**Academic Year**

**2022-23**

Table of Contents

[Freshman Modules 2](#_Toc103631422)

[Freshman Module Outlines 3](#_Toc103631423)

[Sophister Modules 20](#_Toc103631424)

[Michaelmas Term 20](#_Toc103631425)

[Michaelmas Term Module Outlines 22](#_Toc103631426)

[Hilary Term 47](#_Toc103631427)

[Hilary Term Module Outlines 49](#_Toc103631428)

[Capstone Project 77](#_Toc103631429)

[Capstones 2022-23 and available cohorts 83](#_Toc103631430)

[Capstone Descriptions 84](#_Toc103631431)

**Please note the information contained herein was correct at time of publication and may be subject to change.**

# Freshman Modules

Details of Freshman modules and courses there are available on are as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Sem** | **Module** | **Single Honors** | **Joint Honors (including French/German)** |
| MT | Constitutional Law I | JF | SF |
| MT | Foundations of Law I | JF | JF |
| MT | Jurisprudence | JF | N/A |
| MT | Torts | JF | JF |
| HT | Contract Law | JF | JF |
| HT | Criminal Law | JF | SF  |
| HT | Foundations of Law II | JF | JF |
| HT | Legislation and Regulation | JF | N/A |
| MT | Constitutional Law II | SF | N/A |
| MT | Land Law | SF | SF Law Major Only |
| HT | Equity | SF | SF Law Major Only |
| HT | Private Law Remedies | SF | N/A |
| HT | Mooting | SF | N/A |

### Freshman Module Outlines

|  |  |
| --- | --- |
| **Module Code** | LAU12501 |
| **Module Name** | CONSTITUTIONAL LAW I |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Cohorts Available to** | Single Honors Law – JFJoint Honors Law – SF (Major, Minor and Joint Honors) |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and 4 hours of seminars in the 1st Semester.  |
| **Module Coordinator/Owner** | Dr David Kenny & Prof Oran Doyle |
| **Learning Outcomes** | By the end of this module, students should be able to: * Map the basic structure of government in Ireland;
* Identify, evaluate and critique the role of constitutional law in ensuring respect for human rights and democratic governance;
* Apply constitutional law concepts and doctrines for the purpose of solving concrete practical problems;
* Identify the role which judicial interpretation plays in the development of constitutional law;
* Critically analyse the case law interpreting Articles 38, 40 and 43 of the Constitution, articulating a coherent position on the ways in which constitutional law should develop in the future;
* Apply critical analysis and problem-solving skills and techniques to different essay and problem-based questions on the implications of the above constitutional provisions;
* Write convincingly on basic issues in the development of Irish constitutional law, grounding analysis in the constitutional text and decided case.
 |
| **Module Content** | Constitutional law I introduces students to the study of constitutional law and theory, addressing a number of key doctrines and significant points of debate. The first part of the module addresses a number of constitutional rights, including rights relating to the criminal trial, property and unenumerated rights. The second part of the module addresses the separation of powers under the Irish Constitution, focusing on the limits of and interaction between the legislative, judicial and executive powers of government. The third part of the module addresses the overarching issues of constitutional litigation and constitutional interpretation. |
| **Assessment Details@I-MOD-ASSM** | Written Assignment - 20%, Discussion Board - 5%Examination - 75% (1 x 2 hour paper) |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU11531 |
| **Module Name** | TORTS |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Cohorts Available to** | Single Honors Law – JFJoint Honors Law – JF |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and 4 hours of seminars in the 1st Semester. In-person attendance is compulsory in this module. |
| **Module Coordinator/Owner** | Dr Des Ryan |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and analyse the key principles underlying the law of tort;
* Use appropriate legal concepts, relevant judicial precedents and statutory law to solve concrete practical problems;
* Explain how tort law seeks to give effect to social policies as well as address issues of personal responsibility;
* Differentiate between liability for intentional wrongs, negligence and strict liability;
* Discuss the principles of compensation and their practical application in specific contexts.
 |
| **Module Content** | This is a standard course designed to provide Freshman students with an introduction to the law of torts. Topics covered include the major torts such as negligence, defamation and nuisance, but also issues such as defences, limitation periods and the interaction between the law of torts and the Constitution. |
| **Assessment Details@I-MOD-ASSM** | Examination (1 x 2 hour paper) – 75%, Essay – (3,000 words) – 25% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU11542 |
| **Module Name** | CONTRACT LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Cohorts Available to** | Single Honors Law – JFJoint Honors Law – JF |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and 4 seminars in the 2nd Semester |
| **Module Coordinator/Owner** | Prof Blanaid Clarke & Dr Eoin O’Dell |
| **Learning Outcomes** | By the end of this module, students should be able to: * Engage in sophisticated, creative and critical discussion of common law concepts, both orally and in writing,
* Analyse and apply the substantive principles of the law of contract,
* Appreciate and explain the role of the law of contract in society,
* Identify contractual issues in disputes, and advise accordingly, and
* interpret and draft key contractual provisions
 |
| **Module Content** | Contract is one of the core subjects of the common law of obligations. It involves analysis of the legal principles behind the rules relating to the formulation of contracts and the circumstances in which they will not come into existence or in which they cease to be effective. |
| **Assessment Details@I-MOD-ASSM** | Examination (1 x 2 hour paper) - 80%, Essay - (2,000 words) - 20% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU12552 |
| **Module Name** | CRIMINAL LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Cohorts Available to** | Single Honors Law – JFJoint Honors Law – SF (Major, Minor and Joint Honors) |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and 4 seminars in the 2nd Semester |
| **Module Coordinator/Owner** | Dr Liz Heffernan |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and critically analyse the basic principles of criminal liability and substantive criminal law;
* Appraise and evaluate doctrines governing criminal defences;
* Appraise and evaluate specific principles relating to particular categories of offences;
* Appraise and evaluate rules and principles regulating different modes of criminal liability such as inchoate liability and secondary liability;
* Apply critical analysis and problem-solving skills and techniques to different essay and problem-based criminal law questions
 |
| **Module Content** | The focus of this module is on substantive criminal law: defining crimes, basic concepts in criminal law, the general principles of criminal liability, different defences and types of criminal offence. By the end of the module students should be familiar with the basic principles underlying the Irish system of criminal law and with the basic aspects of the criminal court process. Students are encouraged to think critically and analytically about the rules, judgments and legislation that are studied over the course of the module. |
| **Assessment Details@I-MOD-ASSM** | Examination – 100% (1 x 2.5 hour paper) |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU11511 |
| **Module Name** | FOUNDATIONS OF LAW I |
| **ECTS weighting** | 5 |
| **Semester/term taught** | MT |
| **Cohorts Available to** | Single Honors Law – JFJoint Honors Law – JF |
| **Contact Hours and Indicative Student Workload** | 2 hours of lectures and 1 hour of seminars per week (except in week 1) in the first six weeks of the 1st Semester.  |
| **Module Coordinator/Owner** | Dr James Rooney |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and critically analyse the various sources of law in the Irish system and the relationship between them, and in particular the role of the superior courts in the creation of binding precedent
* Engage in effective legal research both in the Library and online;
* Demonstrate the effective use of practical techniques for solving legal problems;
* Apply basic legal writing skills when completing assignments;
* Critically evaluate access to justice within the Irish legal system.
 |
| **Module Content** | This module introduces junior freshman students to the key features of the Irish legal system and to aspects of legal skills. The module considers various aspects of the legal system including the sources of law, the Irish court system and the principles of stare decisis (rules of precedent) within the common law. It also seeks to locate the Irish legal system more broadly within the system of legal families. Finally, it seeks to consider some of the overarching values of the Irish legal system, with specific reference to the role of international human rights in this regard. Overall, it aims to attune students to the political, social and economic context of the Irish legal system, and to that end, particular emphasis is placed on current developments that may affect its operation. The module also seeks to equip students with the basic skills required for the study of law. It introduces students to legal research and reasoning and provides practical training in essay writing and legal problem solving. The module provides students with an opportunity for structured reflection on learning. It aims to orient students to third level education by heightening awareness of approaches to learning and fostering effective strategies for the study of law. |
| **Assessment Details@I-MOD-ASSM** | Essay 100% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU11561 |
| **Module Name** | FOUNDATIONS OF LAW II |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Cohorts Available to** | Single Honors Law – JFJoint Honors Law – JF |
| **Contact Hours and Indicative Student Workload** | 2 hours of lectures and 1 hour of seminars per week (except in week 1) in the first six weeks of the 2nd Semester.  |
| **Module Coordinator/Owner** | Dr David Fennelly |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and critically analyse sources of law in the Irish, EU and international legal systems and the relationship between them;
* Apply appropriate techniques of statutory interpretation;
* Demonstrate an understanding of international and European law and their status in the Irish legal system;
* Apply basic principles and doctrines of European law in light of practical problems;
* Identify the principle judicial procedures in EU law;
* Demonstrate the effective use of practical techniques for solving legal problems;
* Apply basic legal writing skills when completing assignments;
* Engage in effective legal research both in the Library and online.
 |
| **Module Content** | This module builds on Foundations of Law I and continues to introduce junior fresh students to the key features and sources of the Irish legal system and to essential legal skills. First, the module considers the principles governing statutory interpretation. Second, the module examines the sources of international law and its status in the Irish legal system, looking specifically at the European Convention on Human Rights. Thirdly, the module introduces students to the European Union legal system. Topics studied include: the sources of EU law; the institutions of the EU; the legislative and judicial processes in the EU; and fundamental principles of EU law, including direct effect and primacy. |
| **Assessment Details@I-MOD-ASSM** | Assessed Coursework (2,000 word EU law problem question) – 100% |
| **Reassessment**  | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU10522 |
| **Module Name** | JURISPRUDENCE |
| **ECTS weighting** | 5 |
| **Semester/term taught** | MT |
| **Cohorts Available to** | Single Honors Law – JF |
| **Contact Hours and Indicative Student Workload** | 2 hours of lectures per week and 4 hours of seminars in the 1st Semester |
| **Module Coordinator/Owner** | Prof Oran Doyle |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify the nature, purpose and limits of law;
* Identify and analyse the key principles underlying democratic legal systems;
* Articulate the multiple relationships between law and morality;
* Analyse the tensions between democracy and rights;
* Identify and analyse applications of moral philosophy to aspects of both public and private law, and
* Engage in theoretical analysis and argumentation.
 |
| **Module Content** | The purpose of this module is to provide students with an overview of some key issues in contemporary jurisprudence and moral and political philosophy, encouraging them to engage critically and analytically with current debates. This module covers issues concerning the nature of law and adjudication, situated against the broader backdrop of the links between law and morality. The theme of linkages between law and morality is further explored through an analysis of the concept of the rule of law, the interaction between entrenched legal rights and democracy, and the basis for any obligation to obey the law. Not only will this course provide students with a solid foundation in jurisprudence, it is also designed to illuminate and deepen understanding of other aspects of law by introducing students to relevant philosophical concepts at the very outset of their law degree at Trinity College Dublin.  |
| **Assessment Details@I-MOD-ASSM** | Examination (1 x 2 hour paper) 100% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU11571 |
| **Module Name** | LEGISLATION AND REGULATION |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Cohorts Available to** | Single Honors Law – JF |
| **Contact Hours and Indicative Student Workload** | 2 hours of lectures per week and 1 hour of seminars per week in the second half of 2nd semester (after reading week).  |
| **Module Coordinator/Owner** | Dr Surya Roy |
| **Learning Outcomes** | By the end of this module, students should be able to: * Appreciate the interaction between self-regulation and statutory regulation
* Get a feel of how Rule of Law is different from specific laws
* Appreciate the legislative process and how government is held accountable
* Appreciate how the judiciary shapes law through interpretation, oversight and review; specifically:
* Appreciate pragmatic and political concerns that animate policy-making
 |
| **Module Content** | This module complements Foundations of Law II and Jurisprudence, focuses on the Rule of Law, judicial scrutiny of statutory regulation, and concerns that animate policy-making. Students will be guided to reason their way into what statutory regulation is, the need for it, and its limits. With respect to judicial interpretation, oversight and review, the module focuses on: * Constitutionality of Statutory Regulation and Delegated Legislation
* Grounds and standards of reviewing regulation
* Internal and External Aids to Statutory Interpretation
* Approaches to Statutory Interpretation

