



ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	Constitutional Law in Context				
Module Code	UJUUL6-30-3	Level	3	Version	1
UWE Credit Rating	30	ECTS Credit Rating	15	WBL module?	NO
Owning Faculty	FBL	Field	Law Undergraduate		
Department	Law	Module Type	Standard		
Contributes towards	LLB (Hons) Law with Criminology; LLB (Hons) Law with Business; LLB (Hons) Law with Psychology,				
Pre-requisites	None	Co- requisites	None		
Excluded Combinations	None	Module Entry requirements	210 credits of which 150 should be in Law subjects		
First CAP Approval Date	2 February 2016	Valid from	September 2016		
Revision CAP Approval Date		Revised with effect from			

Review Date	September 2022
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Part 2: Learning and Teaching	
Learning Outcomes	<p>On successful completion of this module students will be able to:</p> <ol style="list-style-type: none"> 1. Understand and appreciate the complex range of sources which form the UK constitution. (Components A and B) 2. Critically assess its political and sociological context – including but not limited to the evaluating the potential for future reform based on the academic debate in the field and the constitutional development of other nations. (Components A and B) 3. Have a critical appreciation of the role of the judiciary and common law principles in the development and enforcement of constitutional norms – in particular the inter-relationship between rule of law and individual rights. (Components A and B) 4. Evaluate the efficacy of political and legal methods of holding the executive to account – particularly but not limited to the constraint of the use of prerogative powers (Component A) 5. Critically discuss the fundamental principles of judicial review such as unreasonableness, illegality, unfairness and the right to fair procedures and unconstitutionality (Component A). 6. Analyse factual scenarios and apply their understanding of administrative law and

	<p>judicial review to them (Component A).</p> <p>7. Assess the role of the Constitution in the protection of the citizen in judicial review (Component A)</p>
Syllabus Outline	<p>The emphasis throughout will be on providing the student the opportunity and facilities to question, understand, describe and evaluate the law in its historical, practical, academic and social context. The learning context is student-centred and utilizes a variety of techniques to encourage independent thought and constructive criticism. Dialogue is promoted between student and lecturer in an inter-active relationship which emphasizes the two-way flow of information and criticism.</p> <p>Outline:</p> <p>Constitutional Law, constitutions, constitutionalism</p> <p>The structure of the United Kingdom, devolution, the European Union Nature, characteristics and sources of the UK constitution</p> <p>Constitutional Conventions</p> <p>Separation of Powers</p> <p>The Rule of Law</p> <p>The Crown and prerogative powers</p> <p>Parliamentary sovereignty, parliamentary sovereignty and EU law Parliament, Elections</p> <p>The Human Rights Act 1998, the European Conventions for the Protection of Human Rights and Fundamental Freedoms 1950</p> <p>Free expression, privacy</p> <p>Public order, police powers</p> <p>The judiciary, judicial review</p>
Contact Hours	<p>A weekly two-hour Lecture</p> <p>A fortnightly two-hour seminar</p>
Teaching and Learning Methods	<p>Lectures provide core information, fleshed out by seminar preparation and in-session discussion and task-based work</p> <p>Student preparation includes individual and group research, book-based and online</p> <p>Seminar sessions are practical in nature, incorporating law/professional/workplace/transferable skills alongside understanding the traditional understanding and application of academic law, via a task-based approach.</p> <p>Skills embraced include research, group-work, presenting/oral speaking, organisation, time-management, drafting, critical analysis and reflection, and advocacy.</p> <p>Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.</p> <p>Roughly two to three hours should be spent by the student in preparing for each seminar, principally in researching, reading, answering questions to be discussed and planning for tasks to be undertaken in the seminar.</p> <p>Whilst some time may be allocated solely to consideration of law issues, most seminar time is devoted to tasks in which the law and skills are tackled simultaneously</p>

Key Information Sets Information

Key Information Set - Module data				
Number of credits for this module				30
Hours to be allocated	Scheduled learning and teaching study hours	Independent study hours	Placement study hours	Allocated Hours
300	72	228	0	300

The table below indicates as a percentage the total assessment of the module which constitutes a -

Written Exam: Unseen written exam, open book written exam, In-class test
Coursework: Written assignment or essay, report, dissertation, portfolio, project
Practical Exam: Oral Assessment and/or presentation, practical skills assessment, practical exam

Please note that this is the total of various types of assessment and will not necessarily reflect the component and module weightings in the Assessment section of this module description:

Total assessment of the module:	
Written exam assessment percentage	50%
Coursework assessment percentage	50%
Practical exam assessment percentage	0%
	100%

Reading Strategy

The course documentation recommends that the student buys a single core text (currently Webley, L. and Samuels, H.(2015) *Complete Public Law: Texts, Cases, and Materials 3rd Edition*. Oxford:OUP) and core seminar reading is derived from this source.

