



Nottingham
Law School

Nottingham Trent University

Option Choices 2025/26

LLB Transfers into Year 2

YEAR 2 PROGRAMME

Your second year consists of five compulsory modules, namely:

- Applied Legal Knowledge – Civil Practice
- International, European & Comparative Law
- Land Law and Professional Advice
- Law of Trusts and Advanced Legal Reasoning
- Tort & Legal Reasoning

Optional Modules

And a choice of **ONE Optional Module** from the following list:

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Optional Modules	Commercial Law
	Employment Law
	Family Law
	Human Rights

1. Further details regarding the various optional modules appear in the following pages. Please note that the module details are subject to change, but that such changes will not be accepted as a basis for changing options.
2. If you intend to practice law outside England and Wales (e.g.: Northern Ireland or an overseas jurisdiction) there may be special requirements as to the subjects covered in your degree. It is your responsibility to find out what these are and to ensure appropriate coverage.
3. The **assessment methods** detailed in this options booklet may be subject to change. If any assessment methods are changed you will be notified as soon as reasonably practicable. However, changes may be made even after you have submitted your preferences. **ANY SUCH CHANGES IN ASSESSMENT METHODS WILL NOT BE ACCEPTED AS A BASIS FOR CHANGING YOUR CHOICE OF OPTIONAL MODULES.** You should therefore bear this in mind when making your choice of optional modules.

Commercial Law

(Only for students who DO NOT wish to study this module in their final year)

Overview and Aims

This module builds upon your existing Contract Law knowledge and requires similar problem-solving skills. Like Contract Law, it is essentially a case law-based subject although the Sale of Goods Act 1979 provides a framework for the study of that case law.

If you enjoyed studying Contract Law, then you should enjoy this module!

The Commercial Law module takes your Contract Law knowledge and applies to the typical transactions entered into by businesses. The module is therefore very useful for anyone wishing to pursue a career in business whether in a legal advice capacity or otherwise.

Key topics include:

Definitions and Distinctions

The definition and nature of the contract of sale and the commercial/consumer context; the importance of the Sale of Goods Act 1979 and the Consumer Rights Act 2015.

The Transfer of Property and Risk

The significance of the passing of property and the rules for determining when property passes; the relationship of property to risk; the application of common law and statutory provisions in respect of contracts affected by mistake or frustration.

Retention of Title

The purpose of retention of title clauses; the different types of clauses and analysis of their likely effectiveness.

Statutory Implied Terms

The statutory implied terms as to correspondence with description, as to quality and as to fitness for purpose; implied terms relating to sales of goods by sample; the implied condition as to title and the implied warranties as to freedom from encumbrances and quiet possession.

Title Conflicts

Transfer of title by a non-owner; the nature of title conflicts and of the competing claims to personal property.

Remedies

The real and personal rights of the seller; the buyer's right to reject the goods; the actions for damages; the additional rights of the buyer in consumer cases.

Agency and Authority

The importance of agency and the nature of the agency relationship; the creation of agency and the authority of the agent; the power of the agent and the corresponding liability of the principal.

Assessment Method

100% - Problem based Multi-Issue Coursework: 2,000 words.

Indicative Reading

Baskind, E., Osborne, G. & Roach, L. (2022). *Commercial Law*. 4th ed. Oxford University Press.

Twigg-Flesner C, Canavan R, MacQueen H. (2020). *Atiyah's Sale of Goods*. 14th ed. Pearson Longman.

Sealy L.S. & Hooley R.J.A. (2020). *Commercial Law Text, Cases and Materials*. 6th ed. Oxford University Press.

Beheshti, R., Saintier, S. & Thomas, S. (2024). *Bradgate's Commercial Law*. 4th ed. Oxford University Press.

Learning Outcomes

After studying this module, you should be able to:

Knowledge and Understanding

- demonstrate knowledge and understanding of relevant legal principles, legal rules and legal institutions
- recognise and assess the context in which the law operates
- apply knowledge of the law and solve legal problems
- reflect critically upon your own knowledge and understanding and identify issues to research independently

Skills, Qualities and Attributes

- analyse and synthesise complex information
- make and present a reasoned and logical argument and exercise critical judgment as to the merits of competing arguments
- evaluate critically and make a reasoned choice between alternative solutions
- communicate effectively in writing
- demonstrate a professional and business awareness plan, research and learn independently

Employment Law

(Only for students who DO NOT wish to study this module in their final year)

Overview and Aims

- To produce graduates with transferable intellectual and key skills who have developed the ability to apply the law to solve employment law problems.
- To provide the opportunity for students to gain knowledge and understanding of the basic principles of employment law and the context within which they operate.
- To enhance employability.

Module Content

1. INDIVIDUAL EMPLOYMENT LAW

The concept of an 'employee'. Employees are contrasted with other categories of worker. The case law will be examined in this respect, as will the areas of employment law where the category of workers who are protected is wider than that of an 'employee'.

The contract of employment. The sources of terms of employment- express and implied terms, statutory rights and obligations, e.g. pay and working time. The doctrine of restraint of trade will be examined, as will the implications of other types of express terms such as mobility clauses.

Discrimination. Equal pay; sex, race and disability discrimination. In addition, the implications of continuing European developments in the wider field of discrimination.

Termination of employment. Common law including wrongful dismissal. Remedies will be examined, such as heads of damages, and mitigation as will the role of the interlocutory injunction. Statutory rights relating to dismissal – unfair dismissal and redundancy payments, and remedies. The relationship between unfair dismissal and wrongful dismissal.