The module also discusses pragmatic concerns in policy-making, concentrating on cost-benefit analysis, and political concerns, focusing on public choice theory and critical legal studies.  |
| **Assessment Details@I-MOD-ASSM** | Take-home Assignment/Drafting/Review – 70%Mock Parliament/Continuous Assessment – 30% |
| **Reassessment Details:** | Take-home Assignment/Drafting/Review – 70%Drafting Assignment– 30% |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU22501 |
| **Module Name** | CONSTITUTIONAL LAW II |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Cohort Available to** | Single Honors Law (SF) |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and four hours of seminars in the 1st Semester.  |
| **Module Coordinator/Owner** | Prof Gerry Whyte |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Analyse critically the case law interpreting Articles 40 to 45 of the Constitution, articulating a coherent position on the ways in which constitutional law should develop in the future;
* Assess the role of the courts in the protection of constitutional rights;
* Discuss the philosophical influences on the fundamental rights provisions of the Constitution;
* Apply critical analysis and problem-solving skills and techniques to different essay and problem-based questions on the implications of the above constitutional provisions.
 |
| **Module Content** | This module examines the following aspects of constitutional law – the guarantees relating to the family and education; freedom of religion; freedom of expression; freedom of association; freedom of assembly; the guarantee of personal rights; the guarantee of equality; inviolability of the dwelling. |
| **Assessment Details@I-MOD-ASSM** | Essay (2,000 words) – 30%, exam (1 x 2 hour paper) – 70% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU22522 |
| **Module Name** | EQUITY |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Cohort Available to:** | Single Honors Law ( SF)Law Major (SF)  |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and four hours of seminars in the 2nd Semester.  |
| **Module Coordinator/Owner** | Mr Christopher McMahon |
| **Learning Outcomes** | By the end of this module, students should be able to: * Evaluate the relationship between law and equity;
* Identify the contribution made by equity and the law of trusts to legal relationships and commercial situations;
* Discuss and debate different perspectives on various aspects of the law relating to trusts of a private and public nature;
* Use appropriate legal concepts, case law and statute law to analyse and solve legal problems relating to the use of equitable remedies
 |
| **Module Learning Aims** | The aim of this module is to familiarise students with the principles which govern the exercise of equitable jurisdiction and to explore the nature of trusts of a private and public nature and how these trusts are administered. The module also examines the discretionary nature of equitable remedies by focusing on injunctions and aims to equip students with the skills to understand and advise on the circumstances in which remedies of this nature may be granted. |
| **Module Content** | Equity may be described as that body of rules and principles which was developed by the Court of Chancery in order to mitigate the rigours of the common law. This course examines general principles, the law relating to private and public or charitable trusts and the administration of trusts, focusing on the powers and duties of trustees. It also covers some aspects of equitable remedies such as injunctions and examines the principles relating to proprietary estoppel. |
| **Recommended Reading List** | **Recommended Books** Biehler, *Equity and the Law of Trusts in Ireland* (7th ed., 2020)  Virgo, *The Principles of Equity and Trusts* (4th ed., 2020)  Keane, *Equity and the Law of Trusts in Ireland* (3rd ed., 2017)  Glister and Lee, *Hanbury and Martin:* *Modern Equity* (21st ed., 2018) |
| **Assessment Details@I-MOD-ASSM** | Examination (2 hour paper) – 100% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU22511 |
| **Module Name** | LAND LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Cohort Available to:** | Single Honors Law (SF)Law Major (SF)  |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and 4 seminars in the 1st semester |
| **Module Coordinator/Owner** | Dr Rachael Walsh |
| **Learning Outcomes** | By the end of this module, students should be able to: * Critically reflect on the tensions that underpin and affect land law from theoretical and policy perspectives;
* Engage with the interaction between public and private law rules and standards in the context of land;
* Identify and analyse the evolution of land law and the complexities of the system in Ireland;
* Outline the body of common law, equitable principles and legislation governing the ways in which land may be acquired, held and alienated;
* Analyse and apply substantive areas in land law.
 |
| **Module Learning Aims** | The module aims to give students an excellent understanding of the core principles of Irish land law and the ability to apply that understanding to solve complex property law problems. It also aims to facilitate students in developing their own critical perspectives on private ownership and the manner in which it is reflected in, and implemented through, legal rules. |
| **Module Content** | This module introduces the student to the considerable body of common law, equitable principles and legislation which governs the various ways in which land may be acquired, held and alienated. It commences with an analysis of the public law protections for rights in land in the Irish legal system, through the Constitution and the European Convention on Human Rights. It engages in critical reflection on the theoretical rationales for private ownership that underpin and affect land law, and on other perspectives from economics and politics that influence the shape of land law. It considers the evolution of land law through both common law and statute, an understanding of which is fundamental to an appreciation of the complex system in operation in Ireland today. A key focus throughout is the changes wrought to Irish land law by the Land and Conveyancing Law Reform Act 2009. The substantive areas dealt with include the nature of the freehold and leasehold estates in land, co-ownership, the use of land as security, and rights over land (easements and covenants). |
| **Recommended Reading List** | Full reading list is circulated in September, covering all topics including seminars. |
| **Assessment Details@I-MOD-ASSM** | Examination (1 hour paper) – 60%, Essay – 40% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU22001 |
| **Module Name** | PRIVATE LAW REMEDIES |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Cohort Available to:** | Single Honors Law (SF) |
| **Contact Hours and Indicative Student Workload** | 18 hours of lectures and 2 hours of seminars in the first half of the 2nd Semester. |
| **Module Coordinator/Owner** | Dr Sarah Hamill |
| **Learning Outcomes** | By the end of this module, students should be able to: * Evaluate remedial strategies from a range of theoretical and comparative perspectives,
* Analyse private law claims at law and in equity to determine the appropriate remedy or remedies, and
* Display command of the interplay between rights and remedies, and their location within the wider body of the private law of obligations.
 |
| **Module Content** | Students will already have encountered private law obligations in the Tort (JF), Contract (JF), and Equity (SF) modules, and it is very strongly recommended that students retain their textbooks from those modules for this one.A conceptual understanding of the remedies available to a plaintiff in civil proceedings at Common Law and in Equity to vindicate those obligations is the capstone of private law analysis. This course analyses the remedial goals (such as compensation for loss, punishment for wrongdoing, or restitution of unjust enrichment) underpinning various personal and proprietary remedies available for private law claims arising from tort, breach of contract, unjust enrichment, equitable wrongs, and so on. The substantive issues (such as causation, remotes, damages, proprietary remedies, and so on) will be considered in their own terms, and compared and contrasted across various subject-areas (such as Contract, Tort, Unjust Enrichment, Equity, and so on). |
| **Assessment Details@I-MOD-ASSM** | Assignment: 100%;  |
| **Reassessment** | As Above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU22002 |
| **Module Name** | MOOTING |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Cohort Available to:** | Single Honors Law (SF)  |
| **Contact Hours and Indicative Student Workload** | Class contact: 20 hours in the 2nd semesterIndependent study, class preparation: 50 hoursIndependent study, mooting presentation and assessment preparation: 60 hours |
| **Module Coordinator/Owner** | Dr. James Rooney |
| **Learning Outcomes** | By the end of this module, students should be able to: * Research legal materials effectively
* Critically evaluate the arguments made in legal cases
* Advocate effectively in support of a legal argument
* Present arguments coherently in both written and oral submissions
* Work effectively in group contexts in pursuit of common objectives
 |
| **Module Content** | This programme gives students the opportunity to develop the written and oral advocacy skills which are a central component of any lawyer’s training. The class group is divided into groups of four students and, within this group of four, are subdivided into groups of two, and informed which two will represent the plaintiff/appellant/applicant in the case and which will represent the defendant/respondent. The four person group choose which, of a range of hypothetical legal actions they will engage with. The groups then prepare the written and oral submissions in relation to their chosen legal action and, subsequently, present the oral submissions in the context of a court hearing.Students receive instruction throughout the course in relation to mooting generally, and in relation to the preparation of legal arguments and advocacy skills. They work together, in groups, in the preparation and presentation of both forms of legal submission. The course is graded on a pass/fail basis, and, in assessing this, 60% of the evaluation is awarded for the memorial, written in the pair, (with each member of the pair receiving the same mark save in extraordinary circumstances) and 40% for the oral submissions (with each student receiving an individual mark for their presentation). |
| **Assessment Details@I-MOD-ASSM** | Written Submission (Memorial) 60%, Oral Argument in Court 40% |
| **Reassessment** | Written Submission (Memorial) 100% |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

# Sophister Modules

## Michaelmas Term

The following modules are available in either, or both Junior Sophister and Senior Sophister Michaelmas Term.

Availability is dependent on Pathway. Please review the grid below when considering module selection.

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **LLB AWARDS** | **BA AWARDS** |
|  | **SH - 50 JS / 40 SS + Capstone** | **Law Maj –** **OPTION A****30 JS** **20 SS + Capstone** | **Law Maj – OPTION B****40 JS** **40 SS + Capstone** | **JH - 30 JS** **20 SS + O Capstone** | **Law Min – Option A****20 JS Law****20 SS Law** |
| **Michaelmas Term: You may only choose 1 module from each group. Administrative Law is for LL.B. Award** |
| **I** | *Administrative Law* | JS /SS C\* | JS C | JS /SS C\* | JS O | JS O |
| Media Law | SS O | N/A | SS O | N/A | N/A |
| **II** | *Evidence* | JS O/SS O | JS O | SS O | JS O | JS O |
| Public International Law | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Information Technology Law (5) | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| **III** | *English Land Law* | JS O/SS O | JS O | JS O/SS O | N/A | N/A |
| European Human Rights | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Environmental Law A (5) | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Environmental Law  | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Critical Perspectives on Law (5) | JS O/SS O | JS O | JS O/SS O | N/A | N/A |
| Clinical Legal Education[[1]](#footnote-1) | SS O | N/A | JS O/SS O | N/A | N/A |
| **VII** | Food Law | SS O | SS O | SS O | SS O | SS O |
| Collective Labour Law | SS O | SS O | SS O | SS O | SS O |
| Legal Philosophy (5) | N/A | SS O | SS O | N/A | N/A |
| EU Competition Law\*\* | SS O | SS O | SS O | SS O | SS O |
| **VIII** | Industrial Property Law 5) | SS O | SS O | SS O | N/A | N/A |
| Industrial Property Law | SS O | SS O | SS O | N/A | N/A |
| Medical Law and Ethics I (5) | SS O | SS O | SS O | N/A | N/A |
| Medical Law and Ethics | SS O | SS O | SS O | SS O | SS O |

