

MODULE DESCRIPTOR

Module Title

Dispute Resolution

| | | | |
|-----------|-------------|-------------|--------|
| Reference | LL2045 | Version | 3 |
| Created | August 2023 | SCQF Level | SCQF 8 |
| Approved | May 2020 | SCQF Points | 15 |
| Amended | August 2023 | ECTS Points | 7.5 |

Aims of Module

To provide the student with an appreciation of the different vehicles and techniques available for resolving commercial and non-commercial disputes in the UK and abroad. To enable students to understand the factors that apply in choosing the most appropriate method in practice.

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Understand and evaluate the main formal dispute resolution processes used in the UK and elsewhere.
- 2 Explain how the context and other factors in a dispute influence the appropriate means of dispute resolution.
- 3 Apply dispute resolution knowledge and understanding in practical situations.

Indicative Module Content

This module will deal with the main methods of dispute resolution available in the UK and elsewhere, in particular negotiation techniques, mediation, conciliation, arbitration, litigation, adjudication, expert determination and mini-trial; dispute avoidance tactics such as good contract drafting; anatomy of a good dispute resolution clause; standard form dispute resolution clauses; cross border dispute resolution and international private law.

Module Delivery

This is a lecture and seminar-based module. Lectures provide core module content. Seminars develop associated higher-level skills through student-centred learning.

Indicative Student Workload

| | Full Time | Part Time |
|--|-----------|-----------|
| Contact Hours | 36 | 36 |
| Non-Contact Hours | 114 | 114 |
| Placement/Work-Based Learning Experience [Notional] Hours | N/A | N/A |
| TOTAL | 150 | 150 |
| <i>Actual Placement hours for professional, statutory or regulatory body</i> | | |

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

Type: Coursework Weighting: 100% Outcomes Assessed: 1, 2, 3
 Description: One written coursework.

MODULE PERFORMANCE DESCRIPTOR**Explanatory Text**

Component 1 comprises 100% of the module grade. To pass the module, a D grade is required.

| Module Grade | Minimum Requirements to achieve Module Grade: |
|--------------|--|
| A | A |
| B | B |
| C | C |
| D | D |
| E | E |
| F | F |
| NS | Non-submission of work by published deadline or non-attendance for examination |

Module Requirements

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|--------------------------|-------|
| Prerequisites for Module | None. |
| Corequisites for module | None. |
| Precluded Modules | None. |

INDICATIVE BIBLIOGRAPHY

- 1 REDFERN, A. et al., 2015. Redfern & Hunter on international arbitration. 6th ed. Oxford: Oxford University Press.
- 2 BROWN, H. and MARRIOT, A. 2012. ADR: principles and practice. 3rd ed. London: Sweet and Maxwell.
- 3 LEWICKI, R. et al., 2011. Essentials of negotiation. 5th ed. New York: McGraw-Hill/Irwin.
- 4 DAVIDSON, F., 2012. Arbitration. 2nd ed. Edinburgh: W. Green.
- 5 ROBERTS, S. and PALMER, M., 2020. Dispute processes: ADR and the primary forms of dispute resolution. 3rd ed. Cambridge: Cambridge University Press.
- 6 BLAKE, S. et al., 2018. A Practical Approach to Dispute Resolution. 5th ed. Oxford: Oxford University Press.