2. COLLECTIVE EMPLOYMENT LAW

Control of industrial action. Criminal, contractual and tortious liabilities. Statutory exemptions. Legal regulation of collective bargaining.

Indicative Reading

- Smith & Wood's, *Employment Law*, OUP
- Honeyball & Bowers, *Employment Law*, OUP
- Painter & Holmes, *Cases and Materials on Employment Law*, OUP

Assessment Method

100% 7h Take and Do Assessment

Family Law

(Only for students who DO NOT wish to study this module in their final year)

Overview and Aims

To introduce the principal themes of English family law and to place them in a social and political context. To enable students to apply legal knowledge to hypothetical, and real situations, and to be able to analyse and evaluate the legal framework. To enhance employability.

Contents

- The formation of marriage under the law of England and Wales
- Nullity of marriage
- Divorce law
- Civil partnership
- Liability to maintain spouses and ex-spouses - legislation, criteria, options for orders
- Cohabitation
- Domestic abuse protection
- Parenthood and the meaning of parental responsibility, including the concepts of parental rights and children's rights
- Private law proceedings under Part II of the Children Act 1989, including section 8 order disputes concerning children
- The role of the court and childcare professionals

Indicative Reading

Hayes and Williams' Family Law – by Stephen Gilmore and Lisa Glennon 2024

Blackstone's Statutes on Family Law

Assessment Method

This indicates the type and weighting of assessment elements in the module

100% 7h Take and Do Assessment

Human Rights

(Only for students who DO NOT wish to study this module in their final year)

Practical reasons to study human rights - relevance to employers

A sound grounding in human rights is now a vital component of any legal education. Since the coming into force of the Human Rights Act, human rights are potentially relevant to all areas of law since all legislation, whatever the subject matter, must now be interpreted, as far as possible, in accordance with human rights standards. Furthermore, all public authorities, including courts and all bodies performing public functions (e.g. schools, prisons, hospitals, police, government, housing associations) must act in accordance with human rights.

Given this position, if you are hoping to go into any kind of legal practice, prospective employers are likely to place a premium on applicants having human rights knowledge (especially since most legal practitioners qualified before 1998 and consequently know little about human rights themselves!). This is equally true of commercial practice since human rights issues have arisen in a variety of business contexts. Alternatively, if you are hoping to go into a wide range of other professions, knowledge of human rights is likely to prove extremely attractive to employers e.g. the media, social work, the criminal justice and regulatory professions all need a solid grounding in aspects of human rights.

Although you may have studied some limited aspects of human rights in Public law, the Human Rights module provides much greater breadth and depth of coverage and will equip you for work in relevant areas.

Other reasons to study human rights

Irrespective of the practical benefits, the study of human rights is extremely interesting, topical and of great relevance to understanding the modern world. Previous students have often told us how interesting they have found this module and how much they have enjoyed it. Though challenging in content, it is not conceptually difficult and will give you a broader picture than some of the narrower legal disciplines. This is an age when the most basic and fundamental freedoms and rights which individuals possess are coming under increasing threat (e.g. consider, even for an instant, the "war on terror" and its repercussions). Now, perhaps more than at any other time, the study of human rights is particularly important.

Content

Introduction and context

- *What are human rights for and where do they come from? - underpinning philosophies, history and politics of human rights;
- *What are most important rights - civil and political rights (e.g. free speech, fair trial, privacy) or social and economic rights (food, health care, shelter, education)?
- *The European Convention on Human Rights - procedure and substance, including an examination of its effectiveness in advancing the protection of human rights whether the ECHR applies extraterritorially (e.g. to actions by UK forces in Iraq)
- *Human rights protection around the world - global and regional protection under the ECHR, the International Covenants (ICCPR and ICESCR) and the EU Charter of Fundamental Rights.

The substantive rights we will discuss

- * The right to life (e.g. use of force by security forces against suspected terrorists; state's duty to take steps to protect life against dangerous persons; death penalty; when is the state entitled to kill?)
- * Prohibition of torture and inhuman and degrading treatment (e.g. conditions of

imprisonment, expulsion to face the death penalty/torture in a foreign country; is it ever permissible for the state to use procedures which could be considered to be torture?);

- * Right to liberty (and in what situations can the state deprive individuals of their liberty?)
- * Fair trial rights (both in civil and criminal cases - hugely important in litigation)
- * No retrospective criminalisation or increases in penalty (impact on development of common law and on introduction of non-traditional penalties such as ASBOs, football banning orders etc.)
- * Right to respect for a private life home, family and correspondence (personal integrity, personal space, sexuality, family life, also encompassing also working life and a variety of spheres where personal development takes place)
- * Freedom of expression including journalistic and artistic freedom of speech
- * Freedom of religion and belief
- * Derogations from human rights in times of emergency - when can the state opt out from the protection of these rights?

Overview and Aims

- To acquire knowledge and understanding of human rights and transferable intellectual and key skills in their international context.
- To develop the ability to think deeply about human rights and their social and political context.
- To research legal and contextual information independently.

Indicative Reading

David Harris, Michael O'Boyle, Ed Bates and Carla Buckley, *Harris, O'Boyle & Warbrick: Law of the European Convention on Human Rights* (5th ed, OUP 2023)

Bernadette Rainey, Pamela McCormick and Clare Ovey, *Jacobs, White and Ovey: The European Convention on Human Rights* (8th ed, OUP 2020)

Assessment Method

100% Coursework of **2,000** words