

Student Handbook (Graduate Students) 2007-8

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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.
- 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.

Edwin Peel and Lucia Zedner
Directors of Graduate Studies
15 June 2007

HELPFUL PEOPLE:

Geraldine Malloy	Graduate Studies Officer	geraldine.malloy@law.ox.ac.uk	271496
Ellen Moilanen	Student Administration Officer	ellen.moilanen@law.ox.ac.uk	271457
Paul Burns	Academic Administrator	paul.burns@law.ox.ac.uk	271495
Edwin Peel	Director of Graduate Studies for Taught Courses	edwin.peel@law.ox.ac.uk	272742
Lucia Zedner	Director of Graduate Studies for Research	lucia.zedner@law.ox.ac.uk	276724
Emma Rampton	Head of Administration	emma.rampton@law.ox.ac.uk	271560
Timothy Endicott	Dean of the Law Faculty	timothy.endicott@law.ox.ac.uk	281050

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 and the Student Administration Officer is responsible for student-related events and general course administration.

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 part 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, and from the website, with specific information for post graduate students outlined at <http://www.ouls.ox.ac.uk/law/services/postgraduates>. 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 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 <http://www.ouls.ox.ac.uk/libraries>. 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 Reading Room

A dedicated reading room is available on the first floor of the Bodleian Law Library. The new reading room provides approximately 50 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 Reading Room has the same opening hours as the Bodleian Law Library.

6. Computing Services

6.1 Your Oxford network accounts and access to network services

Your Oxford account is your main access to university online services. On arrival, your college should give you a letter from Oxford University Computing Services (OUCS) with an activation code for your Oxford account. Activating this account gives you access to:

- Oxford email, Weblearn and other 'single sign-on' services, which are available from any computer anywhere;
- registration and software for the Sophos anti-virus program for your own computer, which will be updated whenever you go on the network – current anti-virus software is required by most if not all departments and colleges before you can connect your computer to the network;
- registration and software for Remote Access to Oxford-only websites via the Virtual Private Network (VPN) or dial-up – you only need this for accessing Oxford-only websites if you are outside the university, and/or for accessing the wireless network in the Library;
- registration for Athens, which gives access to some of the library's databases;
- registration and software for backing up your files (see 6.8).

Much of the material on university websites is accessible without passwords when you are on the Oxford domain (which generally means within Oxford University buildings). The VPN gives you access from outside the university domain, and Athens may be used to access some library electronic services from outside the university. Information about passwords will be provided at the Faculty/Library IT induction lectures. Contact Sandra Meredith (Faculty) or Angela Carritt (Library) if you need help.

Email can be accessed via Webmail (<https://webmail.ox.ac.uk>) and/or you can set up your own email client (Outlook, Thunderbird etc). The OUCS website provides clear

information on how to do this. Please use your Oxford email account for all email communication with the Faculty, Bodleian Law Library (BLL) etc, as it identifies you as a member of the University.

6.2 Email lists

The Faculty's principal means of communicating with graduate students is via the postgraduate email list, to which all graduate students are automatically subscribed. Information about lectures and seminars, discussion groups, delegate elections, IT and library training, teaching opportunities, scholarships, library hours etc is distributed on this list. You may also wish to subscribe to Faculty discussion group email lists.

Postgraduate email list messages have an [LPg] prefix in the subject line. If you don't receive these emails, please notify the Faculty Office by emailing lawfac@law.ox.ac.uk.

6.3 Faculty website

The public Faculty website (www.law.ox.ac.uk) provides information about courses, news and events, graduate discussion groups, how the faculty works, faculty members, much detail relevant to postgraduate study, links to faculty centres, specialisations, publications, library and computing facilities and more.

On the Faculty intranet, the 'Resources for Courses' link gives access to detailed information about each subject, reading lists, powerpoint slides, lecture handouts and other support materials. The Course in Legal Research Method (CLRM) for research students has a separate link on the Postgraduates intranet page. There is also a link to the Research Students Directory, with information about graduate research students, their research interests, personal profiles etc. Research students should add their own details via the on-line editing system and use the database to look for students with similar interests. The on-line editing system may also be used for adding discussion group meetings. More information about the on-line editing system will be provided at induction.

The password for accessing the intranet from outside the Oxford network is available from the Faculty Office (lawfac@law.ox.ac.uk).

6.4 IT support in the Faculty

Contact Sandra Meredith (271499, 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) can give advice on file storage and back ups, and may be able to offer limited help to graduate students having problems with their laptops or connecting to the network. Catherine Donaldson or Steve Allen (281681, web.support@law.ox.ac.uk), the Faculty's web officers, can give you help with using the on-line editing system to register for your subjects, or on the Graduate Research Student Database or the teaching and research registers. Email system.support@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.

6.5 Computing in the St. Cross Building

Most of the computing provision for students in the St. Cross Building is within the Bodleian Law Library (BLL). The 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. This room is available for general use when not being used for teaching. There are also networked computers in the upstairs gallery computer room, and more at various positions around the library, including in the Graduate Reading Room. Kurzweil software, which allows blind readers to listen to pages of a book being read aloud, is also available in the BLL.

Research students' desks have ethernet connection points. All computers on this network must have current and regularly updated anti-virus programs, and other security features. More information is available from the Library.

The main reading room and the Graduate Reading Room have wireless access to the network via the Virtual Private Network, and there are power points at the ends of several desks. There is no network access in the lecture theatres, and extremely limited access to powerpoints.

Do not leave your laptop unattended in the library or anywhere else – cables for securing your laptop are available at the library enquiry desk or at any computing shop. You can store your laptop and other items in a locker in the St Cross Building. Ask at the Porter's Lodge for information about getting a locker.

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 from Bento de Sousa, and entry to the room 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.

6.6 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 BLL. Training begins at induction, and continues in special sessions throughout term as advertised on the email list and the Library website (www.ouls.ox.ac.uk/law). Extensive electronic legal and journal resources are available to Oxford law students, and can be accessed via the library website, under Legal Databases, or via OxLIP (www.bodley.ox.ac.uk/oxlip). The library website also includes links to and information about quality free legal web resources.

One-to-one support in using the electronic library resources and free web resources, and 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. Online tutorials for learning how to use specific legal and journal databases are available at www.ouls.ox.ac.uk/law/training/database_guides.

6.7 Weblearn

All students have their own 'My Weblearn' site on Weblearn, the University's Virtual Learning Environment (www.weblearn.ox.ac.uk). Your site is password protected with your Oxford password 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. You can also provide access to other students with Oxford passwords.

Discussion groups, study groups and social groups may also have password-protected space on Weblearn. As well as document holding, Weblearn provides threaded discussion boards and other features. If 'My Weblearn' does not meet your needs, ask Sandra Meredith for a Weblearn site in the Faculty Weblearn area.

6.8 Document storage and file backup

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). Many colleges provide file storage and back-up on their servers. The OUCS also provides file back ups on the Hierarchical File Server (HFS), which can only be used when you are on the University network. To use this service, register on <https://register.oucs.ox.ac.uk> and download the Tivoli Storage Manager (TSM) software (see www.oucs.ox.ac.uk/hfs for more information and contact OUCS for help). For advice about file storage and back ups, contact Bento de Sousa.

6.9 Oxford University Computing Services

Oxford University Computing Services (OUCS) provide the main University IT services. The IT Help Centre at OUCS gives support in using these services by email and phone. PCs and Macs with a wide range of software, printers, and scanners are available at the OUCS building 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 to using Photoshop to programming. Their courses in using Word are invaluable for thesis writers and their computer maintenance contracts are very competitively priced. The OUCS shop sells a limited range of computers, site-licensed software, 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.

6.10 University Rules for Computer Use

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

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, or contact Barbara Lauriat, the General Editor for 2007-2008, at barbara.lauriat@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 and www.admin.ox.ac.uk/gsp/finance/more.shtml.

The Law Faculty made awards totaling over £115,000 to postgraduate students in 2007-2008. 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.

11. Travel Grants

Any graduate student taking a research degree under the auspices of the Law Board may apply to the Graduate Studies Committee for a grant for travel associated with their studies. There are two possible grounds on which a grant may be given. The first is that empirical research is required to complete the project and that this empirical research may be undertaken at another location. The second is that a chapter of your thesis is being presented at an academic conference. Applications should always be made before the event. The absolute limit for travel grants to any one student in any one year is £200. 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).

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 Equality Duty, which is reproduced at the end of this Handbook. The Law Faculty itself has two Disability Contacts (contact Ms. Connor in the first instance):

Ms. Sarah Connor – PA to the Dean of the Law Faculty	Prof. Timothy Endicott – Dean of the Law Faculty
St. Cross Building	St. Cross Building
St. Cross Road	St. Cross Road
Oxford OX1 3UL	Oxford OX1 3UL
Tel No: 01865 281050	Tel No: 01865 281050
Fax No: 01865 271493	Fax No: 01865 271493
E-mail: sarah.connor@law.ox.ac.uk	E-mail: timothy.endicott@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 yet increasingly become involved with Law Faculty offerings, such as Oxford Law Alumni Lectures for professional interaction and networking. 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 will continue to offer a selection of alumni events, both social and professional, which historically have taken place in the UK, America, China, and Australia with plans of taking these events further afield in the years ahead. Annually the Faculty sends out Oxford Law News to those Oxford alumni practicing or teaching law. Quarterly electronic updates are planned for 2008. To ensure that you are on our mailing list or to enquire how you might help organise some of these alumni 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. Also, E-mail forwarding for those graduates who would like the @law.oxon.org e-mail address is now available to assist in keeping in touch with one another and to allow for a single email extension for announcing future events. If you are interested in email forwarding, we encourage you to register your details before you leave. Finally, should you know of any

Oxford Alumni who are not in contact with us but would like to be, please pass on their contact details to Maureen O'Neill.

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/.

The Oxford Institute of Legal Practice (OXILP) is now running the Qualified Lawyers' Transfer Test (QLTT). This is a professional qualification which enables lawyers from other jurisdictions to practise in England and Wales. For details of Oxford sittings and the OXILP QLTT Summer School, please visit OXILP's website (www.oxilp.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.