O = Optional / C = Compulsory

\* Only available in SS year if abroad in JS year

\*\* EU is pre-requisite

### Michaelmas Term Module Outlines

|  |  |
| --- | --- |
| **Module Code** | LAU34001 |
| **Module Name** | Administrative Law  |
| **ECTS weighting** | 10  |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and 4 hour of seminars in the 1st semester |
| **Module Coordinator/Owner** | Dr Catherine Donnelly / Prof Hilary Biehler  |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Describe and assess the rationale for judicial supervision of administrative action.
* Discuss the substantive case law in a manner that incorporates the principles and theory of administrative law.
* Classify and compare the grounds for judicial review.
* Synthesise and evaluate case law on each of the main grounds of review.
* Apply the relevant principles and predict legal outcomes in factual situations
 |
| **Module Learning Aims** | Administrative law in Ireland is primarily judge-made. It is a public law subject and is often concerned with issues that are politically contentious and raise separation of powers concerns. Students will need to develop the ability to navigate the complex tapestry of public law principles that have developed in Irish administrative law jurisprudence.  |
| **Module Content** | This module examines public administration and the role of judicial review of administrative action. The module addresses the position of the administration in separation of powers. The bulk of the module is concerned with the control of administrative action through judicial review. It will consider in depth the reach of judicial review and in particular, the main grounds of judicial review. The module will also address judicial review procedures and remedies. Throughout this module, comparisons will be made between the English and Irish case law.  |
| **Recommended Reading List** | **Recommended Texts**Hogan & Morgan, *Administrative Law in Ireland* (5th ed., 2019)Morgan, Hogan & Morgan’s *Administrative Law* (Student Edition, 2012)Biehler, *Judicial Review of Administrative Action* (3rd ed., 2013)Woolf, Jowell, le Sueur, Donnelly & Hare, *De Smith’s Judicial Review* (8th ed, 2018) **Other General Reading**Craig, *Administrative Law* (7th ed., 2016)Endicott, *Administrative Law* (4th ed., 2018) |
| **Assessment Details@I-MOD-ASSM** | Essay (2,000 words) - 50%; Examination (1 x 1 hour paper) - 50% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44022 |
| **Module Name** | COLLECTIVE LABOUR LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Prof Gerry Whyte |
| **Learning Outcomes** | By the end of this module, students should be able to: * Critically assess how the law regulates the relationship between employers and workers operating through trade unions, in particular, in relation to collective bargaining and industrial conflict;
* Explain the salient elements of Irish industrial relations;
* Apply critical analysis and problem-solving skills and techniques to different essay and problem questions based on material covered in the module;
* Research topics in law regulating the relationship between employers and trade unions.
 |
| **Module Content** | Collective Labour law examines the legal relationship between a) employers and workers acting collectively through unions and b) unions and their members. In relation to the employer/union relationship, we will examine the law relating to collective bargaining, including statutory regulation of collective bargaining and the legal status of collective agreements, and the law on trade disputes, including liability for engaging in industrial action and legal immunities available to participants in such action. In relation to the union/member relationship, we will examine how the law regulates the formation of this relationship, the legal incidents of the relationship and the termination of the relationship. |
| **Assessment Details@I-MOD-ASSM** | Essay (4,000 words) – 40%, exam (1 x 2 hour paper) – 60%. |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34120 |
| **Module Name** | CRITICAL PERSPECTIVES ON LAW |
| **ECTS weighting** | 5 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 2 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Dr David Kenny/Dr Alan Brady |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and categorise political and ideological assumptions that have been subsumed into legal doctrine
* Describe and evaluate the appropriateness of grounding principles in the contemporary socio-economic context
* Differentiate the sectoral interest groups that benefit and do not benefit from the legal status quo
* Justify and defend principles with which they agree based on full evaluation of their applicability in the practical legal context
* Appraise the extent to which the existing corpus of Irish law serves its ostensible goals.
 |
| **Module Learning Aims** |  |
| **Module Content** | Doctrinal approaches to law are generally based on certain assumptions about human motivations and behaviour and the structure of society. Many of these grounding assumptions are rooted heavily in particular socio-political ideologies, most commonly those of 19th Century liberalism. Ideas about individual legal rights, justice and public policy have a strong tendency to assume a level of equality of power and opportunity that is wholly absent from the status quo in most developed economies. The purpose of this module is to equip students to identify and critique the sacred cows of legal doctrine. By examining social context, economic realities and power relationships, the fallacies of many of the founding principles of core legal subjects will be deconstructed and evaluated. Students may ultimately conclude that these founding principles are sound or meritorious; however, whatever their conclusion, the process of critique and defence of fundamental elements of the legal order adds significantly to students’ understanding of the law.The critique is primarily aimed at the core subjects that students will have studies during their Freshman modules. This ensures that students have sufficient background material. These subjects have also been chosen as they are the basis for the legal education of all professional lawyers in the state in that they are also the core subjects of the FE1 exams and the King’s Inns’ Diploma in Legal Studies. Attendance at the weekly class is mandatory. 0.5% of the overall final grade will be deducted for any week missed (after the introductory week) without sufficient excuse being provided to the lecturers. |
| **Assessment Details@I-MOD-ASSM** | Response paper 1 (1,500 words) – 47%Response paper 2 (1,500 words) – 48%Participation – 5% |
| **Reassessment** | TBC |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34121 |
| **Module Name** | English Land Law |
| **ECTS weighting** | 10  |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Dr Sarah Hamill |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Deconstruct reforms in English land law to understand their policy goals and their strengths/weaknesses in achieving such goals.
* Identify and assess the principal differences between English and Irish land law.
* Apply the rules of English land law to solve complex problems in relation to both registered and unregistered land.
* Analyse the pros and cons of a comprehensive land registration system and evaluate its impact on dealings with land.
* Analyse the effect of human rights on English land law.
* Identify and evaluate the range of remedies available in land law disputes.
* Apply critical analysis and problem-solving skills and techniques to different essay and problem-based questions on English land law.
 |
| **Module Learning Aims** | This module grounds students in the major principles of English land law. It builds upon the foundational work done in Land Law by deepening students’ conceptual understanding of property as an institution, and of the competing policy goals that affect its development, particularly through statutory reform. It also seeks to improve students’ critical understanding of land law, and in particular of the interface between public and private law in the context of land.  |
| **Module Content** | The module beings with an examination of the major reforms to English land law seen in the 1920s, namely the Law of Property Act 1925 and the Land Registration Act 1925. The module discusses how these reforms changed the understanding of ownership seen in English land law and why they were introduced. The module moves on to study how subsequent legislative reforms have addressed deficiencies in the earlier statutes as well as how they reflect societal change. Emphasis is given to co-ownership and interests in the family home and how the Trusts of Land and Appointment of Trustees Act 1996 affected these interests. The changes made by the Land Registration Act 2002 are also discussed.The module examines the various estates which English land law recognises, including the option of holding freehold estates as commonhold. It also covers mortgages, easements, restrictive covenants, proprietary estoppel, and the doctrine of adverse possession. Where relevant the module discusses the impact of the Human Rights Act 1998 as well as the jurisprudence from the European Court of Human Rights. The module also examines the land registration system in England and the priority rules arising out of that system as well as to the different rules which apply to registered and unregistered land.  |
| **Assessment Details@I-MOD-ASSM** | Examination (1 x 2 hour paper) – 100% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU34130 |
| **Module Name** | Environmental Law A |
| **ECTS weighting** | 5 |
| **Semester/term taught** | MT Weeks 1 - 6 |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week  |
| **Module Coordinator/Owner** | Dr Surya Roy  |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Appraise the prevalence of environmental law in individual, commercial and governmental activities
* Interrogate core concepts that inform environmental law
* Identify relevant approaches to environmental concerns and remedies offered by other fields of public and private law such as constitutional law, human rights law, property law and tort law
* Critically evaluate similarities and differences in environmental law within and between legal systems
 |
| **Module Content** | Environmental law expertise is traditionally considered useful if it helps a manager manoeuvre myriad rules and regulations, or if it helps an environmentalist combat industrialisation. Further, there is a concentration on either local or international or regional law. This module rejects an either or approach, and wishes to convey that environmental law cuts across and within legal systems, fields of law, vested interests and disciplinary boundaries. At the same time, it aims to assist students with negotiating this complexity by concentrating on common principles, illustrated through case studies. Notably, the precautionary principle and the polluter-pays principle are examined. Such principles, in turn, prompt an analysis of the use of property rights in managing and dealing with environmental problems. Property rights doubles up as a useful lens in appreciating questions pertaining to land use. The module requires students to discuss and debate theoretical nuance and practical application. Given that climate change has become a distinct and inescapable legal concern, special attention is given to the practice and theory of climate law. This includes understanding the unique nature of international climate law, existing instruments of mitigation such as the European Union Emissions Trading System and climate battles fought in courts.  |
| **Assessment Details@I-MOD-ASSM** | Review 60% Online Test 40% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU34131 |
| **Module Name** | Environmental Law |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Dr Surya Roy  |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Interrogate core concepts that inform international, EU and Irish environmental law
 |
| **Module Content** | Environmental law expertise is traditionally considered useful if it helps a manager manoeuvre myriad rules and regulations, or if it helps an environmentalist combat industrialisation. Further, there is a concentration on either local or international or regional law. This module rejects an either or approach, and wishes to convey that environmental law cuts across and within legal systems, fields of law, vested interests and disciplinary boundaries. At the same time, it aims to assist students with negotiating this complexity by concentrating on common principles, illustrated through case studies. Notably, the precautionary principle and the polluter-pays principle are examined. Such principles, in turn, prompt an analysis of the use of property rights in managing and dealing with environmental problems. Property rights doubles up as a useful lens in appreciating questions pertaining to land use. The module requires students to discuss and debate theoretical nuance and practical application.  |
| **Assessment Details@I-MOD-ASSM** | Review 30%, Essay/Group Report 50%, Online Test 20% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44170 |
| **Module Name** | EU COMPETITION LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester.  |
| **Module Coordinator/Owner** | Mr Alex Schuster |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and critique the different rationales underpinning EU Competition Law.
* Gain an in depth understanding of the substantive rules governing anti-competitive agreements and practices, market abuses perpetrated by dominant players, and merger control (the ‘three pillars’), together with a detailed appreciation of the procedural framework within which they operate.
* Apply research and problem solving skills to complex factual scenarios arising in the field of EU Competition Law.
* Develop a keen appreciation of the unique challenges posed for regulators in respect of the overweening market power – allegedly enjoyed by the ‘Big 5’ (Alphabet, Amazon, Apple, Facebook and Microsoft) - in the digital economy.
* Map the relationship between EU Competition Law and the business world, as well as understand how the effective implementation of such a legal regime can reap major benefits for consumers in the marketplace.
 |
| **Module Learning Aims** | * To teach students how to apply the regulatory principles governing competition to the commercial world, and to develop students’ ability to appraise the operative principles critically.
* To facilitate and encourage students in producing a 5000 word piece of research of a high calibre, replete with original and innovative insights, which cuts to the nub of legal, economic and factual problems incisively and with a minimum of verbiage.
* To enable students to hone their analytical skills in the competition field to a cutting edge, thereby enabling them to thrive subsequently in challenging academic, business or regulatory environments and/or as commercial practitioners. So, for example, the LL.M. at LSE (with a specialism in Competition, Innovation and Trade Law) has, in recent years, been a popular port of call for TCD students of - amongst other commercially oriented subjects - EU Competition Law.
 |
| **Module Content** | Competition has been described as a “process of rivalry between firms.... seeking to win customers’ business over time.” This module engages with competition law rules which prohibit business concerns from entering into anti-competitive agreements, and which prevent dominant market players from abusing their market power at the expense of weaker competitors. It begins by explaining key legal and economic concepts which are central to EU competition policy. Two of the three main pillars of EU competition law are then examined, including the prohibition on anti-competitive agreements (including cartels) in Article 101 TFEU and the prohibition on abuse of a dominant position in Article 102 TFEU, as well as the enforcement measures applicable in respect of both prohibitions. The module concludes with an exploration of the third pillar, the Merger Control Regulation (Council Regulation (EC) No. 139/2004), and the extent to which it regulates market structure and behaviour in business settings in which two or more formerly independent companies/entities wish to unite. |
| **Recommended Reading List** | * Jones and Sufrin’s, EU Competition Law: Text, Cases and Materials (OUP, 7th edn, 2019).
* Whish and Bailey, Competition Law (OUP, 10th edn, 2021).
* Chillin’ Competition blog: <https://chillingcompetition.com>
 |
| **Module Pre-requisite** | Students must have completed either the EU Law module (LAU 23462) in TCD or an equivalent module in one of our partner universities in the EU Erasmus Exchange Programme. Students who have already completed LAU34051, Competition Policy may not enrol in this module |
| **Assessment Details@I-MOD-ASSM** | Essay (5,000 words) – 35%, Examination (1 x 2 hour paper) – 65% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34061 |
| **Module Name** | European Human Rights |
| **ECTS weighting** | 10  |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Mr Michael Judge |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Conduct effective and targeted research in case law and academic legal commentary regarding the protection of human rights pursuant to the European Convention on Human
* Rights;
* Identify, evaluate and critique the evolution of human rights pursuant to the European Convention on Human Rights;
* Discuss and debate the moral, theoretical and ethical assumptions underpinning human rights;
* Apply the law and theory of human rights to concrete practical problems and to the challenge of ensuring effective implementation and protection of human rights.
 |
| **Module Content** | This course is divided in two parts. The first part of the course will focus on the regional human rights regime established by European Convention on Human Rights and Fundamental Freedoms. In addition to a general discussion of practice and procedure under the ECHR, case law concerning substantive rights, such as the prohibition against torture and inhuman or degrading treatment or punishment, the right to respect for private and family life, the right to freedom of religion, and the right to freedom of expression, will be analysed in-depth. In the second part of the course, specific questions related to the protection of human rights in Europe will be addressed, such as protection of socio-economic rights and protection of human rights in the context of terrorism. This part of the course will draw upon experience outside Europe to analyse European responses.  |
| **Assessment Details@I-MOD-ASSM** | Essay (3,000 words) 75%, Essay (1,000 words) 25%  |
| **Reassessment** | Essay (3,000 words) 75%, Essay (1,000 words) 25%  |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU34011 |
| **Module Name** | Evidence  |
| **ECTS weighting** | 10  |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and additional seminars in the 1st semester |
| **Module Coordinator/Owner** | Dr Liz Heffernan |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Understand the relationship between evidentiary theory, doctrine and practice;
* Explain the role that evidence plays in the trial process;
* Identify and critically analyse evidentiary rules and principles in relevant legislation and case law;
* Engage in effective research and writing in the law of evidence;
* Apply evidentiary concepts and rules to solve practical problems;
* Critically evaluate evidentiary law and policy and engage in debate about reform.
 |
| **Module Learning Aims** | Evidence is the information on which judges and juries decide issues of fact in civil and criminal trials. It includes the testimony of witnesses, the opinions of experts, forensic evidence, documents and IT data. The law of evidence is grounded in common law and statutory rules and it operates within a framework of international and constitutional rights. Building on the freshman modules on Criminal Law and Constitutional Law I, this module introduces students to the law of evidence, explores its application in the trial process and critically analyses its contribution to the administration of justice. |
| **Module Content** | In the first part of this module, students explore the common law jury trial and its traditional emphasis on the presentation of evidence through in-court testimony. Topics include the examination of witnesses, the accused as a witness and the rule against hearsay evidence. In the second part of the module, students investigate and analyse the application of evidentiary law and policy in specific contexts such as expert evidence, the lawyer-client relationship, identification evidence and evidence unlawfully obtained. |
| **Recommended Reading List** | Liz Heffernan, *Evidence in Criminal Trials* (2nd edn, Bloomsbury Professional, 2020) |
| **Assessment Details@I-MOD-ASSM** | Examination (1 x 2.5 hour paper) - 100%  |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44031 |
| **Module Name** | FOOD LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester.  |
| **Module Coordinator/Owner** | Dr Caoimhín MacMaoláin |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify the key sources of Irish Food Law;
* Categorise the main areas of Food Law and assess the most significant rules and regulations in each;
* Appraise the manner in which the production and marketing of food is regulated;
* Analyse the interaction between Food Law and human activity; and
* Assess the impact of other disciplines on the formulation of Food Law.
 |
| **Module Learning Aims** | To develop a comprehensive knowledge and understanding of Irish and European Union food law. |
| **Module Content** | Food safety has become a priority for the EU lawmaker, in particular following a series of scares such as those about ‘mad cow disease’ (BSE), dioxin poisoning and genetic modification. There are ongoing concerns about the relationship between diet and health. This module examines the ways in which the law can be, and is, used to address these problems. The focus is primarily on European Union rules in this area, as it is from here that most of our food law in Member States like Ireland now originates. The course will commence with a re-examination of EU rules on free movement for goods, with emphasis on the movement of food. Other topics covered by this module include organic food regulation, food safety, food quality, aspects of intellectual property rights, animal welfare, food labelling and claims and novel foods. |
| **Recommended Reading List** | MacMaoláin, ‘Irish Food Law’, Hart Publishing: Bloomsbury, 2019, ISBN: 978-1-5099-0779-3. |
| **Assessment Details@I-MOD-ASSM** | Essay (4,000 words, incl. footnotes) 50%Essay (4,000 words, incl. footnotes) 50% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code**  | LAU44271 |
| **Module Name**  | Industrial Property Law |
| **ECTS weighting**  | 5 |
| **Semester/term taught**  | MT  |
| **Contact Hours and** **Indicative Student** **Workload**  | 3 hours of lectures per week for 6 weeks until reading week in the 1st semester  |
| **Module** **Coordinator/Owner**  | Dr Giuseppe Mazziotti  |
| **Learning Outcomes**  | By the end of this module, students should be able to: * Appraise and evaluate the social and economic justifications for industrial property rights.
* Identify and analyse how industrial property rights are protected and commercially exploited, in both offline and online environments.
* Demonstrate an understanding of the implications of international conventions and the most important EU legislative measures, from both a trade-related and non-market perspective.
* Evaluate Ireland’s obligations in this field.
* Identify legal issues in complex cases and argue either side of the arguments raised by the parties involved;
* Demonstrate familiarity with the research tools and the materials through which they can deepen their knowledge of specific aspects of industrial property law.
 |
| **Module Content** | Industrial property law is an increasingly important and wide bundle of rules aimed at fostering and rewarding technological innovation and at protecting investments, fair competition, and goodwill in all business-related activities. This area of law has traditionally encompassed trademarks and patents, going through a process of exponential growth in the last few decades. On the one hand, the scope of existing rights has been extended to protect new assets and technologies such as trade secrecy, Internet domain names, and biotechnologies. On the other hand, protection started being granted on characteristics of products (such as three-dimensional shapes or smells) whose potential privatization raises serious issues for competition and the public interest. The module examines the social and economic justifications for industrial property rights as well as their multi-layered regulation. The module draws upon a selection of domestic intellectual property regimes to show the impact of international and European law and decision-making on EU Member States and to critically evaluate some of the policies and goals that underlie today’s industrial property. Although the idea of multi-level regulation of patent and copyright laws goes back to the end of the 19th century, trademarks, patents and their enforcement have been globalised more effectively since the establishment of the World Trade Organisation (WTO) in 1994 and the related adoption of an international agreement on Trade Related Aspects of Intellectual Property Rights (known as the ‘TRIPS’ Agreement). The module provides an in-depth examination of the most important provisions of this Agreement and of other international industrial property conventions as well as EU regulations and directives that sought to harmonize (or in certain cases even unify, as in the case of trademarks) national legal systems such as the Irish one. |
| **Teaching Methods** | **Module learning activities**Classes will consist of three 1-hour lectures per week for a total of 18 hours. Classes will be designed to foster interactivity among students, ensuring an ongoing dialogue between the instructor and the whole class. The instructor will encourage a collective, critical review of the module materials also via class contributions students can make by publishing (ungraded) posts, questions, and comments on Blackboard’s Discussion Board. |
| **Assessment** **Details@I-MOD-ASSM**  | 3000-word research paper In response to one out of three questions the lecturer will circulate |
| **Reassessment** | As above |
| **Module Website**  | <https://www>.tcd.ie/law/programmes/undergraduate/modules <https://tcd>.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44071 |
| **Module Name** | INTELLECTUAL PROPERTY LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Dr Giuseppe Mazziotti |
| **Learning Outcomes** | By the end of this module, students should be able to: * Appraise and evaluate the social and economic justifications for intellectual property rights.
* Identify and analyse how intellectual property rights are protected and commercially exploited, in both offline and online environments.
* Demonstrate an understanding of the implications of international conventions and the most important EU legislative measures, from both a trade-related and non-market perspective.
* Evaluate Ireland’s obligations in this field.
* Identify legal issues in complex cases and argue either side of the arguments raised by the parties involved.
* Demonstrate familiarity with research tools and materials through which they can deepen their knowledge of specific aspects of intellectual property law.
 |
| **Module Content** | Intellectual property law is an increasingly important and wide bundle of rules aimed at fostering and rewarding human creativity and technological innovation and at protecting investments and goodwill in business-related activities. Intellectual property has traditionally encompassed copyright, trademarks and patents. This area of law has grown exponentially in the last few decades through the extension of the scope of existing rights to protect new assets, works and technologies (e.g. trade secrets, Internet domain names, computer programs, biotechnologies) and the creation of new types of rights (e.g. industrial designs, database rights, access rights for digital content). The module examines the social and economic justifications for intellectual property rights, as well as their multi-layered regulation. The module draws upon a selection of domestic intellectual property regimes to show the impact of international and European law and decision-making on EU Member States and to critically evaluate some of the policies and goals that underlie intellectual property today. Although the idea of multi-level regulation of patent and copyright laws goes back to the end of the 19th century, intellectual property rights and their enforcement have been globalised more effectively since the establishment of the World Trade Organisation (WTO) in 1994 and the related adoption of an international agreement on Trade Related Aspects of Intellectual Property Rights (known as the ‘TRIPS’ Agreement). The module examines the most important provisions of this and other international intellectual property laws as well as the EU regulations and directives that have harmonized (or in certain cases even unified, as in the case of trademarks and designs) national legal systems such as the Irish one. |
| **Assessment Details@I-MOD-ASSM** | Exam – 100% |
| **Reassessment**  | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34052 |
| **Module Name** | INFORMATION TECHNOLOGY LAW |
| **ECTS weighting** | 5 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 16.5 hours in the 1st semester |
| **Module Coordinator/Owner** | Dr Maria Grazia Porcedda |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and analyse independently sources of primary and secondary law of relevance to IT law;
* Understand the way how IT is interwoven with different areas of law and regulation;
* Critically appraise the impact of multiple factors on the relationship between law and information technology;
* Discuss the key theoretical and practical approaches to regulation in IT Law;
* Construct competent, evidence-based arguments relating to IT law;
* Write critically about IT Law.
 |
| **Module Content** | In the space of two decades, information technologies such as computers and the Internet have become part of the fabric of our society. They pervade virtually every field of life and are increasingly embedded in goods and services. Not only does this disrupt the law as we know it, but the fast development of IT also challenges the ability of the law to keep pace with innovation. During the course, we will examine the complex relationship between law and information technology: can the law rule code? What other actors and factors carry legal weight in determining the answer? We will look into how information technologies work and are governed by a range of institutions and laws. The module will examine the legal ramifications of information technologies and cyberspace in the private and public spheres. For the former, we will look into, for instance, e-commerce and intermediary liability, for the latter, surveillance and data retention. We will also explore the way how digitization has shaped the nature of fundamental rights, with a focus on the protection of personal data and privacy. The module, which is quite technical, will feature high-profile cases as well as present-day topics as they may be relevant, e.g. artificial intelligence. In so doing, we will discuss cross-cutting themes such as business models, globalization, politics, modes of regulation, enforcement and philosophy. Legal sources will be mainly drawn from the European Union transposed into Irish Law and the Council of Europe. The module will feature 16.5 hours of lectures. |
| **Assessment Details@I-MOD-ASSM** | Response paper – 50%; Group policy report (set topics) – 40%; Participation 10% [pass/fail] |
| **Reassessment** | Response paper – 50%; Take-home assignment to be completed within 7 days – 40%; presentation 10% [pass/fail] |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44041 |
| **Module Name** | LEGAL PHILOSOPHY |
| **ECTS weighting** | 5 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week  |
| **Module Coordinator/Owner** | Dr David Prendergast |
| **Learning Outcomes** | By the end of this module, students should be able to: * Formulate their own, critically aware, position on jurisprudential issues;
* Critically analyse primary texts of a philosophical character;
* Interrogate various connections between law and morality;
* Appraise the value of philosophical reflection about law for the practice of law;
* Explore connections between jurisprudential theories and legal doctrinal issues
 |
| **Module Content** | This module facilitates students in the formulation of their own, critically aware, understanding of the nature of law and its features. Students develop their ability to articulate a reasoned position on distinctive features of law and a legal system and on questions such as the relationship between law and morality, law’s legitimacy and function in a social order. Among topics that may be explored are the concept of law, the rule of law, authority, and connections between law and morality.This module meets the requirement of the Honorable Society of Kings Inns that candidates entering the Barrister-at-Law degree programme would have studied Jurisprudence as part of their qualifying law degree. |
| **Assessment Details@I-MOD-ASSM** | Response paper (25%); Exam (75%) |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44082 |
| **Module Name** | MEDIA LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Dr Ailbhe O’Neill |
| **Learning Outcomes** | By the end of this module, students should be able to: * Critically assess how the law regulates the operation of the media in Ireland and across Europe;
* Explain the salient elements of Irish media law;
* Evaluate the emerging developments in media law and regulation, including the use of non-legal governance;
* Apply critical analysis and problem-solving skills and techniques to different essay and problem questions based on material covered in the module;
* Conduct research into developing areas of media law and practice.
 |
| **Module Content** | This course will consider both the theoretical and practical questions which arise in this evolving area of the law. Initially, the course will examine the role of the media in a constitutional democracy. The constitutional protection of the media in Ireland will be compared with similar regimes in other jurisdictions with particular emphasis on the jurisprudence of the European Convention of Human Rights. The course will then address a number of specific areas of media law. Lectures will deal with topics such as privacy, contempt of court, the protection of journalistic sources, obscenity, blasphemy, and the regulatory regimes in Ireland and in the EU. Throughout the course, lectures will explore the issues raised by the rise of new media forms like the internet. |
| **Assessment Details@I-MOD-ASSM** | Essay (7,000 words) – 100% |
| **Reassessment** | Essay (7,000 words) – 100% |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44151 |
| **Module Name** | MEDICAL LAW AND ETHICS |
| **Module Short Title** |  |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester |
| **Module Coordinator/Owner** | Dr Andrea Mulligan |
| **Learning Outcomes** | By the end of this module, students should be able to: * Accurately describe and apply law to novel situations that arise in medical practice.
* Explain medical technologies and procedures to a non-specialist audience.
* Debate ethical and philosophical issues that arise in healthcare in a thorough but sensitive manner, while responding to questions and comments.
* Identify the principles, values and rights at play in medical practice.
* Situate Irish law in the international context and draw relevant comparisons between schemes of regulation in different jurisdictions.
* Research and write on complex medico-legal topics.
 |
| **Module Learning Aims** |  |
| **Module Content** | Medical Law and Ethics will give students the opportunity to tackle contemporary legal issues in medicine and healthcare. The module will deal both with the black-letter law that governs medical practice and with the broader philosophical, ethical and social questions that are raised by medical advances. Students will be guided through the range of legal and quasi-legal instruments that regulate medical practice, including the Constitution, Tort Law, and professional guidelines, and encouraged to consider the advantages and disadvantages of these regulatory tools. As well as providing students with a thorough grasp of Irish Law, the module will be substantially comparative in nature. Comparative legal study will be especially valuable on topics that are unregulated, or under-regulated by Irish Law. This module aims both to prepare students for practice in the field of medical law, and to encourage critical thinking and exploration of the theoretical challenges presented by the subject. Students will on occasion be required to read certain materials ahead of class. To this end, the reading list will be divided into required reading and further reading. Students will be expected to analyse the topics in class, and to participate in class discussions. As well as using traditional legal materials the course will draw on relevant work from the fields of science, philosophy, sociology and politics. |
| **Assessment Details@I-MOD-ASSM** | Discussion Board 3%, Legal Opinion (3,000 words) 47%, Policy Report (3,500 words) 50%.  |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44151 |
| **Module Name** | MEDICAL LAW AND ETHICS A |
| **Module Short Title** | Medical Law and Ethics: Foundational Principles |
| **ECTS weighting** | 5 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 1st Semester (until RW)  |
| **Module Coordinator/Owner** | Dr Andrea Mulligan  |
| **Learning Outcomes** | By the end of this module, students should be able to: * Accurately describe and apply law to novel situations that arise in medical practice.
* Debate ethical and philosophical issues that arise in healthcare in a thorough but sensitive manner, while responding to questions and comments.
* Write a legal opinion that addresses a range of medical law issues in practical context.
* Situate Irish law in the international context and explore divergences in both common law jurisprudence and legislation.
 |
| **Module Learning Aims** | To provide students with a broad foundation in medical law to prepare them for practice or further study. |
| **Module Content** | This module addresses the core topics in medical law: clinical negligence, consent to treatment, and confidentiality. These are the legal and ethical issues that arise in all healthcare interactions, and therefore the topics that arise most commonly in practice. The focus of this module will be both on mastering the black letter law aspects of these topics, but also on delving into the theoretical principles that underpin them. To encourage students to understand these topics in context, the module will be assessed via a complex legal opinon that will encompass all of the topics studied.  |
| **Recommended Reading List** | * Mills and Mulligan, *Medical Law in Ireland* (Bloomsbury, 2017)
* Jackson, Medical Law: Texts, Cases and Materials (OUP, 5th ed, 2019)
* Herring, Medical Law and Ethics (8th ed, 2020, OUP)
 |

