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Integrating Sustainable Development within the
Law Curriculum

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Outline

Part I - Justifying the integration of sustainable development in legal education


Part II –Six approaches to integrating sustainable development into professional teaching (specifically law teaching)

Part III – General points relating to the integration SD into the curriculum



Part I – Justifying the integration of sustainability into law curriculum

- Further and Higher Education (Scotland) Act 2005
- Professional accreditation criteria
- Sustainable development and the fundamental principles of law
- Legal practice and sustainable development



Legal Practice and Sustainable Development

Staggering amount of legal work is relevant to sustainable development and vice versa

- Contract law – resource, mining and construction contracts covering risks, insurance, mitigation, responsibility for workers, impact on local community, environment protection, employment law
- Property law – home reports, boundary issues, conservation easements, mortgage repayments, contaminated land
- Tort / Delict – occupiers liability, negligence, nuisance
- Constitutional law – responsibilities and duties of the state, rights and freedoms of citizens, human rights
- Administrative law – controls on abuse of power, public participation in decision-making, licensing
- Immigration law – citizenship, mobility, refugees, population issues
- Development law – impact of trade and land use decisions, decisions about the use of aid
- Tax law – fuel duty, landfill tax, climate change levy, child tax credits
- Criminal law – corporate responsibility for crime, intentional harm, terrorism, use strict liability for environmental offenses

Part II - Six possibilities for integration

1. Use of sustainable development as a theme in a core module
2. Use of sustainable development as an example in a core module
3. Use of SD to teach a skill in a core module
4. Whole seminar in a related module dedicated to sustainable development
5. Specialist module dedicated to sustainable development
6. Research led teaching

Use of SD as running theme in a Core Module

Foundations of Law - level 1 – how to find and read a case, statute, basics on legislatures and judiciary

- Define SD early on very generally
- Emphasise its wide acceptance as a policy goal and relationship with justice
- Use SD language as we go through the syllabus
- Try to use examples from all aspects of SD – Donoghue v Stevenson (manufacturer's liability case); Statutory interpretation – Is a motor cycle and side car included in definition of cart (an old poaching case)



Use of SD as an example in teaching substantive knowledge within a core module

Foundation of Law – level 1

Knowledge -value and role of lawmaking at different levels of governance (international, national, regional and local).

Use Climate Change - alternative big issues - drug trafficking, terrorism, population issues, financial markets

Aim is for students to understand:

- The nature of CC and its consequences in relation to SD
- The need to mitigate and adapt to CC
- The different roles and tools available at different levels of governance
- The global, EU, UK, Scottish responses to CC – wny each is needed
- Importance of local government, private sector and individuals in mitigation and adaptation



Use of SD in an assignment for a core module to develop a skill

English Property Law (Dual qualifying Yr 4)

Skill – independent research on a new topic to produce an accurate, well referenced, coherent answer in one week (mimics tasks regularly asked of trainees)

Seen class exam on a topic of independent study. Preliminary reading was provided

‘Critically evaluate the purpose, role, potential and limits of conservation covenants (also known as conservation easements or burdens) in the protection of biodiversity in England.’





Whole seminar dedicated to SD in an optional related module

Planning Law (Yrs 3 and 4)

Sustainable development as the primary objective of Development Planning

Strategic environmental assessment required for all development plans

- Tool for establishing the environmental impact of a plan or programme and conversely establishing the limits of the receiving environment - ecological sustainability
- Relate SEA to the decision making process about the plan and a duty to contribute to SD, 'Sustainability Appraisal'
- Role of SEA for public participation and access to justice





SD as a separate module – with or without other disciplines

Principles of sustainability – level 5– core module for MSc in Sustainability, option for LLMs in Energy Resources, Environmental Law

Seminars are taught by Geographers, Planners, Lawyers, Economists and Engineers

Major assignment is based on a field trip that brings together aspects of the different disciplines

- Involves identifying and developing actions which, by ‘working together’, could better support those disadvantaged by climate change and the community as a whole
- Considering alternative scenarios and opportunities for integrated approaches to adaptation and mitigation
- Considers tools for facilitating discussions with stakeholders

Principles of sustainability and sustainable development	Lawyer
Climate Change and Sustainability	Planner
Resilience (principles and concepts)	Geographer
Climate change and low carbon futures	Energy Economist
Ecosystems and Ecosystem services (principle and concepts)	Physical Geographer
Setting of Field Trip (Hawick) introducing the brief,	Planner Geographer
One Week conference on Foundation in Renewable Energy	Engineer (Physic & Energy)
Resilience (principles and concepts)	Geographer
Thinking our way into the future- scenarios ad visioning, Workshop	Business
Wellbeing and the Environment	Human Geographer
Ecosystems and Ecosystem services (principle and concepts)	Ecologist/ Environmental Scientist
Compelling change- the role of law in sustainable development	Lawyer
Thinking our way into the future- scenarios and visioning,	Planner



SD in Research Led Teaching – Optional opportunity

Project undertaken by a group of interested students from the Environmental Law/Regulation modules at LLB and LLM levels.

Students worked alongside researchers to produce:

- a thorough legal, policy and literature review of the measures in place within various jurisdictions
- research on the specific context for the protection of the Giant Panda
- a report, in time for a visit from WWF-China in December

SD in Research led teaching – continued

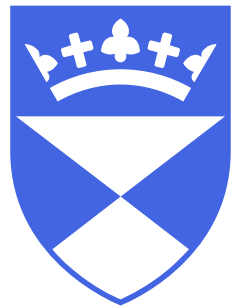
- Practical research on a real problem for a real client.
- Involved students working in a team alongside experienced academic staff to complete a project.
- Shared ownership between seven students and two experienced researchers, with all members of the team in the same room at the same time.
- Exposed staff and students to new approaches, search engines, software and data sets.





Conclusion

- It is possible to find space in the core LLB curriculum for SD
- Lots of options for integrating SD into the core professional curriculum
- Theme or example in a core module will get to the greatest number of students
- Optional modules often seen as less relevant than more “professional” topics
- Specialist seminars showing how relevant to that particular subject is great but sometimes a luxury
- Specialist modules need to clearly fit in with the rest of the degree programme
- Involving students in research is positive for more real life understanding



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