1.1 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, and the Faculty now has 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 up to 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.

1.2 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 will be £12.63 per hour. Graduates following research courses are also eligible to join the Faculty's Graduate Research Assistantship Scheme, for which payment will be £15.85 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, you may ask the Faculty to add your name to the list of Graduate Research Assistants. The list is kept on the Faculty's intranet, and allows Faculty members who need research assistance to see your areas of expertise. The Law Faculty will not fund more than 120 hours research assistance by any student 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 Director of Graduate Studies (Research).

1.3 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. For general immigration and employment advice you are advised to contact the Work Permits Desk of the University. More information can be found at

<http://www.admin.ox.ac.uk/ps/managers/appoint/permits/index.shtml> .

1.4 Discussion Opportunities

Self-sustaining discussion groups are 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. Postgraduates who wish to set up a discussion group should consult <http://denning.law.ox.ac.uk/published/pdfs/discussiongroups.pdf> for more information on the process. Grants of up to £200 per annum are normally available for discussion groups. Larger grants may be made in certain circumstances. Further details on discussion group funding can be found on the Faculty's intranet at <http://denning.law.ox.ac.uk/published/pdfs/gsfpolicy.pdf> .

1.5 Tuesday Research 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 Research 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.

1.6 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 sometimes 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, Professor Lucia Zedner. 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.

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 degree 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.6.9, 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 of full-time supervised research in Oxford, 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. 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 have to be paid. Students taking full-time DPhil only at Oxford will remain liable for a total of nine terms' (three years') fees. Students progressing to full-time DPhil following completion of a one-year full-time graduate taught programme (MSc, BCL, MJur), will become liable for a total of twelve terms' (four years') fees. You will see from this that the obligation to reside does not define the obligation to pay 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.

2.7 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. You cannot transfer to a higher status or proceed to any examination without it (See also 3.1.4 below).

The Co-Directors of the CLRM are Dr Liz Fisher and Professor Mark Freedland. 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 a significant 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 (information and forms can be found on www.admin.ox.ac.uk/gso/forms). 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). There is no formal dress code for a QT. Sub fusc is not required; just dress smartly.

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.

Your MPhil or MSt is classed as the first year of your D Phil, and serves as the basis of your further doctoral research. For this reason, when you submit your MPhil or MSt, you will be granted conditional PRS status. If you are successful on both parts of your QT, you will move to DPhil status. If you are referred back on Part A of your QT, you will remain a conditional PRS until you have completed your second attempt. If you are referred back on your thesis, your PRS status will be suspended, and your MPhil or MSt status will continue. This may all seem very arcane, but it is of crucial importance to funding bodies and the immigration authorities. If you are facing these external constraints, please ensure that your QT submission is done in good time. Please be advised that you should check with your college about its procedures for admitting you to the DPhil. You will need to demonstrate to your college that you have the requisite funds for your doctorate. In order to take up your conditional PRS status, you must fulfill your college conditions. Your college can provide more details on how to do this.

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 the 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 for PRS to DPhil 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 Officer 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 Officer at the Law Faculty, if you still have not been contacted to fix an appointment for the interview,

you should get in touch with the Graduate Studies Officer, 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 Officer and must come with the written support of your supervisor. You should be sure to re-submit your forms and materials for the QT as soon as possible (normally within three months), 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 by this, 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 'significant and substantial' 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 (Research) requires to see, with the form, www.admin.ox.ac.uk/gso/forms, 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, who will be appointed 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 (Research), 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) (lucia.zedner@law.ox.ac.uk).

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 Officer. 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.

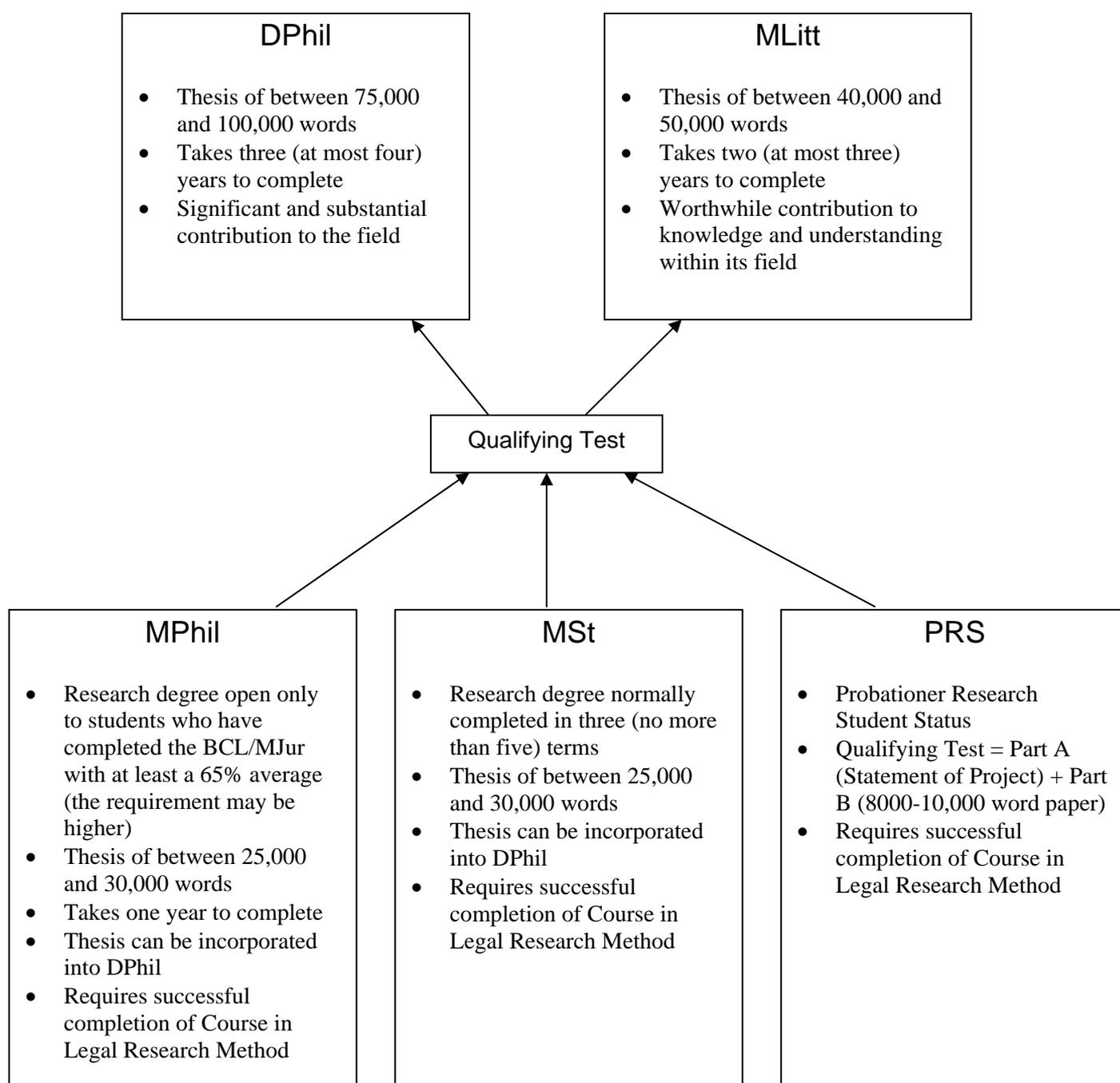
5. Requirements as to time

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 Officer. 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) (lucia.zedner@law.ox.ac.uk).



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. (www.admin.ox.ac.uk/gso/forms). 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 to the Graduate Studies Officer, at least two to three weeks before you submit your thesis. 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 Research Degree Office, at the Examination Schools 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 Research Degree Office, at the Examination Schools (**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 three lines must be presented as a double-indented, single-spaced paragraph with no further indentation of the first line. Such double-indented quotations must not use quotation marks.
- 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:

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

6.4 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 Research Degree Office, (ResearchExams@admin.ox.ac.uk) 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 (Research). The examiners do not decide. They recommend. It goes without saying that departures from the examiners' recommendation are rare. 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. To satisfy the examiners on resubmission it is vital that you read their report carefully and follow their recommendations as closely as possible. 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. Read the report of the examiners carefully and follow any advice given there on how to improve your work with a view to publication. 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 compulsory 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 emphasize 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.

8.1 Teaching Programme

The course has two components. The first component is a series of seminars on various aspects of legal research method given by members of the Faculty in their areas of expertise. The second component is that each student must do an individual assessed exercise which consists of an oral and written presentation. These 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. The oral presentations will be given as part of the two day Oxford Graduate Legal Research Conference on Monday and Tuesday of the first week of Trinity Term.

8.2 Further Information

Further information about the course (including details of seminars, attendance requirements, and details about the assessed exercises) can be found on the Course in Legal Research Method website at <http://denning.law.ox.ac.uk/oxfordonly/students/clrm.shtml> .

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

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 primarily by lectures and seminars, supplemented by 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 classes and 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 may often involve 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 two or more papers. The dissertation counts as one paper for these purposes. 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 two or more papers. The dissertation counts as one paper for these purposes (please see section 8.4, below). 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.

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. Please also see <http://www.admin.ox.ac.uk/epsc/plagiarism/infograds.shtml> for more information (including an online tutorial) on plagiarism that has been developed by the University's Education Standards and Policy Committee.

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 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 simply 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.

