

## Module Specification

### Module Summary Information

<b>1</b>	<b>Module Title</b>	Conflict Resolution in Business
<b>2</b>	<b>Module Credits</b>	20
<b>3</b>	<b>Module Level</b>	7
<b>4</b>	<b>Module Code</b>	LAW7128

<b>5</b>	<b>Module Overview</b>
<p>This module aims to inspire a new generation to rethink traditional approaches to conflict and conflict resolution. ADR is a fast-growing area and offers a challenging and satisfying career through an array of emerging professional roles. As a consequence, this module significantly enhances student employability.</p> <p>Over the past 50 years, arbitration has increasingly become a key way of resolving international disputes. International arbitration holds out the promise of being more effective and efficient than international litigation. This module studies the specific complexities that arise in arbitration and contributes to the development of arbitration theory. Taking a practice-orientated approach to teaching arbitration, this module helps student grasp the complex theoretical problems and parameters of the subject. The module's emphasis is on is on Business. Students will be introduced to international commercial contracts and the kinds of dispute that arise under them. Practical experience of the arbitration process is acquired by students taking part in a simulated international commerce arbitration. This subject emphasizes the significance of arbitration in both domestic and international contexts.</p> <p>In every dispute, there is the option for the parties to litigate. Yet in many cases, adversarial litigation may not be in the best interests of the parties involved, especially when those parties have to continue doing business together or maintain an amicable relationship. Thus, ADR is often the preferred methods for resolving disputes.</p> <p>This module provides a complete overview of the international dispute resolution processes that are available, combined with an appreciation of the use and possible strengths and weakness of each. The focus, initially, is on the commonly used non-adjudicative processes of negotiation, and mediation. Thereafter, the focus shifts to the adjudicative process of arbitration and expert determination. An analysis of dispute resolution theory provides students with a professional level of knowledge of each of the processes. However, the emphasis is on practical student engagement, a prerequisite to skills acquisition.</p> <p>This module will be delivered through face-to-face teaching and VLE provision. On campus student will attend weekly student-led/tutor facilitated.</p>	

<b>6</b>	<b>Indicative Content</b>
<ul style="list-style-type: none"> <li>• Common disputes among global businesses</li> <li>• Alternative Dispute Resolution</li> <li>• Relevant Contract Law</li> <li>• Voluntary versus Contract based arbitration</li> <li>• The international context of commercial conflict resolution</li> <li>• International Arbitration</li> </ul>	

<b>7</b>		<b>Module Learning Outcomes</b>
<b>On successful completion of the module, students will be able to:</b>		
	<b>1</b>	Critically analyse the common issues in business and how the main types of ADR are useful to their operation
	<b>2</b>	Critically evaluate the essential issues to be considered when drafting an arbitration clause for an international commercial contract, e.g. (but not exclusively) seat, governing law, applicable law and arbitral institution
	<b>3</b>	Conduct a simulated international arbitration (based on a realistic case study) to a professional standard
	<b>4</b>	Exercise, throughout that arbitration, practical commercial judgment to the process of reaching an appropriate agreement

<b>8</b>				<b>Module Assessment</b>		
<b>Learning Outcome</b>		<b>Coursework</b>	<b>Exam</b>	<b>In-Person</b>		
<b>1, 2</b>		<b>X</b>				
<b>3, 4</b>				<b>X</b>		

<b>9</b>		<b>Breakdown Learning and Teaching Activities</b>	
<b>Learning Activities</b>		<b>Hours</b>	
<b>Scheduled Learning (SL)</b> includes lectures, practical classes and workshops, peer group learning, Graduate+, as specified in timetable		24	
<b>Directed Learning (DL)</b> includes placements, work-based learning, external visits, on-line activity, Graduate+, peer learning, as directed on VLE		24	
<b>Private Study (PS)</b> includes preparation for exams		152	
<b>Total Study Hours:</b>		200	