

MODULE DESCRIPTOR

Module Title

Law of Obligations and Evidence

Reference	LLM743	Version	3
Created	June 2023	SCQF Level	SCQF 11
Approved	March 2017	SCQF Points	30
Amended	September 2023	ECTS Points	15

Aims of Module

This course introduces students to the study of law, the different legal traditions (especially, the common law and civil law traditions) and the UK's divergent legal systems (English & Scots). This will set the scene for an examination of the law of obligations (contract and tort) and evidence mainly from the common law perspective and comparative elements from some civil law and mixed jurisdictions. The course will introduce discipline specific legal skills and methods and enable students to develop analytical and critical approaches to the application of the law of obligations and evidence.

Learning Outcomes for Module

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

- 1 Demonstrate an understanding of the features of different legal traditions (such as the common law, civil law and mixed jurisdictions) and the related legal systems. Students should be able to discuss the UK legal systems within the wider European context.
- 2 Critically analyse the legal principles relating to the law of obligations: including a comprehension of the similarity and differences between Scots and English law.
- 3 Undertake an analytical and critical approach to the application of the law of obligations and to develop a basic understanding of how to use legal processes to address legal problems.
- 4 Critically discuss the laws of evidence relating to breaches in the law of obligations and how this evidence can be applied in a variety of dispute resolution contexts.

Indicative Module Content

Introduction to legal traditions (the common law, civil law, mixed jurisdictions); legal systems in the UK (common law and mixed); the civil law system in continental Europe and elsewhere; Sources of law; the UK courts and jurisdictions; Nature of contract; Offer and acceptance; Consideration; Error and restitution; Illegal contracts; Unfair contract terms; Interpretation; Third party rights; Remedies; Extinction of obligations; Agency; Reparation: Intentional delicts & Torts; Negligence: Duty of care; Breach of duty; Causation; Remoteness; Damages; Economic loss; Professional negligence; Vicarious liability; Property torts: Legal skills & methods (including legal research, argument and citation).

Module Delivery

Lectures, seminars, assigned reading, case studies, group activities, directed reading/research; short answer assessment; multiple choice quizzes and a coursework assignment.

Indicative Student Workload

	Full Time	Part Time
Contact Hours	N/A	70
Non-Contact Hours	N/A	230
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	N/A	300
<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: Examination Weighting: 50% Outcomes Assessed: 1, 2, 3, 4

Description: Timed Paper - computer-based short answer assessment

Component 2

Type: Coursework Weighting: 50% Outcomes Assessed: 1, 2, 3

Description: Coursework assessment in the form of a legal problem

MODULE PERFORMANCE DESCRIPTOR**Explanatory Text**

Component 1 (Timed paper) and Component 2 (Coursework) are both weighted at 50%. Non-submission of either component 1 or 2 will result in an NS grade. An overall minimum grade D is required to pass the module. The grades are as calculated below.

		Examination:						NS
		A	B	C	D	E	F	
Coursework:	A	A	A	B	B	C	E	
	B	A	B	B	C	C	E	
	C	B	B	C	C	D	E	
	D	B	C	C	D	E	E	
	E	C	C	D	D	E	E	
	F	E	E	E	E	E	F	
	NS	Non-submission of work by published deadline or non-attendance for examination						

Module Requirements

Prerequisites for Module

None.

Corequisites for module

None.

Precluded Modules

None.

INDICATIVE BIBLIOGRAPHY

- 1 Emily Finch & Stefan Fafinski, 2021. *Legal Skills*, 8th ed., Oxford: Oxford University Press
- 2 Stone, R, and Devenney, J., 2017. *The Modern Law of Contract*, 12th Ed. Taylor and Francis (available through the RGU library as eBook)
- 3 Paula Giliker & Silas Beckwith, 2017. *Tort*, 6th ed., London: Sweet & Maxwell (available through the RGU library as eBook)
- 4 Sharon Hanson, 2015. *Learning Legal Skills and Reasoning*, 4th ed., Routledge. (Available through the RGU library as eBook)
- 5 Keane & McKeown, 2018. *The Modern Law of Evidence*, 12th ed., Oxford: Oxford University Press.
- 6 Slorach, Embley, Goodchild and Shephard, 2017. *Legal Systems and Skills*, 3rd ed. Oxford: Oxford University Press.
- 7 Claire-Michelle Smyth and Marcus Gatto, 2018. *Contract Law: A Comparison of Civil Law and Common Law Jurisdictions*, New York: Business Expert press LLC.
- 8 Cees van Dam, 2013. *European Tort Law*. 2nd ed. Oxford: Oxford University Press.