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 2007-2008.**

List I: Courses involving advanced common law study

Corporate Insolvency Law

Evidence

Personal Taxation



Philosophical Foundations of the Common Law

Restitution

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

Comparative Human Rights

Comparative Public Law

Competition Law

Conflict of Laws

Constitutional Theory

Corporate and Business Taxation

Corporate Finance

Crime, Justice and the Penal System

Criminal Justice and Human Rights

European Business Regulation

European Community Environmental Law

European Employment and Equality Law

European Private Law: Contract

European Union as Actor in International Law

Global Comparative Financial Law

Globalisation and Labour Rights

Intellectual Property Rights

International Dispute Settlement

International Economic Law

International Environmental Law

International Law and Armed Conflict

International Law of the Sea

Jurisprudence and Political Theory

Law and Society in Medieval England

Law in Society

Philosophical Foundations of Property Rights

Principles of Civil Procedure

Regulation

Roman Law (Delict)

Socio-Economic Rights and Substantive Equality

Transnational Commercial Law

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

Administrative Law
 Company Law
 Comparative Law of Contract
 Constitutional Law
 Contract
 Criminal Law
 European Community Law
 European Human Rights Law
 Family Law
 Land Law
 Tort
 Trusts

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. Course requirements and 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.
and you must take, either:
 - (iii) four papers, i.e. four courses leading to written examinations (e.g. Restitution, Evidence, Conflict of Laws and Law of the Sea),
 - or
 - (iv) three papers and one dissertation (e.g. three of the above and a dissertation)

(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.
and you must take, either:
 - (iii) four papers, i.e. four courses leading to written examinations (e.g. Comparative Human Rights, Competition Law, Conflict of Laws and Law of the Sea),
 - or
 - (iv) three papers and one dissertation (e.g. three of the above and a dissertation)

- (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 timetable for BCL/MJur teaching is overcrowded and some combinations of courses are impossible. The impossible combinations have been chosen to minimise the number of students typically affected. You can find the latest list of incompatible courses at <http://denning.law.ox.ac.uk/postgraduate/clashes.shtml>

8.3 Optional Dissertation in the BCL and MJur

A BCL or MJur student can offer a dissertation, in lieu of one written examination.

- 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 within List I (those subjects which entail an advanced knowledge of the common law).

Once you have received approval for your dissertation topic at the start of Michaelmas term, the topic may not be changed. This is because supervisors and examiners have already been approached and have agreed to act on the strength of the original proposal. However, it is accepted that, in the light of your work on the dissertation, the title (not the topic) may change. There is a mandatory procedure for you to follow in the event that you wish to change the title of your dissertation. It is not enough for you simply to enter your revised title on the BCL/MJur examination entry form. Nor may you enter such a revised title on your BCL/MJur examination entry form without first going through the following procedure. The

procedure is to fill in the form at <http://denning.law.ox.ac.uk/published/law6.pdf> and submit this to Geraldine Malloy (Geraldine.malloy@law.ox.ac.uk) for the approval of the Director of Graduate Studies. The form must be submitted no later than the Friday of week 3 of Trinity Term. If your dissertation is submitted with a title different from that approved, the examiners have the right to refuse to examine it.

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

8.4 Registration for BCL/MJur courses

You register for your choice of courses using the Faculty's online registration system. Registration is during week 1. It is possible to change courses later (any time up to the end of week 4, when you submit your examination entry form through your college) but changing your course choice after week 1 will incur the risk of additional timetable clashes in Hilary Term or Trinity Term, as well as the risk of a less satisfactory examination timetable.

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 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.

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

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 secondary sources on French law are only available in the French language. There are, however, translations of the French case law used in the course.

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 S. Boyron. 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: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk) For The University of Oxford Centre for Competition Law and Policy see: 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 including the effect of marriage on property rights; (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: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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

Tax law is central to all businesses and to many business transactions. It has a profound effect on business law and decisions and plays a part in shaping the law of business organisations. This course approaches the subject from a policy perspective. Technical legal issues are examined but placed in their economic and business context, with the focus on principles and concepts. The course aims to introduce students to the techniques used to tax business organisations and to encourage critical analysis of tax policy and implementation. Although the course is centred on UK tax law, the theoretical and policy issues which arise are common to all jurisdictions, and key international and EC law issues also emerge.

A major problem encountered in taxing business is that of defining the tax base; that is, what should be taxed? Should we tax profit and, if so, how should this be defined? Should tax follow accounting definitions or develop its own? Companies, being artificial entities, present special tax problems. Who should be taxed; the company, the shareholders or both? How should groups of companies be taxed, especially multi-national groups? How should we tax small businesses, corporate and non-corporate? Special measures to counter tax avoidance in a business context are examined. In addition to studying the current UK approach to these and other issues, consideration is given to alternative approaches. On an international level, the difficulties faced in allocating tax revenue between jurisdictions in the light of mobility of capital, increased numbers of cross-border transactions and technological developments are considered. The course examines developments in the harmonisation of taxation within the EC and the problems of double taxation, transfer pricing and tax competition internationally. Double taxation treaties are studied in outline only.

This course will be of interest to any student wishing to explore business law as well as to tax specialists. Students must be prepared to read many types of material and consider how policy issues and technical law interact. UK tax law, which forms a key component of the course, is statute based but case law is also important. Readings from public finance and accounting literature will be recommended on some topics: these will be accessible without specialist knowledge. No computations will be required. No prior study of tax law or company law is required, although those with no knowledge of business organisations may

need to do some additional background reading on which advice will be given. MJur students are welcome, especially if they have prior knowledge of taxation in their own jurisdictions but they must be prepared to engage with the case law and UK statutes where appropriate. Students who have studied tax elsewhere are encouraged to introduce their own comparative insights. The syllabus is wide and the subject fast moving so that the precise focus may vary from year to year.

The course is taught by Professor Judith Freedman and Glen Loutzenhiser. The teaching consists of lectures (including guest lectures) and seminars spread over the Michaelmas and Hilary terms. Guest lecturers include visiting academics, including those working at the Oxford Centre of Business Taxation, and leading tax practitioners. Tutorials form an important part of the teaching and will be arranged by Professor Freedman and Glen Loutzenhiser in collaboration with your college tutor.

The topics covered by the course can be described broadly as: Taxation of income profits and capital gains of sole traders, partnerships and corporations; corporation tax and taxation of distributions; close companies, groups; alternative methods of taxing corporations and other businesses; aspects of capital gains tax reliefs relating to business; anti-avoidance legislation. Allocation of taxation between jurisdictions; principles of residence and source; double taxation relief and treaties; EC tax harmonisation; international anti-avoidance.

Any student wishing to discuss this course is welcome to contact Professor Freedman (Worcester College).

Teaching Conventions: Examination questions will not be set on the details of VAT or stamp duty nor directly on the anti-avoidance material taught on the Personal Taxation Course. Not all topics will be covered every year. Students will be required to be familiar with provisions in the Budget and Finance Bill or Act of the year of the examination only to the extent made clear by the teaching group.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

Corporate Finance Law

The limited company is a hugely popular business vehicle, and the primary reason for this is its ability to act as a successful vehicle for raising business finance and diversifying financial risk. All companies need to raise money in order to function successfully. It is these "money matters" which are at the heart of corporate law, and an understanding of the ways in which companies can raise money, and the manner in which their money-raising activities are regulated, is central to an understanding of how companies function. The aims of the course are (a) to explain the complex statutory provisions governing the issue and marketing of corporate securities, against the background of business transactions; (b) to explore the fundamental legal propositions around which corporate finance transactions are usually organised and (c) to examine the means by which money is raised by borrowing and quasi-debt and different methods of securing debt obligations. Technical issues will therefore be placed in their economic and business context. There is a strong emphasis on the policy issues underlying the legal rules. The course focuses on the forms of corporate finance and on the structure and regulation of capital markets. The course also examines the attributes of the main types of securities issued by companies and the legal doctrines which are designed to resolve the conflicts of interests between shareholders and creditors. Consideration is given to the EU directives affecting the financial markets, especially the manner in which they have been implemented into English law. Many of the issues arising are of international importance and the course examines the harmonisation of these matters within the EU.

This course will be of interest to any student wishing to develop a knowledge of corporate law, as well as to those who are corporate finance specialists. No prior knowledge of the subject is required, nor is it necessary to have studied company law, though this will be of advantage. Those with no knowledge of company law will need to do some additional background reading prior to the start of seminars, and advice can be given on this issue. 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.

The teaching group comprises Ms J Payne, Professor D D Prentice, Ms L Gullifer, Professor John Armour and Mr John Vella. The teaching primarily of lectures, seminars and tutorials in Hilary and Trinity terms. The tutorials will be arranged in the seminars. Corporate finance practitioners will also give guest lectures throughout the year.

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. Interests in Securities. 4. The Regulation of Financial Services and Investor Protection including disclosure issues, Insider dealing and Market Abuse. 5. Takeovers including the regulation of takeovers, the duties of the target board, equality of treatment of shareholders and the rationales for takeovers. 6. 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. 7. Policy issues underlying the rules on secured lending, and consideration of proposals for reform.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

Corporate Insolvency Law

Corporate insolvency gives rise to a number of fascinating and complex questions. Which assets can be claimed by the company's creditors? What should be done with them? How should the proceeds raised be distributed amongst the creditors? How should those responsible for the company's losses be dealt with? In addition, many interesting questions from other areas of law (particularly property law) come to be raised and explored in the context of insolvency. The course seeks to develop an understanding of the ways these issues are resolved by the current law. Students will also be expected to analyse and evaluate the law, and consideration will be paid to the business context in which insolvency disputes arise. The course begins with an overview of the functions of insolvency procedures. It then examines, in the context of winding-up, the relationship between insolvency law and the general law of property and obligation, and the extent to which insolvency law interferes with rights accrued under the general law, and examines the rationality of the legal principles underlying the rules relating to the treatment of claims and the distribution of assets in winding up. The course then turns to consider procedures that are capable of securing the continuation of viable businesses, often referred to as "corporate rescue". The most significant of these is the administration procedure, but administrative receivership, which it is gradually replacing, is also still of practical importance. They raise interesting and complex questions about the allocation of decision-making power, and the mechanisms for ensuring the accountability of decision-makers. Company law also has a role to play in relation to

insolvent companies, raising in particular such questions as the liability of a parent for the debts of its subsidiary and the responsibilities of directors under general law and under insolvency legislation.

No prior knowledge of the subject is required, nor is it necessary to have studied company law, though this is of some advantage.

