

# LA358-15 Child Law

**22/23**

**Department**

School of Law

**Level**

Undergraduate Level 3

**Module leader**

Rajnaara Chowdhury Akhtar

**Credit value**

15

**Module duration**

10 weeks

**Assessment**

100% coursework

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

Child law raises highly controversial issues of social policy. Even the most basic issue – identifying who is the legal parent of a child – is fraught with difficulty, given the competing arguments in favour of biological and social parents. Such a decision will permanently affect the child's identity and definition of the family.

[Module web page](#)

### Module aims

Child law raises highly controversial issues of social policy. Even the most basic issue - identifying who is the legal parent of a child - is fraught with difficulty, given the competing arguments in favour of biological and social parents. Such a decision will permanently affect the child's identity and definition of the family.

### Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

This module examines important questions about the responsibilities of parents towards their

children. What is the limit of parental autonomy when deciding what is best for their children? Do parents have 'rights'? What happens when parents disagree about what is best for their children? When should the state get involved in parental decision-making? What about the child? Should they be viewed as autonomous rights holders or protected as vulnerable dependents? The separation of the parents gives rise to new topics of dispute: with whom should the children live, should they continue to have contact with the other parent, and does the non-residential parent retain any say in the children's upbringing? Such disputes are resolved by the courts according to judicial perceptions of what is in the best interests of the child (itself a contested and mutable concept). Should it always be presumed that continued involvement with both parents is in the best interests of the child? What about the child's own views?

The final section of the course examines the circumstances in which the state may intervene in family life to protect children from harm. This raises profound questions about the relationships between the child, the parent, and the state and the justification for state intervention.

## **Learning outcomes**

By the end of the module, students should be able to:

- Understand how the law defines and regulates parenthood and how the law deals with disputes between separating parents.
- Evaluate the role of the law in regulating relationships between parent, child and the state
- Identify the relevant sources of key principles and research a particular area of child law using paper and electronic resources and specialist legal materials.
- Apply English law to hypothetical situations involving child law issues
- Analyse past, current and future law and policy developments in terms of theoretical issues and in terms of their impact on individuals & families
- Work independently to gain understanding of material and issues in child law without explanatory lectures
- Understand and use legal concepts, social work terms, policy principles and theoretical ideas in speaking and writing about law and family practice
- Work collaboratively to complete a defined task within a limited time

## **Indicative reading list**

HERRING, J. Family Law (Longman, 7th ed 2015)

PROBERT, R. & HARDING, M. Cretney and Probert's Family Law (Sweet and Maxwell, 9th ed 2015)

GILMORE, S. and GLENNON, L. Hayes and Williams' Family Law (OUP, 5th ed 2016)

BAINHAM, A. and GILMORE, S. Children and the Modern Law (Family Law, 4th ed 2013)

DIDUCK, A. and O'DONOVAN, K. (eds), Feminist Perspectives on Family Law (2006)

PROBERT, R., GILMORE, S., and HERRING, J., Responsible Parents and Parental Responsibility (Hart, 2009)

BAINHAM, A., DAY SCLATER, S., and RICHARDS, M. (eds) What is a Parent? A Socio-Legal Analysis (Oxford, Hart, 1999)

GEORGE, R. Ideas and Debates in Family Law (Hart 2012)

[View reading list on Talis Aspire](#)

### **Subject specific skills**

No subject specific skills defined for this module.

### **Transferable skills**

No transferable skills defined for this module.

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## **Study**

### **Study time**

<b>Type</b>	<b>Required</b>
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	125 hours (83%)
Total	150 hours

### **Private study description**

No private study requirements defined for this module.

### **Costs**

No further costs have been identified for this module.

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## **Assessment**

You do not need to pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

### **Assessment group A2**

	<b>Weighting</b>	<b>Study time</b>
3000 word essay	100%	
Students will be given a choice of essay topics early in the term.		

## Feedback on assessment

Feedback via Tabula

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## Availability

### Courses

This module is Optional for:

- ULAA-M300 Undergraduate Law
  - Year 2 of M300 Law
  - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
  - Year 2 of M105 Law (3 year) (Qualifying Degree)
  - Year 2 of M105 Law (3 year) (Qualifying Degree)
  - Year 3 of M105 Law (3 year) (Qualifying Degree)
  - Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
  - Year 2 of M106 Law (4 year) (Qualifying Degree)
  - Year 3 of M106 Law (4 year) (Qualifying Degree)
  - Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M104 Undergraduate Law (Year Abroad)
  - Year 2 of M104 Law (Year Abroad)
  - Year 4 of M104 Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 4 of UIBA-MN32 Undergraduate Law and Business Studies
- UIBA-MN37 Undergraduate Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 2 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 4 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 5 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
- UIBA-MN36 Undergraduate Law and Business Studies with Intercalated Year (4+1)
  - Year 2 of MN36 Law and Business Studies with Intercalated Year (4+1)
  - Year 4 of MN36 Law and Business Studies with Intercalated Year (4+1)
  - Year 5 of MN36 Law and Business Studies with Intercalated Year (4+1)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)

- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
  - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
  - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
  - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
  - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
  - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
  - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
  - Year 3 of ML34 Law and Sociology (Qualifying Degree)
  - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology

This module is Option list G for:

- USX2-Y202 Undergraduate Social Studies [2 + 2]
  - Year 3 of Y202 Social Studies [2 + 2]
  - Year 3 of Y202 Social Studies [2 + 2]