Students are referred to an extensive list of supplementary reading, and given details of free library and other resource access where appropriate.

The list and related student guidance follows:

- Journals
- Public Law - published quarterly, the specialised journal for this branch of the law
 - Law Quarterly Review (LQR)
 - Modern Law Review (MLR)
 - Modern Law Quarterly (MLQ)
 - New Law Journal (NLJ)
 - Cambridge Law Journal (Camb LJ)

- Websites
- www.parliament.uk
 - www.parliament.uk/.../committees
 - www.directgov
 - www.homeoffice.gov.uk/
 - www.justice.gov.uk/
 - www.number10.gov.uk/
 - www.cabinetoffice.gov.uk/

	<p> www.legislation.gov.uk www.hmso.gov.uk/ www.niassembly.gov.uk/ www.northernireland.gov.uk/ www.scottish.parliament.uk/ www.Scotland.gov.uk/ www.Wales.gov.uk/ www.europarl.europa.eu/ www.consilium.europa.eu/council/ www.ec.europa.eu/ </p> <p>Westlaw, LexisNexis and Lawtel also are employed.</p>
Indicative Reading List	<p> Bingham, T. (2010) <i>The Rule of Law</i>. London:Allen Lane Bogdonar, V, (2007) <i>The British Constitution in the Twentieth Century</i>. Oxford:The British Academy Bogdonar, V. (2011) <i>The Coalition and the Constitution</i>. Oxford:Hart Bogdonar, V. (2011) <i>The New British Constitution</i>. Oxford:Hart Crowson, N.J. (2011) <i>Britain and Europe : A Political History since 1918</i>. Oxford:Routledge Jowell, J. and Oliver, D. (2011) <i>The Changing Constitution</i>. Oxford:OUP Lyon, A. (2003) <i>Constitutional History of the UK</i>. London:Cavendish Marshall, G. (1987) <i>Constitutional Conventions</i>. Oxford:OUP Webley, L. and Samuels, H. (2015) <i>Complete Public Law: Texts, Cases, and Materials 3rd Edition</i>. Oxford:OUP </p> <p>Study aids. Students are directed to a variety of study aids including:-</p> <ul style="list-style-type: none"> - Referencing o The ‘My Skills Zone’ on the library website deals comprehensively, including specific guidance upon the OSCOLA & Harvard systems www.uwe.ac.uk/library/

Part 3: Assessment

Assessment Strategy	<p>Strategy:</p> <ul style="list-style-type: none"> • The staggered two part nature of the assessment of this module allows us to offer active feedback on component B (which focuses on constitutional sources and principles) which students can build on and incorporate into component A (which advances their learning to include these principles in action – particularly in judicial review). Feed-back is a 3-stage process, (i) detailed written comment upon the script and accompanying Feed-back Form, (ii) global written feed-back upon common strengths and weaknesses, and (iii) one-to-one meetings to discuss scripts in more detail. The seminars are based around problem solving exercises and essay work which means that students are constantly able to test their learning and debate the issues. • Further, the two part format allows students with different strengths (those who favour research over standard essays) to flourish equally. Similarly component A will offer opportunities for both discursive and problem based answers as well as demonstrating performance under controlled conditions. Students with experience of other jurisdictions or other related areas of study can also use these to positive effect in the evaluative and analytical components of their work. The
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	assessment criteria will be made available to students in the module handbook but reflect the need for students to have mastery of the subject area and be able to apply it in a critical way to a variety of scenarios in a clear well-presented manner which shows understanding of socio-legal context and academic debate.
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Identify final assessment component and element	Component A	
% weighting between components A and B (Standard modules only)	A:	B:
	50%	50%
First Sit		
Component A (controlled conditions) Description of each element	Element weighting	
1. 2-hour exam	100%	
Component B Description of each element	Element weighting	
1. A written Essay (max 2000 words)	100%	

Resit (further attendance at taught classes is not required)		
Component A (controlled conditions) Description of each element	Element weighting	
1. 2-hour Exam based upon a case study the materials distributed in advance	100%	
Component B Description of each element	Element weighting	
1. A written Essay (max 1500 words)	100%	
If a student is permitted a retake of the module under the University Regulations and Procedures, the assessment will be that indicated by the Module Description at the time that retake commences.		