The teaching group comprises Professor J Armour, Ms L Gullifer and Professor D Prentice. The teaching consists of a combination of lectures and seminars. Guest lectures by visiting academics and practitioners may also be given at various points. Revision tutorials will be arranged in the seminars.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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 2007-08 it will begin by examining criminalization, the limits of the criminal sanction, and the use of non-criminal measures. It then moves on to consider policing, the justifications for punishment, and the role of victims in criminal justice. The second term begins with seminars on plea negotiation, the relevance of previous convictions to sentencing, and then moves on to consider prisons, and ethnicity, race and gender in criminal justice. The course concludes with seminars on risk and security, and on the politics of crime control in late modernity.

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, followed by 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 distinguished invited speakers discuss current research or major issues of policy. This programme is advertised on the Centre's website at www.crim.ox.ac.uk and students are encouraged to attend. This course is also available in the MJur.

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. No statutory or other material is provided to students in the examination.

Criminal Justice and Human Rights

This course will look at the development of human rights principles in relation to the criminal justice system, looking in detail at the interaction between human rights discourse and the theory and practice of criminal justice. The focus will be upon the European Convention of Human Rights and the Human Rights Act 1998, in relation to the criminal justice system of

England and Wales, but further comparative material from other jurisdictions will be drawn upon where relevant. After beginning with a critical look at human rights discourse, the course will adopt the method of detail – taking a number of discrete topics and examining each of them in terms of the theoretical underpinnings of the particular right, the human rights reasoning adopted by the courts, and the implications for criminal justice policy. Among the rights thus examined will be the privilege against self-incrimination, the right to privacy in relation to surveillance, and the protection of personal liberty with respect to imprisonment. The course will end by drawing out specific themes relating to human rights and anti-terrorist measures, and more generally the interface between human rights and security concerns. Teaching will be delivered in the form of weekly seminars, held in the first six weeks of Michaelmas and Hilary terms. All students enrolled in this course are expected to attend these seminars, and to read and think about the assigned materials in advance of the seminar. The seminar will be introduced by a Faculty member, followed by discussion, usually based around a set of questions distributed in advance. Tutorials in this subject will be available in the first four weeks of Trinity Term.

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. 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 Community competence over the internal market, harmonisation in the field of free movement of goods, establishment and services, public procurement, and state aids. The techniques of harmonisation are examined and illustrated by reference to commercial and social 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, 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, with reference to the European Economic Interest Grouping, the European Company Statute, and the Takeover Bid Directive; (4) Public Procurement; (5) State Aids; (6) 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 Professor S R Weatherill, Dr Wolf-Georg Ringe, Professor D A Wyatt, and Dr Katja Ziegler

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

European Community Environmental Law

Over the last decade EC Environmental Law has become an increasingly complex, dynamic and intellectually challenging area of the law. This course requires students to engage in a critical study of EC environmental law by focusing on the legal developments in the subject. The seminars for the course are a mixture of cross cutting seminars and those focused on how particular directives have been implemented. Considerable attention is paid to the case law of the ECJ and CFI but regard is also had to the wider legal framework, and in particular the role of regulatory strategy and the administration of environmental law. A basic knowledge of EC Law is needed to do this course.

The first part of the course is an analysis of emerging legal themes in the subject including how it has developed, the legal issues in relation to environmental competence, principles of EC environmental law, regulatory strategy, public participation, rights and remedies and the interface between environmental protection and the fundamental freedoms. The second part of the course is a study of particular areas of EC environmental regulation including: water and air quality; environmental impact assessment; nature conservation; waste regulation and the regulation of genetically modified organisms.

The convenor for the course is Dr Liz Fisher and the course is taught by a small group of Faculty members.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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 and other actors in producing employment and equality legislation, and the nature and form of regulation which has thus far emerged, including the European Employment Strategy.

The course does not presuppose that students should have taken an undergraduate labour law or EC law course. The course will be taught in a varied format, including six or more seminars in Michaelmas Term and six or more in Hilary Term. 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, including the EU Charter of Fundamental Rights.

The teaching is coordinated by Professor Sandra Fredman, and includes input from Professor Mark Freedland, Dr Wanjiru Njoya and Ms Cathryn Costello. Other academics may also contribute from time to time in areas of their particular expertise. There will be tutorials to back up the seminars, each student being entitled to up to four tutorials from a wide menu. These tutorials are normally 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: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

[European Private Law: Contract]

This course is not available in 2007-8.

[European Union as an Actor in International Law]

This course is not available in 2007-8.

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.

Unlike most other BCL courses, the Law of Evidence is taught, as to the core, through 7 tutorials. There are also a range of lectures. Seminars, 6 in number, are held in Trinity Term.

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 the course convenor, at instance of 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; Identification; Human Rights Implications of Evidential Rules and Principles.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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 topics may include relevant conflict of laws aspects. The course is not concerned with consumer finance.

The course is led by Professor Philip R Wood. 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]

This course is not available in 2007-8.

Intellectual Property Rights

Intellectual Property rights (“IPRs”) must continually adapt to developments in technology, while also conforming with general theories of competition and property law. This course therefore represents a link between law, science & technology, the arts, and economics. It offers a graduate-level survey of the three main areas of IP: Patents & Confidential Information, Trademarks & Unfair Competition, and Copyright & Moral Rights. 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 historical and theoretical, considering the economic and other justifications for the existence of different IPRs nationally and internationally. It is suitable for students with or without undergraduate experience of IP Law.

The subject consists of a series of seminars over Michaelmas and Hilary Terms, and tutorials in Trinity Term. Intellectual Property Rights will be taught by Dr Michael Spence, Dr Justine Pila, Dr David Brennan and Ms Barbara Lauriat.

Teaching Conventions: A survey of the following three principal areas of Intellectual Property Law: (a) Copyright & Moral Rights; (b) Patents & Confidential Information; (c) Trademarks & Unfair Competition. The subject will be examined by means of a three-hour written examination in which candidates will be required to answer three questions.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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 and political disputes. The institutions selected for study vary from year to year. The institutions selected for study vary from year to year.

The second 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: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

[International Economic Law]

This course is not available in 2007-8.

International Law and Armed Conflict

This course examines the international law issues which arise in relation to armed conflicts. The course will be divided into three parts. It begins by considering the international law rules which govern whether and when States are entitled to use armed force. In this part of the course, we will examine the prohibition of the use of force contained in the UN Charter as well as the exceptions to that prohibition. In particular, we will examine the scope of self-defence in international law as well as other claimed exceptions to the prohibition of the use of force such as the doctrine of humanitarian intervention. The first 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 examines the law that applies during an armed conflict. We begin by considering the distinction between the law applicable to international armed conflicts and that applicable to non-international armed conflicts. In this part, we will gain an overview of the "Geneva law" relating to the humanitarian protection of victims of war and the "Hague law" relating to the means and methods of warfare. In particular, we will examine the distinction between combatants and non-combatants and the law that applies to the conduct of hostilities. 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, we will consider the jurisdiction of the International Criminal Court as well as of other international and national courts to prosecute individuals for international crimes. There will also be an examination of substantive international crimes such as genocide and crimes against humanity.

Teaching Conventions: The course will be taught through a series of seminars and tutorials which will be held mainly in Michaelmas and Hilary Terms. Students will be expected to have done the reading prior to the seminars. Students will also be expected to come to the seminars prepared to discuss the issues raised in the reading. On occasion, students will be expected to give short oral presentations (about 10 minutes) on an issue to be discussed in the seminar.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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.

Lectures/Seminars; each is on two-hour session.

The examination is held at the same time as the other BCL/MJur examinations, in the summer vacation.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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 A M Honore, Professor J Gardner, Professor L Green, 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/>

Law and Society in Medieval England

This course offers an in-depth study of core areas of property and obligations law in later thirteenth and early fourteenth century England and their relationships - through legislative and judicial change and legal writing - to the medieval society of which they were part.

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

This course was formerly run as *Legal History: Legislative Reform of the Early Common Law*.

The materials studied are statutes, case reports, and treatises and instructional literature from the period, together with the modern academic literature on the topics. All the sources used are provided in translation, so that knowledge of Latin and French is not required. Prior knowledge of the history of English law is not required.

The primary teaching method is by eight fortnightly two-hour seminars, running over Hilary and Trinity Terms. This course is taught by Dr Paul Brand and Dr Mike Macair.

Law in Society

Law is not only a means for giving certainty and stability to private relationships and maintaining social order, but also an instrument for directing society and solving social issues. The operation of law in society raises important issues of both a theoretical and an empirical nature: how does law actually function in society and how can this be understood? The first part of the course introduces these issues and considers the social foundations of law. The second part extends the scope to the study of law in non-western environments and issues considered by anthropologists of law.

Scholarship concerning law and society takes two directions. The more theoretical asks questions about law as a social formation, how law fits into society, what function it has, and how it interrelates with other aspects of society. Empirical approaches ask how law works in practical situations by conducting in-depth research into specific areas. These include regulation, businesses practices and the use of official discretion and considers matters such as the relationship between law and social rules, how courts work in practice and how administrative and regulatory bodies apply the law. These studies are the basis for observing more general patterns concerning the ways law works in society. The first part of the course brings together these two directions, showing how theoretical ideas inform empirical research and *visa versa*.

The second part asks how we are we to understand the different systems of law found in other societies? On what grounds can we even define them as law? These questions are central for anthropologists of law but arise, in practical ways, for those concerned with the implementation of international law and development projects and the promotion of good governance and democracy around the world. How do our laws and legal practices conflict with, complement or undermine their practices and expectations? These issues are considered in the context of classic sociological theories and anthropological approaches to the study of diverse forms of law. Asking about the other also causes us to reflect on the parameters and cultural specificity of our own concepts of law and students will be encouraged to think constructively and critically about familiar legal phenomena and their universal application. The course is convened by Professor Denis Galligan and Dr Fernanda Pirie of the Centre for Socio-Legal Studies. There will be a weekly lecture in Michaelmas and Hilary Terms, accompanied by weekly seminars in which selected issues will be considered in greater depth. Assessment is by a three hour written examination.