|  |  |
| --- | --- |
| **Module Code** | LAU34081 |
| **Module Name** | Public International Law |
| **Module Short Title** |  |
| **ECTS weighting** | 10 |
| **Semester/term taught** | MT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week (Seminars tbc) |
| **Module Coordinator/Owner** | Mr Michael Becker |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Identify the main concepts, principles and processes in the field of public international law;
* Demonstrate a sound knowledge of the rules applicable in core areas of the law, such as state sovereignty, the peaceful settlement of international disputes, the use of force, international organisations and self-determination;
* Analyse international affairs from the perspective of public international law;
* Describe in some detail the place of the individual within the international legal system;
* Explain the nature of public international law and the role it plays in the conduct of world affairs.
 |
| **Module Learning Aims** | This module is designed to provide students with knowledge of the main concepts, principles, processes and rules of public international law as well as a more in-depth knowledge of selected areas of the law. |
| **Module Content** | Topics are considered under two broad headings. Part 1 deals with fundamental legal concepts and process, including the sources of international law, statehood and international legal personality, state responsibility, and dispute settlement. Part 2 examines more specialized areas of public international law, with a focus on jurisdiction, immunities, use of force, and human rights. Practical examples of the operation of the law, many of them relating to contemporary events, are given throughout. |
| **Assessment Details@I-MOD-ASSM** | Examination – 100% (1 x 2 hour paper) |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

## Hilary Term

The following modules are available in either, or both Junior Sophister and Senior Sophister Hilary Term.

Availability is dependent on Pathway. Please review the grid below when considering module selection.

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **LLB AWARDS** | **BA AWARDS** |
|  | **SH - 50 JS / 40 SS + Capstone** | **Law Maj –** **OPTION A****40 JS** **20 SS + Capstone** | **Law Maj –** **OPTION B****30 JS** **40 SS + Capstone** | **JH - 30 JS** **20 SS + O Capstone** | **Law Min – Option A****20 JS Law****20 SS Law** |
| **Hilary Term: You may only choose 1 module from each group. EU Law is for LL.B. Award** |
| **IV** | *EU Law* | JS / SS C\* | JS C | JS / SS C\* | JS O | JS O |
| EU Constitutional Law (5) [[2]](#footnote-2) | SS O | SS O | SS O | N/A | N/A |
| EU Substantive Law (5) [[3]](#footnote-3) | SS O | SS O | SS O | N/A | N/A |
| **V** | *Company Law* | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Public Interest Law A (5) | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Public Interest Law | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Corporate Governance (5) | SS O | N/A | SS O | N/A | N/A |
| Refugee and Immigration Law (5 / 10) | SS O | N/A | SS O | N/A | N/A |
| **VI** | Commercial Law | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Employment Law A (5) | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Employment Law  | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Family and Child Law A (5) | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| Family and Child Law | JS O/SS O | JS O | JS O/SS O | JS O | JS O |
| **IX** | Current Issues in Con Law (5) | SS O | SS O | SS O | N/A | N/A |
| Conflicts of Law | SS O | SS O | SS O | N/A | N/A |
| Equality Law  | SS O | SS O | SS O | SS O | SS O |
| Financial Services Law | SS O | SS O | SS O | SS O | SS O |
| **X** | Insolvency Law (5) | SS O | SS O | SS O | SS O | SS O |
| Housing Law and Rights in Context (5) | SS O | N/A | SS O | N/A | N/A |
| International Human Rights Law | SS O | SS O | SS O | SS O | SS O |

O = Optional / C = Compulsory

\* Only available in SS year if abroad in JS year

\*\* EU is pre-requisite

### Hilary Term Module Outlines

|  |  |
| --- | --- |
| **Module Code** | LAU34091 |
| **Module Name** | Commercial Law |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd Semester |
| **Module Coordinator/Owner** | Prof. Deirdre Ahern  |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Identify the relationship between law and the commercial world;
* Use appropriate legal concepts, case law and statute law to analyse and solve legal problems within the world of commerce;
* Evaluate the contribution made by default rules provided by the law as opposed to choices made by parties using freedom of contract;
* Map the relationship between law and society in a commercial context, including the role of law in promoting and responding to social change.
 |
| **Module Learning Aims** | The objective of this module is to provide students with a good knowledge of key areas of commercial law. |
| **Module Content** | Commercial Law is taught with a practical emphasis on what occurs in business life and will be of benefit to students who intend to go into professional practice in this area. The module begins with the history and nature of commercial law and moves on to consider legal regulation of a range of areas which are significant in the business world. These include the law of agency, insurance law and the banker-customer relationship. A particular emphasis is on the regulation of the sale of goods and supply of services. |
| **Assessment Details@I-MOD-ASSM** | Blogpost (1,000 words) 25%, Essay (3,000 words) 75%. |
| **Reassessment** | Blogpost (1,000 words) 25%, Essay (3,000 words) 75%. |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU34022 |
| **Module Name** | Company Law |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd semester2 hours of seminars  |
| **Module Coordinator/Owner** | Prof. Blanaid Clarke / Prof. Deirdre Ahern  |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Identify and evaluate the interplay between the legal entity that is the company and the shareholders and directors, as the other organs of the company, in a wide range of situations;
* Apply relevant statutory rules and case law to companies in order to analyse and solve legal issues relating to companies;
* Discuss and debate different perspectives on various aspects of the law relating to companies including the change in legal approach which occurs when a company runs into financial difficulties.
 |
| **Module Content** | This module deals with the law relating to companies. The subjects covered include the incorporation of companies and the legal consequences of incorporation, the constitutional documents of a company, the law relating to corporate capacity, directors' duties and their enforcement; shareholder and creditor protection.  |
| **Assessment Details@I-MOD-ASSM** | Essay (3,000 words) - 25%, Examination (1 x 2 hour paper) - 75%  |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44112 |
| **Module Name** | CONFLICTS OF LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd Semester |
| **Module Coordinator/Owner** | Dr David Kenny |
| **Learning Outcomes** | By the end of this module, students should be able to: * Locate contentious issues within national and international legal contexts;
* Identify and evaluate the role of EU law in the development of rules and standards applied in the Irish courts;
* Identify and critically analyse rules governing jurisdiction, choice of law and the recognition and enforcement of judgments both orally and in writing;
* Compare and contrast the application of those rules in different substantive legal contexts;
* Discuss and debate different theoretical and practical perspectives on the conflict of laws and formulate proposals for reform;
* Apply Irish and European conflicts regimes in practical settings to resolve hypothetical fact scenarios;
* Conduct effective research of contentious issues at national and international levels.
 |
| **Module Content** | Conflict of Laws (also known as Private International Law) is the body of rules whose purpose is to assist the Irish court in deciding a case containing a foreign element. It consists of three main elements: (1) the jurisdiction of the Irish court (whether the Irish courts is competent to hear the dispute); (2) the selection of the appropriate rules of a system of law, Irish or foreign, which it is to apply in deciding a case before it (choice of law); and (3) the recognition and enforcement of judgments given by foreign courts. A particular focus of the course is the development of distinctive conflict of law rules within the European Union in the areas of tort, contract and commercial litigation  |
| **Assessment Details@I-MOD-ASSM** | Take Home Assignment - 100% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44010 |
| **Module Name** | CORPORATE GOVERNANCE |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 2 hours of lectures per week in the 2nd Semester |
| **Module Coordinator/Owner** | Dr Ailbhe O’Neill |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and analyse the agency problems that arise in the modern corporation;
* Evaluate the various solutions that have been proposed to these problems;
* Map the connection between the regulatory, legal and economic environment and corporate governance in different jurisdictions and at different points in history
* Discuss and debate issues of corporate social responsibility and the interests of stakeholders
 |
| **Module Learning Aims** | To understand the issues that arise in the modern corporation and to have a framework for analysing same. |
| **Module Content** | The objective of this module is to develop an understanding of the development of corporate governance and its importance to companies and their stakeholders. The module will investigate the processes of supervision and control within companies (including board composition, board committees and board remuneration) and it will determine the primary aims of these processes. The theory and the reality of shareholder democracy and corporate social responsibility will be analysed. Students will be referred to multidisciplinary academic material particularly from the fields of law and economics, behavioural economics and management theory. The theory will be contextualized and there will be discussions of high profile governance scandals and the corporate governance failings in credit institutions revealed in the wake of financial crises. |
| **Recommended Reading List** | Various papers and texts will be assigned throughout the course. |
| **Module Pre-requisite** | Company Law |
| **Assessment Details@I-MOD-ASSM** | Essay (5,000 words) – 100%  |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44161 |
| **Module Name** | CURRENT ISSUES IN CONSTITUTIONAL LAW |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 1-2 hours of lectures per week in the 2nd Semester |
| **Module Coordinator/Owner** | Dr Rachael Walsh |
| **Learning Outcomes** | By the end of this module, students should be able to: * Critically and contextually analyse in detail leading cases in Irish constitutional law;
* Competently distil differing judicial positions in contentious judgments, and identify the broader context of those positions;
* Present complex constitutional law issues, and judicial reasoning relating to those issues, in a clear and compelling manner;
* Coordinate effectively with classmates in preparing presentations;
* Discuss current constitutional law issues in their political and social context;
* Critically analyse contextual issues in constitutional law on a thematic basis, tracking trends and developments over time;
* Make independent and original contributions to constitutional law discourse;
* Develop an awareness of the political and broader practical implications of constitutional litigation;
* Understand the role of the constitutional litigant and litigator in legal practice.
 |
| **Module Learning Aims** | Current Issues in Constitutional Law is a skills based course, designed to promote critical engagement by Sophister students with constitutional issues through close reading of major cases. Such cases, and complementary academic materials, will serve as a vehicle for exploring themes that run through constitutional law. The aim of this course is to deepen students’ knowledge and legal skills in constitutional law. |
| **Module Content** | This course will adopt the reading group format, which focuses on collective text analysis and student-led discussion of principles, themes, and impacts of major constitutional decisions. Students are assigned advanced reading, including cases and academic commentaries, with one or two students chosen to deliver a springboard presentation each week, which will catalyse a class discussion on the issues raised by the assigned readings. The lecturers will act as facilitators, contributing opinions and posing questions to tease out additional issues and deeper analysis, but will eschew the ordinary lecture format. Essential to this format is a small group of students. As a result, student numbers will be capped at c. 20 students.The key materials for the course will be prescribed decisions of the Irish Superior Courts, as well as academic materials on Irish and comparative constitutional law. The course will concentrate on topical issues, incorporating major developments in constitutional law on an on-going basis.The focus of the course will be on thorough individual reading of major cases and group discussion and analysis, through which the class can collectively explore major themes in constitutional law. The course will enhance students’ research abilities, their critical analysis of legal materials, their legal writing, and their communication skills. It will challenge them to think about constitutional law at both the detailed micro level of discrete problems and the broader macro level of cross-cutting thematic issues. |
| **Recommended Reading List** | Circulated in advance of each class. |
| **Assessment Details@I-MOD-ASSM** | Two response papers 33% each and one class presentation - worth 33%. Attendance is mandatory and 0.5% will be deducted for any week missed unless excused by the lecturers.  |
| **Reassessment** | Reassessment is as above, but the reassessment presentation is not in class, but rather an individual presentation with one or both module leaders. |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34110 |
| **Module Name** | Employment Law A |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the first half of the 2nd semesterIn-person attendance is compulsory in this module. |
| **Module Coordinator/Owner** | Dr Desmond Ryan |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Identify and analyse the relationship between the different sources of Irish employment law and the various fora in which employment disputes are litigated;
* Appraise and evaluate the substantive legal principles in a number of distinct areas of employment law;
* Locate employment law within current societal developments, particularly having regard to the gig economy, COVID-19, remote working, social media and work-life balance considerations.
 |
| **Module Content** | This module offers an introduction to employment law in Ireland in 2023, introducing students both to the variety of overlapping sources of employment law and to the multiplicity of different ways in which employment disputes may be litigated. It analyses the nature of the employment relationship, the contract of employment, the gig economy and the impact of COVID-19 on the employment relationship. |
| **Assessment Details@I-MOD-ASSM** | Response paper (3,000 words) - 100% |
| **Reassessment** | Response paper (3,000 words) - 100% |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU34111 |
| **Module Name** | Employment Law |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd semester. In-person attendance is compulsory in this module. |
| **Module Coordinator/Owner** | Dr Desmond Ryan |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Identify and analyse the relationship between the different sources of Irish employment law and the various fora in which employment disputes are litigated;
* Appraise and evaluate the substantive legal principles in a number of distinct areas of employment law;
* Locate employment law within current societal developments, particularly having regard to COVID-19, remote working, social media and work-life balance considerations;
* Analyse and explain specific statutory regimes and their application in practice;
* Identify and evaluate the range of remedies available in employment litigation;
* Apply critical analysis skills and techniques to different essay and response-based employment law questions.
 |
| **Module Content** | This module offers an introduction to employment law in Ireland in 2023, introducing students both to the variety of overlapping sources of employment law and to the multiplicity of different ways in which employment disputes may be litigated. It analyses the nature of the employment relationship, the contract of employment, the gig economy and the impact of COVID-19 on the employment relationship.  A thorough analysis is undertaken of employers’ statutory and common law obligations to their employees, including the study of the liability of employers for workplace harassment, bullying and stress, and the potential for vicarious liability being imposed upon employers in this context. Employment equality law also receives detailed treatment in this module, as does the termination of employment under both common law and statute. The module concludes with a detailed analysis of remedies in employment law, with special emphasis on the distinctive body of law that continues to grow in the context of employment injunctions. |
| **Assessment Details@I-MOD-ASSM** | Essay (3,000 words) - 50%, Response paper (3,000 words) - 50% |
| **Reassessment** | As Above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44192 |
| **Module Name** | EQUALITY LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week and four hours of seminars in the 2nd Semester.  |
| **Module Coordinator/Owner** | Prof Mark Bell |
| **Learning Outcomes** | On successful completion of this module, students will be able to:* identify and explain the basic concepts found within equality law;
* critically evaluate the current law and options for its reform;
* demonstrate written communication skills;
* apply analytical and problem-solving skills to equality law.
 |
| **Module Learning Aims** | 1. To introduce the Irish and European legal frameworks on equality. 2. To examine the conceptual framework underpinning equality law. 3. To explore contemporary issues and controversies within equality law.  |
| **Module Content** | Equality is a value that commands wide support and it is commonly guaranteed by national constitutions and human rights instruments. Yet differences emerge over the appropriate role for law in combating discrimination and when equality demands the same treatment or recognition of diversity. The enduring salience of equality has been reflected in social movements, such as MeToo or Black Lives Matter. This module provides an opportunity for students to examine Equality Law from a national, international and comparative perspective. The module will introduce students to the legal framework on equality found in Irish Law and European Law (EU and ECHR). It will examine key topics, such as the prohibited grounds of discrimination; the forms of discrimination prohibited by the law; and the role for law in promoting equality.  |
| **Recommended Reading List** | There is no single textbook that provides an up-to-date account of Irish and European Equality Law, but the following are relevant:J Walsh, *Equal Status Acts 2000-2011: Discrimination in the* *Provision of Goods and Services* (Blackhall Publishing 2012). M Bolger, C Bruton and C Kimber, *Employment Equality Law* (Round Hall 2012).D Oppenheimer, S Foster, S Han, and R Ford, *Comparative Equality* *and Anti-Discrimination Law* (3rd edn, Edward Elgar 2020). |
| **Assessment Details@I-MOD-ASSM** | 1 essay (2,000 words) – 50% 1 hour open book, online exam paper – 50% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code**  | LAU34031 |
| **Module Name**  | European Union Constitutional Law  |
| **Module Short Title**  | EU Constitutional Law  |
| **ECTS weighting**  | 5 |
| **Semester/term taught**  | SEM 2 |
| **Contact Hours and** **Indicative Student** **Workload**  | 1. hours of lectures (3 per week for 5 weeks in the 2nd semester)

