posts. Some university lecturers have no college affiliation. Some lecturers give lectures, some do not. The term ‘lecturer’ is a complex piece of jargon that is used in various defined senses in employment contracts, and is not especially important for any other purpose.

**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 as a sign of distinction (twenty-one of the seventy-six academic postholders in the Faculty are professors).

**PRS** (Probationer Research Student): the term used for a student admitted to work toward 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. It used to be an important post that gave some remission from undergraduate teaching; now it is most often given as a title of distinction (there are roughly seven readers in the Law Faculty).

**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'. The tutor in a particular subject who has been at the college longest is usually called the 'senior subject tutor' (so the law tutor who has been there longest is the Senior Law Tutor).

**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 five 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](http://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](http://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.