Materials available in exam: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

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 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 2007-8 the course will be taught by Judge J D R Adams, Mr R J Smith, and Mr G. Loutzenhiser. Lectures in Michaelmas and Hilary Terms set out to cover virtually the entirety of the syllabus. Tutorials are normally arranged after lectures are completed. 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. 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 relating thereto. 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: Details to be advised. Materials supplied last year are listed on the front of last year's examination paper (see www.oxam.ox.ac.uk)

[Philosophical Foundations of Property Rights]

This course is not available in 2007-8.

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 fundamental principles of Civil Procedure that are common to all advanced systems of law. The operation and implications of these principles is discussed against the background of English law and the jurisprudence of the European Court of Human Rights. A short introduction to English procedure is provided so that students not familiar with this system could soon acquire a working knowledge. Students are encouraged to participate actively throughout the course and draw comparisons with their own procedural systems.

The course consists of 16 lectures (2 hours each), 8 seminars and 4 tutorials. The lectures are normally held in Michaelmas and Hilary Terms and the seminars in Trinity Term.

The bulk of the lectures is given by Professor Adrian Zuckerman and Professor Camille Cameron. An introduction to English Civil Procedure is provided by Ms Julie Brannan, Director of the Oxford Institute of Legal Practice. A number of special lectures is also given, including lectures by Professor Aileen McColgan on Human Rights and public law litigation.

The seminars address central issues in contemporary procedure in England and elsewhere. The sessions are conducted by Professor Zuckerman and Professor Cameron with

guest speakers, such as scholars, practitioners and judges from England and abroad. Tutorials may be concentrated in one term or spread over two terms.

The course contains the following topics:

A - General theory of civil adjudication

B - An introduction to English civil procedure

C - The procedural implications of the European Convention on Human Rights

D - Adversarial Freedom, Court Control and Timely Justice; Sanctions for non-compliance with rules or orders; Summary Adjudication

E - Interim injunctions

F – Disclosure, including legal professional privilege and search orders

G - Class Actions

H - Appeal and Finality of Litigation

I - 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

J - Public Law Litigation: Intervention in proceedings; funding of public law litigation; peculiar features of litigation in specialist tribunals such as the Immigration Appeal Tribunal

Teaching Conventions: The exam consists of 10 essay questions (some of them offer a choice between 2 alternatives) of which candidates must answer 3 questions.

[Regulation]

This course is not available in 2007-8.

Restitution

Restitution is about how and when a claimant can compel a defendant to surrender enrichment gained at the claimant's expense. Long neglected, the subject has in recent years been one of the most exciting in the postgraduate curriculum. It draws its cases from areas of the law which have resisted rational analysis, largely because they have tenaciously preserved the language of an earlier age.

Common lawyers found themselves unable to escape from money had and received, money paid, and quantum meruit, while those on the chancery side became defensively fond of the unsolved mysteries of tracing and trusts arising by operation of law. In the result, down to earth questions about getting back money and value in other forms have been made to seem much more difficult than they need be. The aim of any course on restitution must be to 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 reasonable knowledge of Latin (i.e. school-leaving standard) 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. There will be six seminars in Michaelmas Term, on quasi delict, *furtum* and *iniuria*, and eight in Hilary Term, on the *Lex Aquila*. Students will be offered four tutorials, to be arranged by their 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.

Socio-Economic Rights and Substantive Equality

Although the indivisibility of rights is often proclaimed, socio-economic rights have traditionally been viewed as fundamentally distinct from civil and political rights. This corresponds to a set of further distinctions: liberty as against equality; liberalism as against socialism; and justiciable rights as against political aspirations. This demarcation is mirrored in international documents, with separate covenants at both international and European levels. The result has generally been to consign socio-economic rights to secondary status. More

recently, however, there have been important moves to recognise the fundamental nature of socio-economic rights as human rights, and to integrate them within human rights documents. The Convention on the Elimination of Discrimination against Women is a specific example. At domestic level, the South African Constitution expressly incorporates justiciable socio-economic rights, and the Indian Courts have developed the right to life in the Indian constitution to give justiciable status to socio-economic rights. The EU Charter of Fundamental Rights integrates socio-economic rights with civil and political rights and even the ECHR is increasingly being interpreted to include positive duties akin to socio-economic rights.

The course aims to an in-depth understanding of socio-economic rights in an international and comparative context, with a particular focus on the relationship with substantive equality. It does so from a theoretical, institutional and substantive perspective. The theoretical dimension draws on political theory and jurisprudence to assess the conceptual underpinnings of socio-economic rights, particularly in relationship to concepts of freedom, equality and democracy. The institutional dimension examines justiciability and its alternatives, both in principle and on the basis of experience of different jurisdictions. These concepts are then used to explore and assess substantive socio-economic rights as well as the relationship between socio-economic rights and substantive equality, particularly in the context of gender. The course uses an analytic comparative law approach, drawing on materials from a selection of developed and developing countries, including the UK, Canada, India and South Africa. It also assesses international and regional sources, including the International Covenant of Social, Economic and Cultural Rights, the Convention on the Elimination of Discrimination against Women, the European Convention on Human Rights and the European Social Charter.

The course will be taught by a series of 16 seminars, in Michelmas, Hilary and the start of Trinity Term. Tutorials will be offered between each major block of seminars, generally mid-way and at the end of each term. The course is examined by means of a three hour exam consisting of essay questions. Teaching will be provided by Professor Sandra Fredman, Dr Wanjiru Njoya and Ms Cathryn Costello. Other academics may also contribute from time to time in areas of their particular expertise.

Teaching Conventions: The structure of the course is as follows:

1. The nature and structure of socio-economic rights: This topic examines the rationales for socio-economic rights in comparison with civil and political rights, considering theories of positive and negative freedom, the relationship between law and policy, theories of democracy and the relationship between freedom and equality. The structure of socio-economic rights is examined by considering the relationship between rights and duties, particularly duties to protect, promote and fulfil, as well as assessing whether such rights are too programmatic, indeterminate and future-oriented to constitute rights. The theoretical issues are applied and assessed through a detailed examination of the development of the right to life, particularly by considering case law from the Indian Supreme Court. The problem of indeterminacy is applied by examining the debates about the minimum core, comparing South African jurisprudence with that of the ICESCR. This topic also addresses the role of the State in securing socio-economic rights, in the context of globalisation on the one hand and privatisation on the other. The public private divide is assessed.
2. Justiciability and non-justiciability: Socio-economic rights have traditionally been considered to be non-justiciable. This topic examines the possibility of justiciable socio-economic rights, drawing on the South African constitutional paradigm. Questions of judicial legitimacy in a democracy are considered, with particular emphasis on the relationship

between human rights and social policy, either in the context of the Welfare State (for developed countries) or development policies (in developing countries). This section also considers judicial competence and the possibility of institutional change. A detailed case-study based on public interest litigation in India and South Africa is used to ground these issues. This topic also examines alternatives to courts, considering the traditional reporting mechanisms under the ICESCR, and developing alternatives such as the Open Method of Co-ordination, mainstreaming, and human rights commissions.

3. Substantive Rights: This topic examines particular substantive rights, such as duties to protect, and rights to welfare, shelter, health, education, and livelihood. For each right, a selection of comparative and international materials is examined in detail, including the relationship between socio-economic rights and civil and political rights. For example, the right to shelter is examined in the context of Indian and South African law, as well as in relation to the ECHR right to respect for home, family and private life. The right to health is considered the context of the Canadian case law on the right to security as well as materials developed at international level.

4. Equality and Socio-economic rights: The fourth topic relates socio-economic rights to equality, with a particular emphasis on gender equality. The relationship between status based equality, or discrimination law, and socio-economic equality is considered through the concepts of recognition and redistribution as developed by Fraser and Honneth. Gender equality is dealt with specifically in the context of CEDAW and the way in which civil and political rights and socio-economic rights are integrated in that instrument. This topic also considers positive duties arising from equality, by examining the developing positive duties in Northern Ireland and British law, as well as mainstreaming and other positive duties in Canada and the EU.

[Transnational Commercial Law]

This course is not available in 2007-8.

D: The MSc in Criminology and Criminal Justice

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

1.1 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.

1.2 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 criminological enquiry (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 the relationship between social stratification and crime and criminal justice);
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. Teaching Arrangements

The primary method of teaching is through seminars at which all students are expected to contribute. While the courses involve some formal lecturing by staff, they generally take the form of seminars, workshops, presentations and practical exercises that demand preparation in advance by students and their active participation in class. These are supplemented by optional lectures and seminars with invited guest speakers, which make no requirement for students to conduct preparatory work or contribute.

Students may also attend some of the lectures on criminal justice in the Faculty held in Michaelmas and Hilary Terms.

2.1 Core Course

The 'core' courses on 'Explanation and Understanding in Criminology' and 'Understanding Criminal Justice' run through the first six weeks of the first two terms respectively (Michaelmas and Hilary). The weekly ninety-minute classes, taught generally by Professor Loader and Professor Roberts, are compulsory and students are expected to come prepared to

contribute to each class. Preparation for classes is directed by detailed reading lists. In these classes, students should acquire the knowledge detailed above (points 1 to 5) through their own reading in preparation for classes (reading the required and suggested materials, digesting them and making preparatory notes should take approximately 20 hours a week), and through discussing the readings with the core course teacher and their fellow students. Student learning is then consolidated through revision in preparation for the final assessment by unseen written examination. The following topics will normally be covered:

Explanation and Understanding in Criminology

1. Crime, Modernity and the Urban Experience
2. Crime, Conformity and Sources of Control
3. Crime and Everyday Life: Rational Choice, Routine Activities and Emotional Life
4. Crime, Inequality and Opportunity: Crime in Market Societies
5. Constructing and Reacting to Crime: Labeling, Moral Panics and the State
6. Criminology, Crime and Control in Late Modernity

Understanding Criminal Justice

7. Public Opinion and Criminal Justice
8. Models of Criminal Justice
9. Responding to Anti-social Behaviour
10. Racism and Criminal Justice
11. Sentencing Reform
12. Parole

2.2 Options

Students also take two optional modules in each of the first two terms and one in the third (Trinity term), for the first six weeks of each term. Again, attendance at the weekly 90-minute classes is compulsory and students are expected to be well prepared so as to be able to contribute fully to the discussion. Preparation for classes is directed by detailed reading lists. In these classes, students should develop a detailed knowledge and understanding of their chosen option through their own reading in preparation for classes, and through discussing the readings. Student learning is then consolidated through the preparation of an assessed essay in relation to each of their chosen options. The following options are likely to be offered during 2007-08:

Michaelmas Term

1. Methods I: Research Design and Data Collection
2. News Media, Crime and Policy
3. Mafias
4. Victims
5. Prisons

Hilary Term

1. Methods II: Social Analysis and Data Explanation
2. Human Rights and Criminal Justice
3. Death Penalty
4. Qualitative Methods
5. Desistance from Crime

Trinity Term

1. Sentencing

2. Race and Gender
3. Risk, Security and Criminal Justice
4. Restorative Justice
5. Sociology of Punishment

2.3 Dissertation

Students write, in Trinity term, a dissertation on a topic of their own choice of between 8,000 and 10,000 words. The dissertation should be library-based, and should not involve the student in any empirical research. Students are expected to carry out the research independently, with only minimum guidance from their dissertation supervisor. Most students will choose to research an area close to one of their option or core course topics, although a few pursue intellectual interests which have not been specifically developed by this course.