2 x 1 hours of seminars in the 2nd semester   |
| **Module** **Coordinator/Owner**  | Prof. Mark Bell  |
| **Learning Outcomes**  | Having successfully completed this module, students should be able to:- * Identify and explain the principal sources of EU law;
* Critically evaluate the protection of fundamental rights in EU Constitutional Law;
* Critically evaluate the relationship between EU Law and the national law of the EU Member States.
 |
| **Module Learning Aims**  | To develop knowledge about, and understanding of, the constitutional law of the European Union.  |
| **Module Content**  | The aim of this course is to provide an overview of the key features of EU Constitutional Law. It will introduce and explain the sources of EU law, as well as the EU’s institutional structure. It examines the principal doctrines that govern the relationship between EU law and national law, such as primacy and direct effect. It explores the role of the Court of Justice in the construction of the Union’s constitutional law.  |
| **Recommended** **Reading List**  | Craig and de Búrca, ‘EU Law’ (7th ed. – not UK edition), OUP, 2020. ISBN: 978-0-19-885664-1.  |
| **Module Pre-requisite**  | NB. This module cannot be taken in conjunction with LAU34032 EU Law. A student who has already taken that module cannot take this module (and vice versa).  |
| **Module Co Requisite**  | None  |
| **Teaching and Learning Methods (including details of supervision)** | Lectures, seminars, use of Blackboard VLE.  |
|  **Assessment Details** | Exam (1 hour) 100% |
| **Reassessment** | As above |
| **Module Website**  | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34032 |
| **Module Name** | EU LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd semester4 x 1 hours of seminars in the 2nd semester |
| **Module Coordinator/Owner** | Prof Mark Bell  |
| **Learning Outcomes** | Having successfully completed this module, students should be able to:-• Identify and explain key concepts in European Union Law;• Critically evaluate the role of the EU Courts in the evolution of European Union law;• Critically evaluate the relationship between European Union Law and the national law of the EU Member States;• Discuss and appraise key aspects of European Union substantive law. |
| **Module Learning Aims** | To develop a comprehensive knowledge about, and understanding of, the role of European Union law in the functioning of the Member States and their people. |
| **Module Content** | The aim of this course is to provide an introduction to the law and institutions of the European Union, in particular to examine their origins and development. The first part of the course concentrates on constitutional issues, including the workings of the institutions and legal system. The second part of the course examines selected aspects of substantive law, including free movement of goods and persons and the principles of proportionality, equality and non-discrimination. |
| **Recommended Reading List** | Craig and de Búrca, ‘EU Law’ (7th ed. – not UK edition), OUP, 2020. ISBN: 978-0-19-885664-1. |
| **Assessment** |  1 x unseen exam (2 hours) |
| **Reassessment** | 1 x unseen exam (2 hours) |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code**  | LAU34033 |
| **Module Name**  | EU Substantive Law |
| **ECTS weighting**  | 5 |
| **Semester/term taught**  | Semester 2 |
| **Contact Hours and** **Indicative Student** **Workload**  | 1. hours of lectures (3 per week for 5 weeks in the 2nd semester)

2 x 1 hours of seminars in the 2nd semester   |
| **Module** **Coordinator/Owner**  | Dr Caoimhín MacMaoláin |
| **Learning Outcomes**  | Having successfully completed this module, students should be able to:-  * Identify and explain the principal sources of EU substantive law;
* Critically evaluate the legal principles supporting freedom of movement in the EU;
* Critically evaluate the relationship between EU Law and the national law of the EU Member States on the sale of goods, the right for people to move and reside freely throughout the EU, the right to equal treatment, freedom to provide services and the freedom to establish a place of work.
 |
| **Module Learning Aims**  | To develop knowledge about, and understanding of, the main substantive laws of the European Union.  |
| **Module Content**  | The aim of this course is to provide an overview of the key features of EU Substantive Law. It will introduce and explain the sources of this area of EU law, with particular focus on the free movement of goods, the free movement of people, EU citizenship, freedom to provide services, freedom to establish and equality of treatment between people. It examines the relationship between EU law and national law. It ascertains the parameters of Member State control over their domestic laws and markets. It explores the role of the Court of Justice in the construction of the Union’s substantive laws and the impact that this has on EU Member States.  |
| **Recommended** **Reading List**  | Craig and de Búrca, ‘EU Law’ (7th ed. - not UK edition), OUP, 2020. ISBN: 978-0-19-885664-1.  |
| **Module Pre-requisite**  | NB. This module cannot be taken in conjunction with LAU34032 EU Law. A student who has already taken that module cannot take this module (and vice versa).  |
| **Module Co Requisite**  | None  |
| **Teaching and Learning Methods (including details of supervision)** | Lectures, seminars, use of Blackboard VLE.  |
|  **Assessment Details** | Exam (1 hour) 100% |
| **Reassessment** | Exam (1 hour) 100% |
| **Module Website**  | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34140 |
| **Module Name** | Family and Child Law A |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week from Weeks 1-6 |
| **Module Coordinator/Owner** | Ms Deirdre Moore |
| **Learning Outcomes** | Having successfully completed this module, students should have * an understanding of the law relating to families in Ireland in the light of the Constitution, the domestic legal framework as well as international human rights law.
* a critical awareness of the policy behind family law in Ireland.
* a practical appreciation of the implications of family law in this jurisdiction.
 |
| **Module Content** | The course will cover the family as a legal entity, the law governing family formation (marriage, civil partnership and cohabitants), the law recognising family breakdown (nullity, separation and divorce) and the law regulating family breakdown (preliminary and ancillary orders) |
| **Assessment Details@I-MOD-ASSM** | Individual 3,500 word essay |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU34141 |
| **Module Name** | Family and Child Law |
| **ECTS weighting** | 10  |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week |
| **Module Coordinator/Owner** | Ms Deirdre Moore |
| **Learning Outcomes** | Having successfully completed this module, students should have: * an understanding of the law relating to families and children in Ireland in the light of the Constitution, the domestic legal framework as well as international human rights law.
* a critical awareness of the policy behind family and child law in Ireland.
* a practical appreciation of the implications of family and child law in this jurisdiction.
 |
| **Module Content** | This course will cover the legal status of the family and the child, the law relating to family formation (including marriage, civil partnership, cohabitants and non-marital families) and the law recognising family breakdown (including nullity, separation and divorce) as well as the law regulating family breakdown (to include preliminary/ancillary orders in separation/divorce/dissolution of civil partnership). We will also examine the child’s right to a family (including guardianship, custody and access as well as adoption) and the protection of vulnerable family members (including child protection and domestic violence).  |
| **Module Co Requisite** | N/A |
| **Assessment Details@I-MOD-ASSM** | Problem Question 50%, Individual Essay (3,500 words) 50%  |
| **Reassessment** | As Above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44132 |
| **Module Name** | FINANCIAL SERVICES LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd Semester.  |
| **Module Coordinator/Owner** | Dr Alexandros Seretakis/Dr Felix Mezzanotte  |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and critically evaluate the events which led to the overhaul of financial regulation.
* Develop an understanding of the functioning of modern financial markets.
* Demonstrate a sound knowledge of financial regulation.
* Appraise the impact of EU law on domestic financial regulation.
* Develop an awareness of developments in financial regulation at a European level.
* Identify the political and economic forces shaping financial services regulation.
 |
| **Module Learning Aims** | This course will introduce students to financial services and their regulation. Since Ireland’s accession to the EU, Irish financial regulation has been heavily influenced by EU legislation. The financial and sovereign debt crisis have led to greater harmonization of financial regulation. As a result, the course will focus on European legislation and developments. |
| **Module Content** | The course will deal with banking and financial market supervision and regulation, such as the recent establishment of the European Banking Union. Furthermore, we will discuss the events which led to the radical overhaul of financial regulation, such as the financial crisis, the sovereign debt crisis and the Irish banking crisis. Finally, we will also analyze recent developments which will likely alter the structure of Irish and EU financial markets in the coming years, such as the sustainable finance initiatives of the European Commission.The course will examine EU financial services law focusing on major pieces of legislation, such as MIFID II and the European Banking Union. Furthermore, the course will also examine the structure of the regulatory system in Ireland. The focus of the course will be on thorough individual reading of major pieces of legislation and initiatives in the financial services field and group discussion and analysis, through which the class can collectively explore major themes in EU and Irish financial services law. The course will enhance students’ research abilities, their critical analysis of legal materials, their legal writing, and their communication skills. It will challenge them to think about financial regulation at both the detailed micro level of discrete problems and the broader macro level of the financial system.  |
| **Recommended Reading List** | For an overview of the theoretical underpinnings of financial regulation see J. Armour, D. Awrey, P. Davies, L. Enriques, J. N. Gordon, C. Mayer, and J. Payne, Principles of Financial Regulation, Oxford University Press, 2016For an overview of financial services law in the EU see Niamh Moloney, EU Securities and Financial Markets Regulation. Third Edition, Oxford University Press |
| **Assessment Details@I-MOD-ASSM** | Research Paper (5,000 words) – 85%Group Presentation - 15% |
| **Reassessment** | Research Paper (5,000 words) – 85%Individual Presentation - 15% |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code**  | LAU44282 |
| **Module Name**  | Housing Law and Rights in Context |
| **Module Short Title**  |  Housing Law |
| **ECTS weighting**  | 5 |
| **Semester/term taught**  | HT |
| **Contact Hours and** **Indicative Student** **Workload**  |  2 hours per week in the 2nd semester. |
| **Module** **Coordinator/Owner**  | Dr Sarah Hamill |
| **Module Learning Outcomes**  | * Understand key issues and developments in housing law and rights both in Ireland and in other jurisdictions.
* Understand how housing law and rights relate to other areas of law such as property law, international human rights, constitutional law, and social welfare law.
* Communicate effectively about housing law via an in-class discussion, and via the written assessments.
* Critically analyse developments in housing law and rights in Ireland and transnationally.
* Evaluate how housing law and rights interact with other areas of social law and policy.
 |
|  **Module Content**  | In recent years multiple countries around the world have appeared to be in the grip of a housing crisis. Not only are house prices and rents spiralling beyond what is affordable for many, jurisdictions have also struggled with the physical quality of the housing provided with some housing, even some new-build developments, being unfit for human habitation. So too have jurisdictions struggled to address or even reduce homelessness. This module examines the legal backdrop to the current housing crisis and how different jurisdictions around the world have responded. This module adopts a transnational, comparative, and socio-legal approach to housing law and housing rights, and its scope is deliberately broad rather than deep. The purpose is to allow students to compare how different jurisdictions have approached similar issues and thus equip students to assess the limitations of the law in addressing housing issues. A unifying theme across the topics explored in this module is the idea of a right to housing and how well (if at all) the various areas of housing law and jurisdictions explored protect or realise that right. This module will examine aspects of the landlord-tenant relationship, the legal regulation of apartments, legal responses to defective housing, the regulation of homeless people, the right to housing, the regulation of owner-occupation, and the legal regulation of short-term lets such as those facilitated by companies like Airbnb. The module will take a socio-legal approach and, as such, will also draw on material from sociologists, anthropologists, historians, and social policy scholars among others. The module will also draw on material from a range of jurisdictions including, Ireland, the UK, Canada, Australia, the US, South Africa, and the European Court of Human Rights.  |
| **Module Pre-requisite**  | None, though students may find having studied Land Law, Constitutional Law I and II useful. Students who have studied abroad may be able to draw on their studies abroad for this module (but this is not essential) |
| **Module Co Requisite**  |  |
| **Teaching and Learning Methods (including details of supervision)** | The course will be delivered via 2 hours of interactive lectures per week. The module lecturer will cover key aspects of the content but students will be expected to have done the required reading, and engage in class discussions.  |
| **Assessment** | Response paper (500-1000 words), 25%Reform Proposal (3,000 words), 75% |
| **Reassessment** | As above |
| **Module Website**  | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44060 |
| **Module Name** | INSOLVENCY LAW |
| **ECTS weighting** | 5 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 1.5 hours of lectures per week, 2nd Semester |
| **Module Coordinator/Owner** | Dr Felix Mezzanotte |
| **Learning Outcomes** | By the end of this module, students should be able to: * Describe and understand relevant concepts, substantive law and procedures in corporate insolvency law in Ireland
* Apply relevant legal rules and court decisions to resolve problems of insolvency law
* Critically analyse key issues and questions of insolvency law
* Work collaboratively to analyse and resolve problems involving insolvency law
 |
| **Module Content** | This module examines the law of corporate insolvency in Ireland. Key topics of study include examinership, receivership and liquidation. These topics are addressed comprehensively, covering both theoretical and practical aspects. Legal issues and problems are identified and analysed critically in class. An introduction to the rules governing personal insolvency in Ireland is also provided. The module is assessed via a collaborative group exercise, and by a take home exam which will take the form of a legal opinion. |
| **Module Pre-requisite** | Company Law |
| **Module Co Requisite** |  |
| **Assessment Details@I-MOD-ASSM** | Take Home Exam (80%) In-Class Group Problem Solving Exercise (20%) |
| **Reassessment** | TBC |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44142 |
| **Module Name** | INTERNATIONAL HUMAN RIGHTS LAW |
| **Module Short Title** |  |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd Semester |
| **Module Coordinator/Owner** | Mr Michael Becker |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and describe the essential characteristics of the international human rights regime;
* Debate different theoretical and cultural perspectives on the foundations of international human rights;
* Discuss and evaluate the interaction between different international mechanisms for the enforcement of human rights;
* Apply concepts, doctrines and rules to practical human rights challenges to resolve hypothetical fact scenarios;
* Successfully complete substantial independent research into a particular aspect of international human rights.
 |
| **Module Content** | This course examines the foundations and development of international human rights law. It considers the historical, political and legal context from which the current framework for human rights has emerged and analyses the international and regional instruments and mechanisms for monitoring and enforcing human rights. Select case studies explore the complex interplay between law and policy and the role of international and national actors in responding to human rights violations. Lectures will highlight the central debates surrounding, and shaping, the evolution of international human rights norms, legal instruments and state and non-governmental practices, as well as the current trends and challenges in advancing human rights protection in a diverse and dynamic community of nations. |
| **Assessment Details@I-MOD-ASSM** | Essay 30%%, Exam 60%, Presentation 10% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU34151 |
| **Module Name** | Public Interest Law |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week  |
| **Module Coordinator/Owner** | Prof. Gerry Whyte |
| **Learning Outcomes** | Upon completion of this module, students should be able to:  * Critically assess how the legal system may promote social and political reform, having regard, in particular, to the relationship between the political and legal systems;
* Describe how the Irish courts have dealt with legal claims pursued by people with learning difficulties, children from dysfunctional families, members of the Traveller community and social welfare claimants;
* Describe the different models for delivering legal services to arginalized communities and the different types of service provided;
* Conduct research into substantive and adjectival areas of the law relating to social exclusion.
 |
| **Module Learning Aims** |  |
| **Module Content** | Public Interest Law can be defined as ‘the use of litigation and public advocacy to advance the cause of minority or disadvantaged groups and individuals.’ The course examines the use of litigation to promote social inclusion. In Part A, we consider the definition and history of Public Interest Law and the issue of access to legal services; In Part B, we consider a number of issues relating specifically to the use of litigation, namely, the constitutional and political legitimacy of public interest litigation; the implications of Public Interest Law for court practice and procedures; and the merits and demerits of litigation strategy. In Part C, we consider selected areas of substantive law such as social welfare law, Travellers’ rights, and children’s rights in an evaluation of the role of the Irish courts in promoting social inclusion.  |
| **Module Pre-requisite** | N/A |
| **Module Co Requisite** | N/A |
| **Assessment Details@I-MOD-ASSM** | Essay (4,000 words) – 40%, exam (1 x 2 hour paper) – 60% |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code**  | LAU34252 |
| **Module Name**  | Public Interest Law A |
| **ECTS weighting**  | 5  |
| **Semester/term taught**  | MT |
| **Contact Hours and** **Indicative Student** **Workload**  | 3 hours of lectures per week in weeks 1 - 6 in the 1st semester  |
| **Module** **Coordinator/Owner**  | Prof. Gerry Whyte  |
| **Learning Outcomes**  | Upon completion of this module, students should be able to:  * Critically assess how the legal system may promote social and political reform, having regard, in particular, to the relationship between the political and legal systems;
* Describe the different models for delivering legal services to marginalised communities and the different types of service provided;
* Conduct research into substantive and adjectival areas of the law relating to social exclusion.
 |
| **Module Content**  | Public Interest Law can be defined as ‘the use of litigation and public advocacy to advance the cause of minority or disadvantaged groups and individuals.’ The course examines the use of litigation to promote social inclusion. In Part A, we consider the definition and history of Public Interest Law and the issue of access to legal services; In Part B, we consider a number of issues relating specifically to the use of litigation, namely, the constitutional and political legitimacy of public interest litigation; the implications of Public Interest Law for court practice and procedures; and the merits and demerits of litigation strategy.  |
| **Assessment** **Details@I-MOD-ASSM**  | Essay (4,000 words) |
| **Reassessment** | As above |
| **Module Website**  | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

