# ECO3049 Law and Economics

# Coursework essay

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**31 AD 00**

1. You should answer one of the two essays below.  It is worth 20% of your final mark for the module.
2. A folder of four introductory readings for each essay will be placed on the module's SurreyLearn webpage.
3. Your essay should be a maximum of 1,750 words long (there is no "10% margin").  Appendices and footnotes will not be read and excessive word length will be penalised (you should provide a word count that excludes these items [1] ), as will late delivery – for the latter, see https://www.surrey.ac.uk/sites/default/files/2020-08/A1%20Regulations%20for%20taught%20programmes%202020-21.pdf para 120.  It should be obvious that you cannot give every possible angle on your essay when writing your answer: the skill being tested here is your judgement and ability to present/evaluate information clearly but efficiently.  This, of course, is what you will need to do in an exam.
4. Your essay should be submitted via the coursework box that Central Exams will place on the module's SurreyLearn webpage (under Assessment/Assignments).  The deadline for you to submit your essay is **Wednesday April 21, 2021 (at 4pm)**.  This box will remain open for an additional three days but late penalties will apply from 4.01pm on the 21st.  You should use the coursework cover sheet that I will also place in each essay's folder on SurreyLearn.
5. The essay should be double-spaced (this relates to the distance between the lines, not between the words) and should provide a word count[2] (excluding references, equations, footnotes and appendices – if you have used any of the latter three) and should provide correctly specified references – I am happy to accept any style of referencing that you can find in a refereed journal or published book.  As they will not be marked, you should avoid footnotes, except perhaps to provide references.  Tables/figures should be labelled with a title and their source (neither should be part of the word count – unless you actually write your arguments into them).  I will not read/mark appendices.  Note that the simplest way to perform a word count is to place all tables, graphs, footnotes, etc, at the end of your document (then leave them there,

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[1] I will run a word count on a random sample of essays and any that clearly appear 'too long'; I will then compare my result to the one your report.  If the difference is greater than 5% (or if you report a word count above 1,750) I will count the words.  I will deduct 1 percentage point of marks for every 1% you are over the limit. e.g. if your essay is 175 words (10%) over the limit, I will deduct 10 percentage points.

[2] See (8) below for an indication of the basis for reducing marks if you ignore these.

or insert them into the essay as a final task when all your writing is done). I am happy to accept essays in Word, LaTeX, Pages or PDF format, though it is a requirement that the format can be read by Turnitin (see below) so you should check this well before you submit and that I can run my own Word count. (Turnitin certainly reads Word.)

6. The essay should be written and structured in what might be called a 'standard' style: I recommend you include an Introduction and Conclusion; and you should avoid short cuts like `text' spelling/punctuation and bullet point lists (though you may use bullet points if you develop their content into paragraphs with suitable levels of analysis).

7. When possible, I prefer you to type your own tables and equations, and draw your own diagrams, rather than cutting and pasting, but I accept that some data-based charts, or complicated graphs, are impossible to produce yourself. As well as providing evidence of professionalism, this can sometimes prevent you from producing so many diagrams/tables that they cannot be covered satisfactorily.

8. A useful place to see how marks will be allocated for the essay is to look at the University's published grade descriptors in Appendix 1 of https://www.surrey.ac.uk/sites/default/files/code-of-practice-for-assessment-and-feedback-2017-18-final.pdf . You will notice that this includes marks for 'Scholarly and professional skills and attitude' – amongst other things, this relates to the presentation of your work, and references, and adherence to specified requirements such as providing a word count, double line spacing and making a reasonable attempt to produce your own equations, tables, charts and diagrams.

9. Please be aware of plagiarism (and the associated penalties); upon submission, your essay will automatically be run through Turnitin software to compare it with resources available on the web (this includes many papers and book chapters). I believe you can re-work and re-submit if you feel your score on Turnitin is too high. Note that Turnitin picks up references and quotes that it can find elsewhere on the web; it scores these as plagiarism when (if used appropriately) they are not. Thus, do not worry if Turnitin suggests that your essay contains a degree of 'plagiarism', but you might want to look at the report to check whether this is of the above ('innocent') variety.

10. If you have any questions, please feel free to ask them. I am happy to field messages posted to the Discussion Forum though, of course, as this is an assessment, I may be unable to answer your query.

### Essay 1
Artificial intelligence (AI) is becoming ever more prominent. Discuss the extent to which it causes problems for tort's ability to achieve the twin goals of compensation and deterrence.