2.4 The Oxford Style of Teaching

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.

3. Assessment Arrangements

3.1 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 **Research Design and Data Collection** and **Social Explanation and Data Analysis** 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 **Research Design and Data Analysis** and **Social Explanation and Data Analysis** 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 candidates 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).

3.2 Reassessment

No-one may gain the degree of MSc in Criminology and Criminal Justice without having attained a pass mark (50 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 50 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 50 per cent for their assessed essays in Michaelmas, Hilary and Trinity Terms may resubmit those essays in which they have received a mark of 49 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 50 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.

4. Assessment Standards

The degree of MSc is awarded to any candidate who achieves a mark of at least 50% 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.

70-100: Distinction level: Papers which are awarded a distinction will be well structured, well argued and comprehensive. They 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 issues.

80-100: Superb work showing fine command of intellectual debates and making a creative contribution to them.

75-79: Excellent work, intellectually stimulating argument.

70-74: Fine work showing powerful analysis, a distinctive argument, and full awareness of the secondary literature and critical engagement with it.

50-69: Pass: Papers which are awarded a pass mark will demonstrate 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 issues.

65-69: Strong pass: strong and well-developed analysis with some indication of distinction potential; no significant errors of fact or interpretation.

55-64: Good pass: sound analytical standard with most points developed rather than stated.

50-54: Pass: basic analytical skills apparent from identification of intellectual problems with some structured discussion of them

0-49: Fail: 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 this 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.

45-49: Marginal fail: inadequate development of points made.

0-44: Outright fail: inadequate coverage and inadequate analysis.

E: The MSc in Criminology and Criminal Justice (Research Methods)

1. The Educational Aims and Programme Outcomes of the MSc in Criminology and Criminal Justice (Research Methods)

1.1 Educational aims

To provide students with the ability to:

- evaluate classic and contemporary theoretical debates in criminology and understand and investigate issues in crime, criminal justice and social control;
- apprehend the theoretical and practical aspects of a broad range of quantitative and qualitative methods and methodologies;
- utilize the research and generic skills required to be professional social science researchers.

1.2 Programme outcomes

On completing the degree satisfactorily, students should

Through the criminological theory/criminal justice courses and two options:

- 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.

They will in particular, understand:

- historical, sociological and philosophical perspectives on criminal justice and punishment;
- the main problems, questions and conceptual dualisms that have shaped modern criminological thought and different theoretical perspectives on deviance, crime and criminal justice;
- the social, cultural and political contexts that condition the emergence, development and effects of different perspectives within criminology, and the capacity of modern criminology to explain developments in crime and social control under conditions of late modernity.
- the role of the state/criminal justice system in the regulation of human behaviour;
- the nature of ‘understanding’ and ‘explanation’ within criminology.

Through the criminological theory and research methods courses:

- understand the alternative philosophical positions that underpin social science research, and the nature of explanation and understanding in criminology;
- have a critical grasp of the theoretical and substantive issues involved in formulating, undertaking and making judgments upon social scientific research;
- be able to design and implement social scientific research using appropriate methodologies and methods, and analyze and present the material such research generates;
- be able to put to practical use a range of acquired skills pertaining to the practice, governance and dissemination of research.

Through the criminological research workshop and dissertation:

- 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 can be deployed to create and interpret knowledge about offenders, offending, and the criminal justice response;
- have learnt how to produce substantial pieces of written work after researching particular topics for their options and for their dissertation.

2. Teaching Arrangements

The primary method of teaching is through seminars at which all students are expected to contribute. While the courses involve some formal lecturing by staff, they generally take the

form of seminars, workshops, presentations and practical exercises that demand preparation in advance by students and their active participation in class. These are supplemented by optional lectures and seminars with invited guest speakers, which make no requirement for students to conduct preparatory work or contribute.

Students may also attend some of the lectures on criminal justice in the Faculty held in Michaelmas and Hilary Terms.

2.1 Core Course

A two component core course will run throughout Michaelmas and Hilary terms – as per the MSc Criminology and Criminal Justice programme (see above).

2.2 Methods courses

Students also take two research methods modules in each of the first two terms and one in the third (Trinity term), for the first six weeks of each term. ‘Research Design and Data Collection’ and ‘Basic Principles of Statistical Inference and Statistical Models’ are taught in Michaelmas; ‘Social Explanation and Data Analysis’ and ‘Qualitative Methods’ in Hilary, and attend the ‘Criminological Research Workshop’ in Trinity. These take the form of either 90-minute weekly workshops (‘Research Design And Data Collection’; ‘Social Explanation And Data Analysis’, ‘Qualitative Methods’ and ‘Criminological Research Workshop’); or an integrated series of 1-hour lectures and two-hour practical workshops (‘Basic Principles of Statistical Inference and Statistical Models’). Attendance at the weekly classes is compulsory and students are expected to be well prepared so as to be able to contribute fully to the discussion. Preparation for classes is directed by detailed reading lists. During these courses, students develop a detailed knowledge of the theoretical and practical aspects of a full range of quantitative and qualitative research methodologies, including the design, collection and analysis of data. Students will through these courses acquire the methods-specific learning outcomes detailed above. Student learning is consolidated by weekly assignments and formal assessments for the four methods courses, and by a dissertation proposal for the ‘Criminological Research Workshop’.

‘Basic Principles of Statistical Inference and Statistical Models’ comprises a series of lectures delivered by staff in the Department of Politics and International Relations’ Centre for Research Methods in the Social Sciences, coupled with an integrated series of practical workshops taught by staff in the Department of Sociology.

2.3 Options

In Trinity term students choose two options on substantive criminological topics. Again, attendance at the weekly 90-minute classes (which run for the first six weeks of the term) is compulsory and students are expected to be well prepared so as to be able to contribute fully to the discussion. Preparation for classes is directed by detailed reading lists. In these classes, students should develop a detailed knowledge and understanding of their chosen option through their own reading in preparation for classes (reading the required and suggested materials, digesting them and making preparatory notes should take approximately 10 hours a week for each option), and through discussing the readings with the course teacher and their fellow students on that option. Student learning is then consolidated through the preparation of an assessed essay in relation to each of their chosen options (see below).

The following options are likely to be offered during 2007-08:

1. Sentencing

2. Race and Gender
3. Risk, Security and Criminal Justice
4. Restorative Justice
5. Sociology of Punishment

2.4 Dissertation

In Trinity term and over the summer students research and write a dissertation on a topic of their own choice, subject to the agreement of the MSc Criminology and Criminal Justice Board of Studies. The aim of the dissertation is to enable students to expand and deepen the knowledge of research design and process, modes of data generation and data analysis techniques acquired during the course. It affords them, in particular, the opportunity to develop their methodological skills in the context of a specific area of substantive research and, to this extent, provides a bridge between the taught MSc and the research component of their doctoral programme. To this end, students will be expected to pursue dissertations along one of the following lines: i) an extended research design for a doctoral study; ii) a critical literature review of conceptual, methodological and/or substantive issues relevant to their emerging research topic; iii) a small empirical study that might serve as a pilot for later doctoral work. Students are expected to carry out the research independently, with such guidance from their dissertation supervisor as is necessary. In order to ensure that students achieve a rough equality of access to supervision, a guideline of ten hours supervision time has been stipulated, which should only be exceeded in exceptional cases. This time is to include both contact with the supervisor and time taken to read through and comment on a draft. The dissertation must not exceed 15,000 words and should not normally be less than 13,000 words, and is submitted in September.

2.5 The Oxford Style of Teaching

As per MSc Criminology and Criminal Justice – see above.

3. Assessment Arrangements

3.1 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.

Methods courses: There are two methods of assessment for the **Research design and data analysis** and **Social explanation and data analysis** 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 seven days. Secondly, at the end of each of the two terms candidates 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.

'Basic Principles of Statistical Inference and Statistical Models' is assessed by a 2-hour closed book in-class test to be held in 0th week of Hilary term and a take-home data analysis test which must be submitted by Friday of the 5th week of Hilary term.

Qualitative research methods is assessed by the same means as the Options (see below) in Hilary Term.

As part of the **Criminological research workshop** students are required to write and submit a 2,000 word dissertation research proposal at the end of Trinity term. This will not be formally assessed, but dissertation supervisors will offer feedback and guidance on it.

Options: These 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 Trinity 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 at 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.

Dissertation: Two typewritten copies of the dissertation shall be submitted to the Clerk of the Schools by noon on 14th September. A copy of any dissertation achieving a distinction may be published on the Centre's website (with the permission of the student concerned).

3.2 Reassessment

No-one may gain the degree of MSc in Criminology and Criminal Justice (Research Methods) without having attained a pass mark (50 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 50 per cent or more) and (b) the dissertation may carry forward the marks gained for the successfully completed parts of the course.