|  |  |
| --- | --- |
| **Module Code** | LAU44162 |
| **Module Name** | REFUGEE AND IMMIGRATION LAW |
| **ECTS weighting** | 10 |
| **Semester/term taught** | HT |
| **Contact Hours and Indicative Student Workload** | 3 hours of lectures per week in the 2nd Semester |
| **Module Coordinator/Owner** | Dr Christiane Ahlborn |
| **Learning Outcomes** | By the end of this module, students should be able to: * Identify and evaluate the law relating to refugees and migrants in light of international human rights law, membership of the European Union and the domestic legal framework;
* Critically analyse the policy behind refugee and immigration law in the domestic and international spheres:
* Apply critical analysis and problem-solving skills and techniques to different essay and problem-based refugee and immigration law questions.
 |
| **Module Content** | The aims of this course are to outline the law relating to refugee and immigration in Ireland in the light of EU membership and international human rights law, to develop a critical understanding of the policy behind refugee and immigration law, and to develop a practical understanding of the implications of refugee and immigration law. The course is divided in to three parts, Part I dealing with the International Framework for Refugee Protection, Part II addresses the European dimension and Part III considers the Irish framework on Refugee and Immigration law. Topics covered include Principles and Key Concepts in Refugee Protection, the Convention relating to Status of Refugees 1951, Alternative Forms and Instruments of Protecting, the Evolving EU Acquis on Asylum, European Refugee Protection: Practices and Policies, the Refugee in Irish Law, Citizenship and Naturalisation in Irish law and Immigration Law in Ireland. |
| **Assessment Details@I-MOD-ASSM** | Essay (3,500 words) - 50%, Group Project - 50%  |
| **Reassessment** | As above |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules https://tcd.blackboard.com/  |

# Capstone Project

|  |  |  |
| --- | --- | --- |
|  | **LLB AWARDS** | **BA AWARDS** |
|  | **SH - 50 JS / 40 SS + Capstone** | **Law Maj –** **OPTION A****40 JS** **20 Optional Law SS + Capstone** | **Law Maj –** **OPTION B****30 JS** **40 Optional Law SS + Capstone** | **JH - 30 JS** **20 SS + O Capstone** | **Law Min – Option A****20 JS Law****20 SS Law** |
| **CAPSTONES** | SS C | SS C | SS C | SS O | N/A |

Students following the Single Honors, or Law Major Pathways are required to take a Capstone in Law. Students on the Joint Honors Pathway (20 Law, 20 S2, 20 Capstone) may take it in Law or the second subject.

|  |  |
| --- | --- |
| **ECTS weighting** | 20 |
| **Semester/term taught** | Year Long |
| **Contact Hours and Indicative Student Workload**[[4]](#footnote-4) | 14 hours workshops Self-study and preparation for formative and summative assignments, including group work – approximately 186 hours |
| **Capstone Coordinator** | Prof. Aileen Kavanagh |
| **Learning Outcomes** | Having completed this module, students should be able to:* Effectively demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate and the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse of an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Rationale and Aims:**  | This Capstone/research project module is designed to allow students to develop research, teamwork and communication skills, and to engage in meta-learning (learning about learning). It seeks to provide students with an opportunity to engage in self-directed, independent research with the support of an academic leader and peers. It will facilitate students to engage in a critical and in- depth analysis of a legal issue, and to communicate their findings to specialist and non- specialist audiences. Students will also be supported to work with their peers and to take responsibility for various tasks within a group setting. A core rationale of the module is to facilitate students in the development of skills of life-long learning, to apply research skills to various contexts and to reflect on their learning, both individually and as a group. Through engaging in an in-depth piece of research, working collaboratively, taking responsibility for tasks, communicating effectively and responding to the needs of research-users, students will be facilitated to develop the graduate attributes promoted throughout the School’s programmes.  |
| **Module Content** | The module involves two strands. Within each strand, a number of projects will be conducted. The first strand is animated by community-based learning approaches. In this strand, students will work as a group with an academic leader (faculty member). Each group will collectively prepare a research project in response to a request from a community organisation.[[5]](#footnote-5)The second strand is animated by the concept of thematic learning. Each group will be organised around a broad research theme, with each student preparing a research project on a particular topic within that theme under the supervision of an academic leader (faculty member).The topics for research will vary from year to year, but the skills employed will be similar. Students in both strands will complete research methods workshops at the beginning of the module.The Capstone coordinator will work with the academic leaders to select suitable topics which will allow students to work on an individual piece of research which fits within a theme common to the strand. This process of discussion and selection will happen during the timetabled workshops period. All supervision will be conducted during the timetabled workshops.Each student will work with the academic leader to select a topic which is both suitable for a dissertation and which aligns with the common theme.Students will work on their dissertation individually, but will meet with other students and the academic leader and postgraduate students in a group setting for a series of workshops. These workshops will provide an opportunity for students to discuss their progress, explore emerging themes in their work, examine the structure of their work, present their research, engage in reflection on their learning, and offer and receive feedback from the academic leader, postgraduate students, as well as their peers. Students will also use time in the workshops to prepare a group presentation on the research they have conducted.Each group will sign a ‘group contract’, which will agree timelines, division of responsibilities, methods of communication and contain provision for challenges which may arise.Students will also keep a reflective learning journal and be supported in reflective writing.*Role of postgraduate and postdoctoral researchers*It is envisaged that, where possible, postgraduate and postdoctoral researchers working on themes relevant to the strands will participate in the workshops. This may include: delivering elements of the research skills workshops; providing feedback on students’ written work and presentations; and attending workshops. |
| **Class Size** | Groups will comprise no more than ten students. The number and nature of research themes available each year will depend on available staff resources. |
| **Indicative Resources** | Cahillane and Schweppe, ed., *Legal Research Methods* (Clarus, 2016) |
| **Methods of Teaching and Student Learning** | The research requests and research themes will be settled in the academic year prior to the year in which the students take the dissertation module.Students will have to identify several research requests or themes, in order of preference, to which they could be assigned, at the same as their module selection in February.The assignment of students within the module to research groups will take place in April.The series of workshops would commence at the start of Michaelmas Term. Within each strand, students will first complete research methods workshops. Subsequent workshops with research/project groups will take place every second week for each group. Each workshop will last up to two hours. Students will be encouraged to meet outside of the workshop format on a more regular basis; these meetings will not be supervised by the academic leader.The deadline for submission of all research projects will be the week after reading week in Hilary Term.A large portion of the work will conducted by students working independently, outside of the workshops. Online facilities may be used for this purpose. |
| **Assessment**[[6]](#footnote-6) | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/FailStudents will be assigned an individual mark for their dissertation. This will be worth 80% of the overall mark.Students will be assigned a group mark for the group presentation on the common themes emerging from the research conducted within the group. This will be worth 20% of the overall mark.Students will be assessed on a pass/fail basis for their reflective learning journal and ongoing participation. Reflection will be by means of submitting 300 words after every class through Blackboard. The participation mark will be calculated commensurate to any unexcused absences from classes. The reflection mark will be calculated commensurate to any unexcused missed My journal entries. The word limit for the dissertation will be 12,000 words for all strands except for both Evidence and Public Law for which the word limit is 7,000. The academic leader will assess students’ work. |
| **Reassessment** | As these modules require a group element, re-assessment will be decided on a case by case basis. |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/modules <https://tcd.blackboard.com/>  |
| **Evaluation** | The module will be subject to ongoing within semester and end of semester feedback, using the Law School forms and additional measures where appropriate.Feedback on the administration of the module will also be sought from the community partner in the community-based learning strand.Annual end of year module evaluations will be conducted. |

## Capstones 2022-23 and available cohorts

|  |  |  |
| --- | --- | --- |
|  | **LLB AWARDS** | **BA AWARDS** |
| **Every student must take a Capstone****Single Honors** and **Law Major** students **MUST** take their Capstone from Law.**Joint Honors** may choose Law or S2 for their Capstone. | **SH****Law** | **Law Maj** **A** | **Law Maj** **B** | **JH****Law/S2** | **Law Min** **S2 Only** |
| **CODE** | **CAPSTONES** | SS C | SS C | SS C | SS O | N/A |
| LAU44005 | Current Issues in Tort Law Theory and Practice  | O | O | O | **N/A** | N/A |
| LAU44001 | Comparative Constitutional Law | O | O | O | **N/A** | N/A |
| LAU44003 | Conceptualising Constitutional Relationships  | O | N/A | O | **N/A** | N/A |
| LAU44004 | Criminal Defences | O | O | O | O | N/A |
| LAU44006 | Defamation Reform | O | O | O | O | N/A |
| LAU44007 | Equality Diversity and the Law | O | O | O | O | N/A |
| LAU44008 | Fintech | O | O | O | **N/A** | N/A |
| LAU44023 | International Human Rights | O | O | O | **N/A** | N/A |
| LAU44009 | Law and Empire | O | N/A | O | O | N/A |
| LAU44014 | Law and Literature  | O | N/A | O | **N/A** | N/A |
| LAU44015 | Law, Sustainability and Finance | O | O | O | O | N/A |
| LAU44016 | New Trends in Intellectual Property Law  | O | O | O | **N/A** | N/A |
| LAU44017 | Property and Constitutions: Regulating People and Places  | O | O | O | **N/A** | N/A |
| LAU44018 | Property Law and Theory | O | O | O | **N/A** | N/A |
| LAU44019 | Public international Law | O | O | O | **N/A** | N/A |
| LAU44020 | Public Law\* | **N/A** | O\* | O\* | **N/A** | **N/A** |
| LAU44024 | Evidence & Criminal Law\* | **N/A** | O\* | O\* | **N/A** | **N/A** |

Capstones are generally capped at 10.