(You may focus on AI in general, or in relation to medical procedures, or driverless cars specifically; be sure to make clear what you are doing the start.)

OR

***Essay 2***

"The civil justice system is designed to provide accurate legal decisions in many walks of life. In turn, this should help to compensate, deter and/or provide legal clarity in matters where uncertainty can lead to sub-optimal outcomes." To what extent has the Covid-19 pandemic affected the achievement of such objectives?

> (You will find that the reading for this will tend to cover a wide variety of civil justice matters – e.g. family and property cases, as well as tort and contract; and also tribunals. I have left the essay wide enough for you to cover all of these, or to focus on tort (and contract), as covered in the module. You may decide which you prefer to cover, but should make it clear at the start. You should not cover criminal law. Also, note that this has been an issue for more than just England and Wales: you are welcome to take examples from further afield if you wish.)

NOTE: For both of these essays, you will find quit a lot of 'current' discussion in the news and in the legal trade press. These are useful for setting 'the scene' and getting a sense of the issues; they are generally short/easy reads and you are welcome to use them … though don't lose sight of the economics!

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# Coursework essay notes

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These notes are intended to give some assistance when writing your coursework essay in Law and Economics.  They are in addition to the notes in the rubric distributed with the essay titles.  They are also relevant to the Section B questions on the exam paper though, of course, you have less time to write an exam answer.  The notes are not necessarily relevant to other modules.

1. There are no 'right answers' to the essays and it is also understood that you can't write everything.  Similarly, there is no 'right way' to write an essay: these notes offer suggestions.  I would say that it is very hard to write a good essay if the italics in (2) and (3) below are not followed, but you could certainly follow (say) (4)-(6) and still get a low mark if (2) and (3) are ignored.  Similarly, the University's grade descriptors include marks for presentation, etc, so (2) and (3) are not enough for a top mark.  It's worth looking at those guidelines – I'll have them in mind when marking.

2. Your job is to identify suitable material, show how it helps answer the question, and present a *clear, well-balanced, well-structured discussion* (typically including Intro and Conclusion – the former can help say what is coming, why it's an interesting question, perhaps state some definitions, etc; the latter can give an opinion based on what's been written, mention issues you have not had space for, etc).  Diagrams/maths are welcome but the bottom line is that you can approach the essay as you wish, *provided it is clear how your approach is answering the question and conforms to the basic criteria above*.  Lists and sub-headings are not ruled out but, in themselves, these are not enough: *the point being made must still be explained, along with its relevance to answering the chosen question*.

3. If diagrams/maths are used, they need to be *explained* and *notation* needs to be defined.

4. It is often difficult for a reader to follow the flow of argument in an essay (or when the essay is moving from one argument to another).  Thus, imagine the question: *"Butter is better than margarine." Discuss.*  Some people find it useful to try to use one paragraph per point, and to start the paragraph with things like "One reason to favour butter over margarine is …", "Another argument for butter is …" , etc.  Phrases like, "This shows that butter is better than margarine because…" can sometimes help to explain the point at the end of the paragraph or as it is being made; thy also help to link back to the question and show how your answer is addressing it.  There are lots of ways to ensure your essay structure is clear and easy to follow: the ones above are

just examples; clearly, the most important thing it to write clearly. (The examples above aren't especially helpful if the remaining material is unclear.)

5.  Empirical evidence can be helpful to illustrate a point, support a model, and/or if the analytical arguments in an essay are difficult to come to a final conclusion on (i.e. they can help adjudicate an otherwise ambiguous debate). When it comes to regression results, you may not want to present large estimating equations, or tables of results. A useful shorthand can sometimes be the following (based on work on deductibles and deterrence): Let $x_{it}$ be care supplied by Hospital $i$ at time $t$ (i.e. scans, etc); $d_{it}$ be the hospital's deductible level, $Z_{it}$ be a set of other factors relating to Hospital $i$ at time $t$ (e.g. its specialisms, location, etc) and $t$ be a time trend intended to pick up any system-wide factors that might affect scan rates rates. Then the regression equation in the paper is

$$x_{it} = f(\underset{(+)}{d_{it}}, Z_{it}, t)$$

where the '+' sign indicates that a higher deductible is associated with more care (scans) – ie. higher levels should mean higher care (if scans are a good proxy for care). A 2007 paper finds this result, but a 2010 does not (give a reason).