Methods courses: Candidates who fail to obtain an aggregate average mark of 50 per cent for their assessed assignments in Michaelmas and Hilary terms may resubmit those essays in which they have received a mark of 49 per cent or less to the Clerk of the Schools according to the standard timetable for submitting essays in the following academic year. Candidates in this situation who have obtained a mark of 49 per cent for the take home test may re-sit the test at the first available opportunity provided by the standard re-sit timetable. Candidates who have completed successfully all or part of any of the other three components may carry forward the marks gained for the successfully completed parts of the degree.

Options: Candidates who fail to obtain an aggregate average mark of 50 per cent for their assessed essays in Trinity term may resubmit those essays in which they have received a mark of 49 per cent or less to the Clerk of the Schools according to the standard timetable for submitting essays in the following academic year. Candidates who have completed successfully all or part of any of the other three components may carry forward the marks gained for the successfully completed parts of the degree.

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 all or part of any of the other three components may carry forward the marks gained for the successfully completed parts of the degree.

4. Assessment Standards

The degree of MSc is awarded to any candidate who achieves a mark of at least 50 per cent for each of its four components: (1) the unseen exam, (2) the written assignments, data analysis test and practical exercise for the methods courses, (3) the option essays and 4) the

dissertation. For this purpose, the individual marks of the methods assignments and the options essays are aggregated and two average marks awarded for components 2 and 3 of the degree. The examiners award a distinction to any candidate who achieves marks of at least 70 per cent on the dissertation, and at least two out of the other three components of the degree.

The marking criteria are as per MSc Criminology and Criminal Justice – see above.

F. The MPhil in Criminology and Criminal Justice

Candidates who have completed the MSc in Criminology and Criminal Justice/ MSc in Criminology and Criminal Justice (Research Methods) may apply to go on to the MPhil in Criminology. Candidates will normally only be admitted to the MPhil if their thesis topic and supervision arrangements have been approved by the Graduate Studies Committee for Law and Law Board and if they have at least a 65% weighted average in their MSc. Applicants apply during the course of the MSc; 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 MSc.

1. The Educational Aims and Programme Outcomes

- give students experience in conducting a major piece of criminological investigation that builds on the skills learned throughout the course through the production of a substantial thesis;
- give students a comprehensive understanding of research techniques applicable to criminological enquiry and empirical research.
- provide students with the skills to integrate theoretical, substantive and technical principles in their analysis of criminological issues;
- develop the students' ability to report research findings;
- prepare students for doctoral work in criminology and for research careers in government and the private sector.

On completing the MPhil satisfactorily, students should:

- have developed (through the research methods component of the course and the process of designing a research project and producing a substantial thesis) an advanced understanding of:
 1. the fundamental concepts, techniques, principles and theories of data collection (both qualitative and quantitative) and data analysis;
 2. the key concepts, techniques, principles, facts and theories relevant to the student's chosen area of specialization;

3. the integration of theoretical, substantive and technical principles in criminological research;
 4. the ethical, philosophical and epistemological problems associated with criminological research.
- be well equipped for critical analysis of crime, criminal justice and the development of criminal justice policy;
 - have demonstrated originality in the application of criminological and criminal justice knowledge through the design and completion of a substantial research project;
 - have learnt how to produce a substantial and scholarly piece of written work based on empirical evidence.

2. Structure of the MPhil in Criminology

2.1 Thesis

Students are required to submit a thesis which must not exceed 30,000 words and should not normally be less than 25,000 words on a topic of the student's choice, subject to the agreement of the Centre for Criminology Board of Studies, the Law Faculty Graduate Studies Committee and Law Board.

During this second year of the course teaching and learning is primarily self-directed. However, the student will have the opportunity to refine their thinking and to consider competing perspectives through regular meetings with their appointed supervisor.

Students will also be expected to present their initial ideas for their thesis at a workshop. Student presentations will be discussed and feedback provided. Workshops are attended by fellow students, supervisors and the Graduate Research Coordinator.

Students are also encouraged to attend the term-time series of criminology seminars organized by the Centre for Criminology to enhance their appreciation of the latest developments in criminological research. Students will also be directed toward research seminars, workshops and conferences offered by Politics, Sociology, Social Policy, and Economics, if considered relevant for their chosen area of specialization within criminology or for their research methods.

In addition, the Law Faculty organizes self-sustaining discussion groups which all Faculty postgraduates are encouraged to attend. These groups are advertised on the Faculty's Post Graduate email list and can help to accelerate research for those who participate in them.

Basic library and IT training and a writing skills seminars are all offered during weeks - 1 and 0 of Michaelmas term (induction weeks).

2.2 Research Methods Component

As part of the MPhil. course requirements, candidates are required to follow two courses of instruction in Empirical Research Methods (Research Design and Data Collection and Social Explanation and Data Analysis currently offered by the Centre for Criminology). Students can choose to take these courses as part of either the first or the second year of the MSc/MPhil.

The primary method of teaching these two courses is through seminars at which all students are expected to contribute. Preparation for classes is directed by a detailed reading list.

In these classes, students should develop a detailed knowledge and understanding of research methods through their own reading in preparation for classes (reading the required and suggested materials, digesting them and making preparatory notes should take approximately 10 hours a week for each course), and through discussing the readings with the course teacher and their fellow students. Student learning is then consolidated through the completion of short weekly assignments marked on a pass/fail basis and an essay of 2,500 to 3,000 words at the end of each course.

3. Supervision

Students will be appointed someone to supervise your work (some students have joint supervisors). Your supervisor will respond seriously and critically to your work and advise you on your topic and how to develop it. You will discuss with your supervisor each term how frequently you need to meet. As you define your project in the period immediately before submission you may need to meet frequently. When the work is under way there may be 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 or without seeing your supervisor to discuss your progress.

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 timetable;
- 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.

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, unless your supervisor is prepared and able to supervise by email for no more than one term.

Whilst specifically concerned with the academic progress of their thesis, academic supervisors can also offer support on a range of welfare matters. The Academic Supervisor is required to write a report on each student's academic progress each term and the contents of this report are communicated to the student, the student's college, and the Graduate Studies Office.

4. Assessment Arrangements

The first year of study (the MSc) acts as the qualifying test for entry to the MPhil. Students must obtain a weighted 65 per cent average mark in the first year of study in order to be admitted to the second year (i.e. 65 per cent in each of the three components of the first year/MSc). In addition, the student's MPhil research proposal would need to be accepted by the Centre's Board of Studies, the Graduate Studies Committee (Law) and Law Board and appropriate supervisory arrangements found within the Faculty.

All theses are 'double blind' marked by two examiners.

Candidates must apply to be examined during the Trinity Full Term after the candidate began the second year of the MPhil. The candidate's supervisor will take an active role in suggesting names of suitable examiners and is expected to consult with the candidate over this choice. The ultimate responsibility for the choice of examiners resides with the Law Faculty Board. In all cases two examiners will be needed. It is unlikely that the Law Faculty Board would appoint other examiners without first consulting with the candidate's supervisor, who in turn should consult with the candidate.

The completed thesis should be submitted by the end of the summer vacation following the third term of research. A candidate who wishes to apply for examination at a later date must seek the approval of the Law Faculty Graduate Studies Committee by the end of week four of the same Trinity Full Term. Only in exceptional circumstances will the committee extend the MPhil deadline.

For those intending to go on to doctoral study, the MPhil. thesis would normally provide the foundation for the proposed doctoral work.

Candidates who fail the thesis, that is obtain a mark of 49% or less, may resubmit the thesis by the required date in the Trinity term of the following academic year. Candidates who have completed successfully the components of the MSc and the Research Methods component, may carry forward the marks gained for the successfully completed parts of the course. Candidates can resubmit the Thesis only once.

No-one may gain the degree of MPhil. in Criminology without having attained a 65% average weighted mark for the first year of the degree, and a pass mark in the fourth element of the degree, namely the thesis.

5. Assessment Standards

5.1 Thesis

≥ 70 Distinction: An excellent thesis that integrates theoretical, substantive and, when appropriate, technical principles into a well structured, well argued and comprehensive piece of research. The candidate will have demonstrated an unusually clear grasp of the theoretical issues relevant to the topic of the thesis, as well as the fundamental concepts, arguments and, when appropriate, techniques and theories of data collection and data analysis. The student will have reviewed and examined all relevant facets of the issue under study and, when appropriate, collected and analyzed data in a correct and discerning manner. The candidate will have addressed fully the ethical, philosophical, epistemological and methodological problems associated with the chosen topic of research and the data used.

50-69 Pass: A reasonable or good piece of research. The candidate will have demonstrated a competent grasp of the theoretical issues relevant to the topic of the thesis, as well as the fundamental concepts, arguments and, when appropriate, techniques and theories of data

collection and data analysis. The student will have reviewed and examined most of the relevant facets of the issue under study and, when appropriate, collected and analyzed data in an acceptable manner. The candidate will have addressed some of the ethical, philosophical, epistemological and methodological problems associated with the chosen topic of research and the data used.

49 or less Fail: An unsatisfactory thesis. The candidate will have demonstrated an insufficient grasp of the theoretical issues relevant to the topic of the thesis, as well as the fundamental concepts, arguments and, when appropriate, techniques and theories of data collection and data analysis as they apply to the issue under study. Alternatively, the candidate will have reviewed and examined the relevant issues in an unsatisfactory manner, or failed to address some crucial issues. For empirical theses, the candidate will have collected and analyzed data that does not speak to the issues raised and the hypothesis the student hopes to explore, or will have analyzed the data using inappropriate techniques. The thesis will also fail if it does not address the most significant ethical, philosophical, epistemological and methodological problems associated with the chosen topic of research and the data used.

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.

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 (including Bullying)

The University of Oxford is committed to equal opportunities and to providing an environment in which all employees and contractors ("staff"), students and those for whom the University has a special responsibility (for example visiting academics and students – henceforth referred to as "visitors") are treated with dignity and respect, and in which they can work and study free from any type of discrimination, harassment, or victimisation.