**\*** Only available if you were abroad in MT or FY in 2021-22 and did not complete Administrative Law.

\*\***\*** Only available if you were abroad in MT or FY in 2021-22 and did not complete Evidence.

## Capstone Descriptions

|  |  |
| --- | --- |
| **Module Code** | LAU40001 |
| **Module Name** | COMPARATIVE CONSTITUTIONAL LAW |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr James Rooney |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | In critiquing a constitutional order, it is instructive to examine comparable legal systems and consider how different approaches to the same constitutional issues are resolved. Inquiries into the proper role of the three branches of government within the separation of powers; what rights should be protected; how to ensure rights are protected; how to amend a constitution, etc., all can be clarified by considering the experience of other jurisdictions. However, the usefulness of comparative study can also be dependent upon choosing comparators wisely, to avoid making false equivalences between vastly different legal orders. In this research group, we will undergo a comparative analysis of the constitutions of two legal systems as they pertain to a specific aspect of their constitutions. We will consider what lessons can be learnt from the jurisdictions we analyse, and what this can tell us about constitutional law more broadly. |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |
|  |  |
| **Module Code** | LAU44003 |
| **Module Name** | CONCEPTUALISING CONSTITUTIONAL RELATIONSHIPS |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Prof Aileen Kavanagh |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | In any constitutional democracy, the three branches of government carry out distinct roles whilst interacting with each other in various ways. One form of interaction is a matter of maintaining checks and balances e.g. where the courts review legislation for compliance with the constitution, or the legislature checks the executive’s powers by holding it to account in the Oireachtas. But there are other types of interaction too. For example, when the Oireachtas enacts laws, it needs the courts to interpret that law, filling in gaps where necessary. By the same token, when the courts strike down a law or make a ‘suspended declaration’, this often requires the legislature to remedy the defect in the law or fill a constitutional lacuna. In this research group, we will explore how to conceptualise the roles of the three branches of government and the relationships between them. Are the courts and the political branches each pulling in different constitutional directions or rivals locked in combat to get ‘the last word’ on what the constitution requires? Or are they involved in a more respectful constitutional ‘dialogue’ where each branch shares its view on constitutional requirements, whereupon the other responds with a considered counter-argument? Alternatively, can we detect a deeper type of collaborative dynamic at play when the courts, executive and legislature act and interact within the constitutional framework? And, if so, do we need to revisit and refine the traditional understandings of the separation of powers, or can that traditional doctrine accommodate a more relational understanding of constitutional governance?  |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44004 |
| **Module Name** | CRIMINAL DEFENCES |
| **ECTS weighting** | 20 |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr David Prendergast |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | Criminal culpability refers to the aspects of substantive criminal law that seek to reflect moral blameworthiness on the part of a person who commits an offence. These aspects include the requirements of *mens rea* (the mental aspects of crime), but also embrace supervening defences such as duress and provocation and definitional devices and grading of offences that, again, seek to reflect moral culpability or moral blameworthiness. For example, a single punch, not consented to, that causes no real injury is an assault; the exact same kind of punch, in another case, if it happens to cause death, is a manslaughter (eg, *R v Holzer* [1968] VR 481). The legal result is quite different; a question is whether the law here reflects a difference in culpability notwithstanding the mens rea being the same in both cases? |
| **Recommended Reading List** | David O Brink, ‘The Nature and Significance of Culpability’ (2019) 13 Criminal Law and Philosophy 347. |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU40005 |
| **Module Name** | CURRENT ISSUES IN TORT LAW THEORY AND PRACTICE |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Desmond Ryan |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | This theme seeks to build on students' learning in Tort Law and related private law areas at the Junior/Senior Freshman level so as to enable them to explore in an in-depth manner more advanced and sophisticated research questions in tort law. |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU40006 |
| **Module Name** | DEFAMATION REFORM |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Eoin O’Dell |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | The reform of Defamation Law is in train in many common law jurisdictions worldwide. Ireland is no exception. There is as much for Ireland to learn from this process as there is for it to contribute. There is little consensus on how to measure the various rights, interests and values at stake here (*eg*, the protection of good name and reputation; freedom of expression; media rights; access to justice; public comment and democratic debate). This Module therefore offers students the opportunity to engage with a fast-moving real-world topic in real-time. |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU40007 |
| **Module Name** | EQUALITY, DIVERSITY AND THE LAW |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Prof Mark Bell |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | This module will examine the role of law in advancing equality and responding to the challenges presented by a diverse society. Participants can examine issues arising within Irish law and/or European, international and comparative sources of law. Topics that might be examined include (but are not limited to):* reforming Irish law and the prohibited grounds of discrimination (e.g. the case for adding new grounds not expressly protected by the existing legislation such as gender identity or socio-economic status)
* legal responses to structural racism
* legal responses to the gender pay gap
* the UN Convention on the Rights of Persons with Disabilities (e.g. its implementation in Ireland, its influence on courts, the duty to provide reasonable accommodation)
* legal issues relating to religious diversity and the manifestation of religious beliefs (e.g. conscientious objection, accommodation of religious practices)
* theoretical critique of the concept of 'equality' or other related concepts (e.g. intersectionality).
 |
| **Recommended Reading List** | For a general overview of key concepts and issues, see:S Fredman, *Discrimination Law* (2nd edn, OUP 2011).D Oppenheimer, S Foster, S Han, and R Ford, *Comparative Equality* *and Anti-Discrimination Law* (3rd edn, Edward Elgar 2020).A Broderick and D Ferri, *International and European disability law and policy : text, cases and materials* (CUP 2019).U Belavusau and K Henrard, *EU anti-discrimination law beyond gender* (Hart Publishing 2019). L Black and P Dunne, *Law and gender in modern Ireland* (Hart Publishing 2019).  |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44008 |
| **Module Name** | FINTECH |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Alexandros Seretakis |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Learning Aims** | The aim of this module is to facilitate in-depth research of a self-directed and collaborative nature in the area of judicial review of administrative action. It aims to foster the ability to engage in critical analysis of legal doctrine and principles by reference to a dynamic area of law. |
| **Module Content** | Fintech is radically changing the financial system and the provision of financial services. The explosion of cryptocurrencies, the rise of decentralized finance and the promise of blockchain technology have led to massive amounts of capital invested in fintech projects. The aim of this module is to examine fintech, its opportunities, risks and regulatory responses. Topics may include smart contracts, blockchain technology, central bank digital currencies and decentralized finance. |
| **Recommended Reading List** | Aaron Wright and Primavera De Filippi, Blockchain and the Law: The Rule of Code (Harvard University Press 2018). Phillip Hacker et al., Regulating Blockchain: Techno-Social and Legal Challenges (Oxford University Press 2019). Iris Chui and Gudula Deipenbrock, Routledge Handbook of Financial Technology and Law |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/Fail Participation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44023 |
| **Module Name** | International Human Rights Law  |
| **Module Short Title** |  |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Mr Michael Becker |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of human rights law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Learning Aims** | The primary learning aim of the module is to enable students to gain experience of carrying indepth research on European or international human rights law.  |
| **Module Content** | Perhaps the most dramatic development in the post-World War II international legal order was the emergence of human rights as a distinct field of international law. While human rights had been protected at the national level in many jurisdictions prior to this time, in the wake of destruction wrought by the war, human rights were for the first time recognised as a matter of broader international concern. Following the landmark Universal Declaration of Human Rights, binding human rights treaties were concluded: first, at the regional level, most notably with the European Convention on Human Rights; and later at the global level, including through the core UN human rights treaties. Over time, human rights has given rise to an elaborate body of international norms and institutions. The purpose of this capstone module is to provide students with an opportunity to conduct indepth research on the legal framework which governs human rights beyond the State, both at the regional and global levels. Topics may include:1. core topics in the field of international human rights law, relating to the structures, sources and system of international human rights law;
2. specific rights (whether civil, political or economic, social and cultural or otherwise),
3. issues under specific treaty regimes (e.g. ICCPR, ICESCR, CEDAW, UNCRC and others);
4. cross-cutting issues or themes which are relevant in the development of international human rights law today (for example, questions of migration, digitalisation, climate change and the environment more generally);
5. issues arising from relationship between international human rights law and other fields such as trade, environment, UN sanctions.

In engaging in this research, students will become familiar with the distinctive sources, tools and methodology of human rights law and broader debates about the nature and purpose of human rights law. |
| **Recommended Reading List** | Students may find it useful to consult some of the leading textbooks on international human rights law e.g.* Moeckli et al, International Human Rights Law (3rd edn, OUP, 2017)
* Steiner, Alston and Goodman, International Human Rights in Context (3rd edn, OUP, 2007)
* Harris et al, Harris, O'Boyle, and Warbrick: Law of the European Convention on Human Rights (4th ed, OUP, 2018)
* De Schutter, International Human Rights Law: Cases, Materials, Commentary (3rd ed., CUP, 2019)
 |
| **Module Pre-requisite** | N/A |
| **Module Co Requisite** | N/A |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/Fail Participation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |
| **Module approval date** |  |
| **Approved By** | LSC |
| **Academic Start Year** | 2022/23 |
| **Academic Year of Data** | 2022/23 |

|  |  |
| --- | --- |
| **Module Code** | LAU44009 |
| **Module Name** | LAW AND EMPIRE |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Sarah Hamill |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | Just as law was central in structuring and legitimating imperial expansion, so too was law used in resisting and ending colonialism, and is still used today both to address ongoing harms caused by colonisation and to challenge modern-day forms of imperialism. The focus of this research group will be on the historical, jurisprudential, doctrinal, and modern-day manifestations of law’s role in creating and resisting empires and colonialism, broadly defined. Potential topics include, but are not limited to:* The changing legal justifications for conquest;
* The “doctrine” of terra nullius;
* The role of property law in colonialism;
* The doctrine of reception;
* The legal relationship between colonies and the imperial centre;
* The role of the corporate form in colonialism;
* The rights of Indigenous Peoples;
* Cultural property issues;
* Citizenship law as a site of (de)colonialism;
* The role of the UK’s Judicial Committee of the Privy Council;
* The law’s role in decolonialising.

Students should contact the academic leader to discuss potential topics and to be given some reading specific to their chosen topic. |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/Fail Participation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU40014 |
| **Module Name** | LAW AND LITERATURE |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr David Kenny |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Learning Aims** | * To encourage deep engagement with the field of law and literature;
* To engage in in-depth analysis of a text of texts;
* To take a law and humanities/law and literature approach to analysing that text or the law by reference that text;
* To engage in substantial independent research around your topic;
* To learn extensively from the topics and approaches of your peers.
 |
| **Module Content** | In this research group, you will have the opportunity to explore the intersection of law and literature, an exciting field that looks at the merging of law and the humanities. In the pre-reading for the module and early discussion, we will explore the different approaches to Law and Literature: * law in literature, the portrayal or role of law in a work of fiction, or an author’s work, or a genre;
* law as literature, looking at legal writing as genre, the rhetoric of law, or law as fiction;
* literature in law, how literature has influenced or been used by courts or lawmakers;
* literature as law, how stories or narratives can function as rules and guides for action;
* law and literature, how the two disciplines come together and diverge in shared areas of interests such as censorship or interpretation;

In our preparatory reading, we will look at law and literature methodology, and look at some case studies of law and literature scholarship to give you examples of the field. You will be able to pick your own topic, subject to my approval. I will work closely with you in selecting methodologies and readings to guide your research. The following are illustrative only and I encourage you to find your own topic based on your particular interests. * Atticus Finch as the archetypal lawyer
* Punishment in Paradise Lost
* Authority and power in Shakespeare (e.g. Macbeth/Richard II/Richard III)
* The lawyer as protagonist in popular fiction
* Legally blonde as critique of feminist accounts of law
* Customs, Norms and Law: Law as collective conformity in Shirley Jackson’s The Lottery
* Intentionalism in legal and literary interpretation
* The rhetoric of “fairness” in Irish tort law
* In Cold Blood and the Narrative of Crime
* Deals with the devil: faustian bargains in fiction and technicality in contract law
* Antigone and the Natural Law
* Censorship of literature in Ireland, 1930-1950
 |
| **Recommended Reading List** | * Richard Posner, *aw and Literature*
* Stanley Fish, “Don’t Know Much About The Middle Ages: Posner on Law and Literature, 97 Yale L.J. 777 (1988)
* Harper Lee, *To Kill a Mockingbird* (1960)
* *The Book of Genesis, The Bible*
* Legally Blonde (2001 Film rather than the novel)
* Colm Tóibín, *The Heather Blazing* (1992).
 |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |
| **Academic Year of Data** | 2022/23 |