All staff and students are responsible for upholding this policy and should act in accordance with the policy guidance in the course of their day-to-day work or study, ensuring

an environment in which the dignity of other staff, students, and visitors is respected. Offensive behaviour will not be tolerated.

Harassment is a serious offence which is punishable under the University's disciplinary procedures.

Heads of department and their equivalents, those with significant supervisory duties, and others in positions of responsibility or seniority, including students who fall into these categories, have specific responsibilities. These include setting a good personal example, making it clear that harassment will not be tolerated, being familiar with, explaining, and offering guidance on this policy and the consequences of breaching it, investigating reports of harassment, taking corrective action if appropriate, and ensuring that victimisation does not occur as a result of a complaint. Instances of harassment should be brought to the attention of an appropriate person in authority, such as a head of department or a senior college officer. The University is committed to making all staff and students aware of this policy and the accompanying guidance and to providing effective guidance and briefing on it. The University will take steps to ensure that both the policy and guidance are fully understood and implemented. The policy and guidance is available to view at <http://www.admin.ox.ac.uk/eop/har/>

The policy will form a part of every employment, and student contract, or relationship, or contract for services. The University will encourage a culture of non-tolerance of any form of harassment.

Information concerning allegations of harassment should be treated in the strictest confidence. Breaches of confidentiality may give rise to disciplinary action.

Definition of Harassment: A person subjects another to harassment where he or she engages in unwanted and unwarranted conduct which has the purpose or effect of:

- (a) violating that other's dignity, or
- (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for that other.

Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.

Acts of harassment may be unlawful. Harassment on grounds of sex, race, religion, disability, sexual orientation or age may amount to unlawful discrimination. Harassment may also breach other legislation and may in some circumstances be a criminal offence e.g. under the provisions of the Protection from Harassment Act 1998.

Reasonable and proper management instructions administered in a fair and proper way, or reasonable and proper review of a member of staff's or a student's work and/or performance will not constitute harassment. Behaviour will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive.

Intention and Motive: The other person's motives are not the main factor in deciding if behaviour amounts to harassment. Just because certain behaviour may be acceptable to the alleged harasser or another person does not mean it is not harassment.

Bullying: Bullying is a form of harassment. It may be characterised by offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It may not be based, or may not appear to be based, on gender, race or any other specific factor.

Victimisation: Victimisation occurs specifically when a person is treated less favourably because he/she has asserted his/her rights under this guidance, either in making a complaint or in assisting a complainant in an investigation (information about complaints and investigations is set out in Part IV). The University will protect any member of staff, student, or visitor from victimisation for bringing a complaint or assisting in an investigation.

Victimisation is a form of misconduct which may in itself result in a disciplinary process, regardless of the outcome of the original complaint of harassment.

Examples of behaviour that may amount to harassment include:

- suggestive comments or body language;
- verbal or physical threats;
- insulting, abusive, embarrassing or patronising behaviour or comments;
- offensive gestures, language, rumours, gossip or jokes;
- humiliating, intimidating, demeaning and/or persistent criticism;
- open hostility;
- isolation or exclusion from normal work or study place, conversations, or social events;
- publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures or other materials;
- unwanted physical contact, ranging from an invasion of space to a serious assault.

(The above list is not intended to be exhaustive.)

All these examples may amount to **bullying**, particularly when the conduct is coupled with the inappropriate exercise of power or authority over another person.

Many of the above examples of behaviour may occur through the use of internet, email, or telephone.

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

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.

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.

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

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.

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

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.

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).

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

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 Equality Duty (DED)

The Disability Equality Duty (DED) is an important new duty (following the DDA [2005] amendment) aimed at promoting disability equality across the public sector. The DED, also referred to as the general duty, sets out what public authorities must have due regard to in order to promote equality of opportunity.

The Collegiate University is already under the statutory duty not to discriminate against disabled students and staff by treating them less favourably than other persons as well as the statutory duty to make reasonable adjustments, both anticipatory adjustments and individual adjustments for disabled staff and students.

The University's general duties are that in carrying out its functions it shall have regard for the need to:

- Eliminate discrimination that is unlawful under the act;
- Eliminate harassment that is unlawful under the act;
- Promote equality of opportunity between disabled persons and other persons;
- Promote positive attitudes towards disabled persons; and
- Encourage participation by disabled persons in public life.

In practice this means that the Collegiate University must take account of disability equality in every area of its day to day work which would include policies, practices, procedures and plans.

The University has produced a Disability Equality Scheme (DES) as part of the new Disability Equality Duty which focuses on both disabled staff and students. The DES includes an action plan for the next three years focusing on barriers to equality of opportunity for disabled staff and students and how the University proposes to remove these barriers.

The DES has been produced with the involvement of a working party with members invited from a cross section of the University including both undergraduate and graduate disabled students, academic and non-academic disabled staff as well as representatives from colleges and University departments. Students and staff have been engaged in the DES process in a number of ways including a student forum and staff questionnaire and will be engaged in the ongoing DES process.

The University has collected, and will continue to collect, data on students and staff with disabilities. The University's DES contains baseline data on disability and will enable better monitoring of both staff and students numbers to take place.

Figures on disabled applicants are currently published by the Admissions Office as part of their annual report. The University's DES will provide an ongoing opportunity to publish data on disabled staff and students to ensure that the University can demonstrate its progress.

The University's first Disability Equality Scheme can be accessed using this link (<http://www.admin.ox.ac.uk/eop/disab/des.shtml>) but is also available in hard copy and alternative formats including audio, Braille and large print which can be requested via Peter Quinn, Senior Disability Officer, via 01865 (2)80459 or by emailing: disability@admin.ox.ac.uk.

Disability Support

1. Introduction

This section 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. It is advisable to check facilities by contacting the Disability Office Staff, as changes may have been made since this publication.

2. Current Policy

2.1 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.

2.2 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.

2.3 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.

2.4 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).

2.5 Financial assistance to students with disabilities. The University has designated funds to assist disabled students, although these can be over-subscribed. The University also has a Specific Learning Disabilities/SpLD 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 who meet the UK residency requirements. 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.

2.6 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 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. In addition, the University has established a link with *Workable*, the organization which provides employment placements for disabled graduates. 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.

3. Current Provision

3.1 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, or by contacting the Disability Office Staff, Peter Quinn, Deborah Popham, Ann Poulter and Sara Scott at:

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

3.2 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, or at <http://www.admin.ox.ac.uk/access/>

Accessing Disability Support at the University of Oxford: A Guide for Undergraduate Students Guide for undergraduate students on how disability services are organized and coordinated, 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 coordinated 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:

http://www.studentsupportdirect.co.uk/pls/portal/docs/PAGE/SPIPG001/SPIPS001/SPIPS008/SFD_BTGB_0708.PDF

3.3 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.

The Accessible Resources Acquisition and Creation Unit (ARACU) is part of Oxford University Library Services (OULS) and their mission is to acquire or create library materials for any member of the University with a disability that hinders their access to library and archival material within OULS. ARACU turn print into accessible formats for disabled students and have a wide range of electronic resources and facilities that can be trailed. Details of these can be found at <http://www.ouls.ox.ac.uk/services/disability/aracu>. 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 web site.

The Oxford University Computing Service aims to make all of its electronic resources an facilities as accessible as possible to all its users. 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. 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.

3.4 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 attended by the student's tutor, or college supervisor in the case of a graduate student in conjunction with the Disability Staff. The college and University may be able to jointly fund applications to the Southern Trust Fund for financial assistance. 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.

3.5 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.

3.6 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.)

3.7 Numbers of students with disabilities. There are currently over 1000 students with disabilities and Specific Learning Difficulties (SpLDs) at Oxford. The number of students with disabilities at Oxford is steadily increasing and we hope that this will continue.

4. Future Activity and Policy Development

4.1 Support for disabled students. Support for disabled students is continually developing. The University's first Disability Equality Scheme has been a very significant event for the

institution and its members. It demonstrates the University's commitment to removing barriers that might deter people of the highest ability from applying to Oxford. The University's Disability Equality Scheme was published on 4th December 2006 and can be downloaded from <http://www.admin.ox.ac.uk/eop/disab/des.shtml>

The University encourages students to be open about their disabilities and to discuss their needs. This open approach has increased the number of students declaring their disabilities prior to coming to Oxford, and has greatly improved their time at the University. The University will continue to work with disabled students in seeking guidance for how best to approach the area of disclosure and how to disseminate awareness of the necessity of disclosure in making individual adjustments.

4.2 Improved access and facilities. The University of Oxford is committed to providing equality of opportunity and improving access for all people with disabilities who study here. This commitment is reflected in an increasing number of applications and the increasing range of facilities being made available. The University has a rolling programme to provide full access to University buildings, and colleges are always willing to discuss access and adaptations to their own sites.

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.

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 (Oriel, Queen's, Worcester), or Dean (Christ Church).

Isis: The Thames, while running through Oxford.

Junior member (of a college, or of the University): student.

Law Board: the governing body of the Law Faculty. 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), (ii) one or more of the students has written an essay. The students' own work is usually the focus of discussion in the tutorial; most tutors try not to turn the tutorial into a small lecture.

The University: the oldest English-speaking degree-granting institution in the world, and older than any of the colleges. It was already in some sort of operation before 1100, but it started to grow in 1167 when Henry II stopped English students going to Paris. The University has had a Chancellor since 1214. The University decides the content of courses, organizes lectures, seminars, and graduate supervision, provides libraries, laboratories, museums, computing facilities, etc; admits graduate students, conducts all degree examinations, and awards degrees. The Law Faculty is part of the University's Division of Social Sciences (www.socsci.ox.ac.uk). The University's first overseas student was Emo the Friesian, in 1190. For the University's legal status, see www.admin.ox.ac.uk/statutes/375-092.shtml.

The University is not to be confused with University College, which is a college.

Viva (short for `Viva Voce'): oral examination. There used to be vivas for the BA and for the BCL, but now we only use them in examining research degrees, for which purpose the viva serves as an opportunity for the student to defend the thesis.