|  |  |
| --- | --- |
| **Module Code** | LAU40015 |
| **Module Name** | LAW, SUSTAINABILITY AND FINANCE |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Felix Mezzanotte |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | In recent years, the financial sector in Europe has been given an increasingly important role in promoting policies that mitigate climate change and global warming and policies that foster fairer societies. Climate risk affects the performance of companies and the real economy. It translates into greater financial risk, affecting investment returns and threatening the stability in the financial sector. On the sustainable investing front, while accelerating sustainable investing (investments that pursue environmental or social investment objectives) can be a highly beneficial tenet, it also generates greenwashing risk, that is, the risk that investment products be marketed and sold to investors as making an environmental or societal contribution when in reality they do not. This way, greenwashing exposes investors (including shareholders) to abuse and loss. This research group will focus on the law and policy of sustainable finance and address important legal problems arising from the policy of integrating sustainability in the financial sector. Potential research topics include: 1. Conceptualising the new ‘sustainable’ investor
2. Promotion of sustainability outcomes through shareholder engagement
3. Public enforcement of greenwashing committed by companies or financial intermediaries
4. Non-financial corporate reporting and the ‘double materiality’ approach
5. Mis-selling of sustainable investment products: common law basis for action for damages
6. Defining fiduciary obligations in a context of sustainable investments and of corporate sustainability
7. Managing climate risk in the banking system
8. The problem of identifying the sustainability component in investment products and of measuring the actual impact of sustainable investments
 |
| **Recommended Reading List** | The reading list will be determined by the student and the academic leader at the start of the module. This is a novel area of research. Research material will largely consist of primary sources of law and regulation, and secondary sources including recent journal articles, report and studies produced by NGOs, government, consulting firms and international agencies involved in sustainability, corporate and finance. Depending on the topic chosen, court decisions may also serve as legal source underpinning the research.Importantly, this is an area of research characterised by interdisciplinarity. Student should be willing to utilise in their research literature produced in the area of business, economics, finance, environment, society, among other disciplines. |
| **Module Co Requisite** | N/A |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/Fail Participation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/Fail Participation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU40016 |
| **Module Name** | NEW TRENDS IN INTELLECTUAL PROPERTY LAW |
| **ECTS weighting** | 20 |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Jiarong Zhang |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | The idea of multi-level, supranational legislation on industrial, literary and artistic property goes back to the end of the 19th century. At that time, international agreements were a natural response to the consequences and challenges posed by the industrial revolution in Western Europe. When individual creators, inventors and enterprises started being increasingly able to distribute and commercially exploit copies of their works and products embodying new technologies and distinctive marks on a cross-border basis, their governments started establishing common standards of protection for such intangible goods. From then onwards, the definition of minimum standards regarding the scope and enforcement of intellectual property rights has progressively expanded to the entire world. This phenomenon significantly accelerated from 1994 onwards, with the creation of the World Trade Organisation (WTO) and the adoption of a sort of global “constitution” for intellectual property (‘Trade Related Aspects of Intellectual Property Rights’ or ‘TRIPS’ Agreement, 1994). Members of this research group will be encouraged to examine the socio-economic, commercial and legal implications of the TRIPS Agreement and of other international agreements including the World Intellectual Property Organization (WIPO) Internet treaties (1996). In particular, students will advance their knowledge on issues that evidence the influence of WTO law on jurisdictions which barely had a system of copyright, patent or trademark protection before 1994. Research group activities will allow students to better understand pros and cons of EU regulations and directives which sought to facilitate the goal of a ‘Single Market’ by harmonizing or unifying intellectual property systems on the grounds of international standards. Drawing on the Intellectual Property Law module (LAU 44072), students will be able to explore new trends related to topics and issues which evidence goals, priorities but also contradictions and problems that national lawmakers and courts, such as the Irish ones, can no longer solve by themselves in light of obligations and limits created under international and EU laws. Sub-topics may include (but are not limited to) the following: * Access to medicines, patent protection and the right to health;
* Biotechnological inventions, patent protection and their impact on morals;
* Digital copyright protection and its consequences for Internet freedom and free speech;
* Online intermediary liability regimes and their impact on remuneration of content creators;
* Overlapping intellectual property rights and their consequences for competition policy;
* Copyright implications of artificial intelligence;
* Patent law, innovation and artificial intelligence;
* Expansion of trademarks’ scope and its consequences for competition policy and freedom of speech;
* Trade secrecy as an alternative to intellectual property;
* Intellectual property rights in data.
 |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU40017 |
| **Module Name** | Property and Constitutions: Regulating People and Places  |
| **ECTS weighting** | 20 |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Rachael Walsh |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | Constitutional property law and property theory are two related, burgeoning fields of academic and professional interest amongst lawyers internationally. Guarantees for private property rights, in both domestic constitutions and international conventions and treaties (most notably, the European Convention on Human Rights), are increasingly the focus of litigation in common law jurisdictions, including the UK, responding to the rapid expansion that has occurred in regulatory control of private ownership in contexts as diverse as land-use, financial services, public infrastructure development and industrial licensing. This trend has further accelerated as a result of the global economic crisis, which forced governments throughout the world to introduce various measures that restrict the exercise of property rights, or deprive owners of property rights, sometimes in dramatic and far-reaching ways. However, the function of constitutional property rights guarantees in controlling such regulatory interventions is often ambiguous, at least beyond paradigm cases such as compulsory acquisition of real property. Moreover, the values that constitutional or human rights protection of private ownership seeks to realise are various, complex, and at times conflicting. That complexity is heightened by the fact that in common law jurisdictions, such public law guarantees for private ownership interact with a long-standing private law tradition of protecting property rights. Within such jurisdictions, scholars continue to debate the relative merits of a focus on individual or social values within property law, which is a debate with heightened stakes in the context of an economic crisis.This research project module will explore a number of themes at the interface between property law and constitutional law comparatively, as well as through the prism of European Human Rights Law, including but not limited to: 1. Property Rights and Climate Mitigation: Partners or Adversaries?
2. Constitutionalising Housing Rights
3. Institutional Goals – Property Rights as an Economic Agenda
4. Property Rights and Social Policy – the Interface of the Directive Principles
5. “New Property” in the European Court of Human Rights
6. “New Property” in the Irish Courts
7. Assessing the Potential of Citizen Deliberation in Mediating Property Rights and the Public Interest
8. COVID-19 and the Public/Private Balance in Property
9. Property, Austerity, and the Impact of Constitutionalisation
 |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU40018 |
| **Module Name** | PROPERTY LAW AND THEORY |
| **ECTS weighting** | 20 |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Sarah Hamill |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Content** | Property law shapes our everyday lives and interactions in a way which we often take for granted. Not only does property law tell us where we can be, what we can do while we are there, and how long we can be there for, it also shapes relationships between individuals, between individuals and the state, and between communities. In this strand, students will have the option of exploring in greater depth the ways in which property law matters for these relationships. Topics which will be available in this strand range from the theoretical to the doctrinal, from the historic to the present day, and from studies limited to one jurisdiction to those which are comparative in nature. Property law shapes our everyday lives and interactions in a way which we often take for granted. Not only does property law tell us where we can be, what we can do while we are there, and how long we can be there for, it also shapes relationships between individuals, between individuals and the state, and between communities. In this strand, students will have the option of exploring in greater depth the ways in which property law matters for these relationships. Topics which will be available in this strand range from the theoretical to the doctrinal, from the historic to the present day, and from studies limited to one jurisdiction to those which are comparative in nature. Suggested topics include:1. The Nature of Property’s RelationshipsThis sub-topic covers debates about whether property is the law-of-things or whether it is about interpersonal relationships; as well as examining how property law structures relationships on multiple levels.2. Property and Corporate LawTo what extent are corporations property? Are shares property? Are shareholders owners? This sub-topic is for students who wish to explore how property law has or has not shaped corporate law. Other topics could include to what extent corporations should be able to access the property protections seen in human rights and constitutional rights documents. 3. Property and Housing\*This sub-topic could see students explore the right to home, the right to housing, and how property law matters for homeless people. Students could also explore landlord and tenant law.\* Students may not write on this topic if they are planning on taking Housing Law and Rights in Context.4. Alternatives to Individual Private PropertyIndividual private property dominates theoretical accounts of property but to what extent does this reflect the totality of property? Is private property conceptually prior? What are the alternatives and how should we understand them? How do courts understand them – do the courts understand them, even?5. The Appropriate Level of Protections for PropertyHow is property protected and should it be protected? In this sub-topic students could explore whether and why property is (or is not) constitutionally protected, or protected as a human right. Students could also explore how these protections came to be and to what extent they are enforceable.6. Adverse Possession and Property LawSeveral jurisdictions around the world have abolished adverse possession, the question is whether or not this is a desirable goal. Students could explore this question from a theoretical perspective or could examine whether the continued existence of adverse possession is incompatible with title registration. Or students could examine whether adverse possession might have a role to play in protecting those without formal property rights.7. Defining ‘Property’Just what is ‘property’ anyway? What do we mean by ownership? Here students could interrogate theoretical accounts, doctrine, or both to grapple with what ownership means, and if ownership actually exists at all. Students are welcome to focus on one or more jurisdictions or explore these questions from a theoretical or historical perspective.8. Doctrinal Issues and ErrorsIs the actual law of property fit for purpose? Here students could re-examine a land law or other property law doctrine previously studied and ask whether it needs reformed and if so, how. Students are also welcome to suggest their own topics or sub-topics, in addition to those listed above, within the broad range of property law. Students should contact the strand leader to pick a topic and/or discuss topics beyond those listed above. |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/FailParticipation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44019 |
| **Module Name** | Public International Law / Contemporary Issues in International Law  |
| **Module Short Title** |  |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Eight two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Christiane Ahlborn |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of public international law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Learning Aims** | The primary learning aim of the module is to enable students to gain experience of carrying indepth research on a contemporary issue in international law.  |
| **Module Content** | From the COVID-19 pandemic to the war in Ukraine, the challenge of climate change to the ongoing migration crisis, recent events have underlined the critical importance of international cooperation in tackling the global issues of our time. The purpose of this capstone module is to provide students with an opportunity to conduct indepth research on the legal framework which governs the global response to these challenges: the framework of public international law.Over the course of the past century, international law has been transformed. Once the preserve of the foreign ministries of the great powers, international law has dramatically expanded in its scope, reaching deep within national legal systems and into the lives of individuals around the world. With the establishment of the United Nations and other international institutions in the wake of World War II, the international community witnessed the creation of a rules-based international legal order. This led to the development of international law not only in its core areas of interest but also in an increasingly wide range of specialised fields, not least human rights, international criminal law and the environment. As new challenges continue to present themselves and demand global action, international law is called on to respond. While some argue that recent events have called into question the post-1945 rules-based international order, challenges to the legal character, effectiveness and legitimacy of international law are not new.In this capstone, students will have the opportunity to engage indepth in research on a contemporary issue of international law of their choice. Topics can include core topics in the field of public international law generally, such as:1. The sources of international law;
2. The subjects or actors of international law;
3. The framework of international responsibility;
4. Jurisdiction and immunities;
5. The rules governing the use of force;
6. The system for the peaceful or judicial settlement of disputes.

In addition, students may choose to focus on a specialised area of international law of particular interest to them, such as law of the sea, human rights law, international criminal l law, the environment, trade or tax. In engaging in this research, students will become familiar with the distinctive sources, tools and methodology of international law and broader debates about the nature of international law. |
| **Recommended Reading List** | Students may find it useful to consult some of the leading textbooks on public international law for the purposes of identifying potential topics such as:1. James Crawford, *Brownlie’s Principles of Public International Law* (9th ed., Oxford Univ. Press, 2019).
2. Malcolm Evans (ed), *International Law* (5th ed, Oxford Univ. Press, 2018)
3. David Harris and Sandesh Sivakumaran, *Cases and Materials on*  *International Law* (Sweet & Maxwell, 2015)
4. Anders Henriksen, *International Law* (2nd ed., Oxford University Press, 2019).
5. Gleider Hernández, *International Law* (Oxford Univ. Press, 2019)
6. James Crawford & Martti Koskenniemi (eds), *The Cambridge Companion to International Law* (Cambridge Univ. Press, 2012)
 |
| **Module Pre-requisite** | N/A |
| **Module Co Requisite** | N/A |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80%Group Presentation 20%Reflective Journal Pass/Fail Participation Pass/Fail |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44020 |
| **Module Name** | PUBLIC LAW[[7]](#footnote-7)Judicial Review of Administrative Actions |
| **ECTS weighting** | 20 |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Five two hour sessions over both semesters.Students taking this Capstone will also be required to attend Administrative Law (LAU34001)and complete associated assessments. |
| **Module Coordinator/Owner** | Prof. Hilary Biehler[[8]](#footnote-8) |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Effectively communicate research findings.
 |
| **Module Learning Aims** | The aim of this module is to facilitate in-depth research of a self-directed and collaborative nature in the area of judicial review of administrative action. It aims to foster the ability to engage in critical analysis of legal doctrine and principles by reference to a dynamic area of law. |
| **Module Content** | Dependant on numbers, there may be a variety of related themes. One such theme will be Judicial Review of Administrative Action. Further themes will be rolled out in before Michaelmas Term. Contents of which are below:This research theme provides an opportunity for in-depth research and analysis of various aspects of judicial review of administrative action. The underlying theme in the research module is to analyse the extent to which the courts have achieved an appropriate balance between protecting the rights of individuals and safeguarding the interests of public authorities in judicial review proceedings, particularly in this jurisdiction. Another overarching theme is the extent to which administrative law delivers an appropriate level of accountability for the decisions made by administrative and quasi-judicial decision-makers. Research projects may draw on a range of perspectives doctrinal, theoretical and/or comparative.Some of the research topics in this area may be formulated in broad terms whereas others may be focussed more on specific grounds for judicial review. However, the common factor is that they are underpinned by the rationale of exploring the relationship between protecting the rights and interests of individuals on the one hand and public authorities on the other hand. |
| **Recommended Reading List** | Hogan, Morgan and Daly, *Administrative Law in Ireland* (5th ed., 2019)Biehler, *Judicial Review of Administrative Action* (3rd ed., 2013)Donnelly and Hare, *Principles of Judicial Review*(2nd ed, 2020)Woolf, Jowell, le Sueur, Donnelly & Hare, *De Smith’s Judicial Review* (8th ed, 2018) De Blacam, *Judicial Review* (3rd ed., 2017)Craig, *Administrative Law* (9th ed., 2021)Endicott, *Administrative Law* (4th ed., 2018) |
| **Module Co Requisite** | This will be delivered in conjunction with Administrative Law (LAU34001). |
| **Assessment Details@I-MOD-ASSM** | Research Project 100% (7,000 words)Reflective Journal Pass/FailParticipation Pass/FailStudents taking this Capstone will also be required to complete Administrative Law (LAU34001) in the same academic year. |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

|  |  |
| --- | --- |
| **Module Code** | LAU44024 |
| **Module Name** | EVIDENCEDependant on numbers, there may be a variety of related themes.  |
| **ECTS weighting** | 20  |
| **Semester/term taught** | MHT |
| **Contact Hours and Indicative Student Workload** | Five two hour sessions over both semesters |
| **Module Coordinator/Owner** | Dr Liz Heffernan |
| **Learning Outcomes** | Having successfully completed this module, students should be able to: * Demonstrate specialised, self-directed knowledge of an area of law through examination of a ‘real-life’ legal research problem or a theme within a research group.
* Collaborate with peers and act in leadership roles;
* Constructively evaluate the work of others;
* Synthesise and evaluate a variety of legal research methods, legal sources, findings and analysis.
* Critically analyse an area of law through independent research;
* Consult with and respond to the needs of research users;
* Effectively communicate research findings.
 |
| **Module Learning Aims** | The aim of this module is to facilitate in-depth research of a self-directed and collaborative nature in the area of the law of evidence. It aims to foster the ability to engage in critical analysis of legal doctrine and principles by reference to a dynamic area of law. |
| **Module Content** | This research strand provides an opportunity for indepth research and analysis of various aspects of the law of evidence. Trials in the Irish courts are grounded in the common law, adversarial tradition with its historical emphasis on in-court proceedings, the role of the jury and rules relating to the admissibility of evidence. One theme that will be explored in this module is the adaptability of traditional evidentiary law to meet the needs of contemporary society. Topics on this theme include the evolving role of the trial judge and the jury in relation to evidence, increased recourse to scientific and technological evidence, and developments that seek to support vulnerable witnesses. Another theme in this research module is the evidentiary rights of individuals under the Constitution and international human rights law. This includes the right of the accused in criminal proceedings (e.g. to a fair trial, to access to legal advice and to silence) and the rights of parties and witnesses in civil proceedings. Collectively, students taking this module will explore issues and trends relating to evidentiary adjudication in our courts and the evidentiary rights of participants in the trial process. |
| **Recommended Reading List** | Liz Heffernan, *Evidence in Criminal Trials* (2nd edn, Bloomsbury Professional 2020);Declan McGrath, *Evidence* (3rd edn, Thomson Round Hall, 2020);Caroline Fennell, *Law of Evidence in Ireland* (4th edn, Bloomsbury Professional, 2020);Peter Charleton et al, *Charleton & McDermott’s Criminal Law and Evidence* (2nd edn, Bloomsbury Professional, 2020). |
| **Module Co Requisite** | This module must be taken in conjunction with LAU34011 Evidence. |
| **Assessment Details@I-MOD-ASSM** | Individual Project 80% (7,000 words)Group Presentation 20%Reflective Journal Pass/Fail Participation Pass/FailStudents taking this Capstone will also be required to complete Evidence (LAU34011) in the same academic year. |
| **Module Website** | https://www.tcd.ie/law/programmes/undergraduate/moduleshttps://tcd.blackboard.com/ |

1. Selection for this module is already complete. You may not choose this module unless you have successful applied and been formally placed already. [↑](#footnote-ref-1)
2. Only available if abroad in JS semester/year and you have NOT completed full EU credits. You may not take this if you have completed EU Law in your JS year. [↑](#footnote-ref-2)
3. Only available if abroad in JS semester/year and you have NOT completed full EU credits. You may not take this if you have completed EU Law in your JS year. [↑](#footnote-ref-3)
4. Additional hours will be assigned to students taking the Public Law or Evidence Capstones. These groups will run include with Administrative Law and Evidence lectures. [↑](#footnote-ref-4)
5. There will be no Community Based Learning Capstones on offer in 2022-23. [↑](#footnote-ref-5)
6. Please see assessment components for Capstones in Public Law and Evidence. Additional components and word counts apply. [↑](#footnote-ref-6)
7. Dependant on numbers, there may be other specialism from within Administrative Law. Information herein relates to Judicial Review of Administrative Action theme. [↑](#footnote-ref-7)
8. The Public Law coordinator will be Prof Hilary Biehler. [↑](#footnote-ref-8)