



Module Specification

Constitutional Law in Context

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Part 1: Information

Module title: Constitutional Law in Context

Module code: UJUUL6-30-3

Level: Level 6

For implementation from: 2023-24

UWE credit rating: 30

ECTS credit rating: 15

Faculty: Faculty of Business & Law

Department: FBL Dept of Law

Partner institutions: None

Delivery locations: Not in use for Modules

Field: Law Undergraduate (Programmes)

Module type: Module

Pre-requisites: None

Excluded combinations: None

Co-requisites: None

Continuing professional development: No

Professional, statutory or regulatory body requirements: None

Part 2: Description

Overview: Not applicable

Features: Module Entry Requirements: 210 credits of which 150 should be in Law subjects

Educational aims: 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 interactive relationship which emphasizes the two-way flow of information and criticism.

Outline syllabus: Constitutional Law, constitutions, constitutionalism

The structure of the United Kingdom, devolution, the European Union

Nature, characteristics and sources of the UK constitution

Constitutional Conventions

Separation of Powers

The Rule of Law

The Crown and prerogative powers

Parliamentary sovereignty and EU law

Parliament, Elections

The Human Rights Act 1998, the European Conventions for the Protection of Human Rights and Fundamental Freedoms 1950

Free expression, privacy

Public order, police powers

The judiciary, judicial review

Part 3: Teaching and learning methods

Teaching and learning methods: Contact hours comprise:

A weekly two-hour lecture

A fortnightly two-hour seminar

Lectures provide core information, fleshed out by seminar preparation and in-session discussion and task-based work.

Student preparation includes individual and group research, book-based and online.

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.

Skills embraced include research, group-work, presenting/oral speaking, organisation, time-management, drafting, critical analysis and reflection, and advocacy.

Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.

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.

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.

Module Learning outcomes: On successful completion of this module students will achieve the following learning outcomes.

MO1 Understand and appreciate the complex range of sources which form the UK constitution

MO2 Critically assess its political and sociological context – including but not limited to evaluating the potential for future reform based on the academic debate in the field and the constitutional development of other nations

MO3 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

MO4 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

MO5 Critically discuss the fundamental principles of judicial review such as unreasonableness, illegality, unfairness and the right to fair procedures and unconstitutionality

MO6 Analyse factual scenarios and apply their understanding of administrative law and judicial review to them

MO7 Assess the role of the Constitution in the protection of the citizen in judicial review

Hours to be allocated: 300

Contact hours:

Independent study/self-guided study = 228 hours

Face-to-face learning = 72 hours

Total = 300

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://uwe.rl.talis.com/modules/ujjuul6-30-3.html) via the following link <https://uwe.rl.talis.com/modules/ujjuul6-30-3.html>

Part 4: Assessment

Assessment strategy: Assessment Task 1: (50% of module mark) Online examination to be completed within a 24 hour window (2500 words)

Assessment Task 2: (50% of module mark) 2000 word essay.

The staggered two part nature of the assessment of this module allows us to offer active feedback on Assessment Task 2 (which focuses on constitutional sources and principles) which students can build on and incorporate into Assessment Task 1 (which advances their learning to include these principles in action – particularly in judicial review).

Feedback is a 3-stage process, (i) detailed written comment upon the script and accompanying feedback form, (ii) global written feedback 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 Assessment Task 1 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 aspects of their work. The 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.

Assessment components:

Examination (Online) (First Sit)

Description: Online examination (2500 words)

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6, MO7

Written Assignment (First Sit)

Description: Written essay

Weighting: 50 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3

Examination (Online) (Resit)

Description: Online examination (2500 words)

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested:

Written Assignment (Resit)

Description: Written essay (max 2000 words)

Weighting: 50 %

Final assessment: No

Group work: No

Learning outcomes tested:

Part 5: Contributes towards

This module contributes towards the following programmes of study:

Law [Sep][FT][Frenchay][3yrs] LLB (Hons) 2021-22

Law with Business {Foundation} [Sep][FT][Frenchay][4yrs] LLB (Hons) 2020-21

Law [Sep][SW][Frenchay][4yrs] LLB (Hons) 2020-21

Law {Foundation} [Sep][FT][Frenchay][4yrs] LLB (Hons) 2020-21

Law {Foundation} [Sep][SW][Frenchay][5yrs] LLB (Hons) 2019-20

Law with Psychology [Sep][FT][Frenchay][3yrs] LLB (Hons) 2021-22

Law with Criminology [Sep][FT][Frenchay][3yrs] LLB (Hons) 2021-22

Law with Business [Sep][FT][Frenchay][3yrs] LLB (Hons) 2021-22

Law with Psychology [Sep][SW][Frenchay][4yrs] LLB (Hons) 2020-21

Law with Business [Sep][SW][Frenchay][4yrs] LLB (Hons) 2020-21

Law with Criminology [Sep][SW][Frenchay][4yrs] LLB (Hons) 2020-21

Law with Criminology {Foundation} [Sep][FT][Frenchay][4yrs] LLB (Hons) 2020-21

Law with Criminology {Foundation} [Sep][SW][Frenchay][5yrs] LLB (Hons) 2019-20

Law with Business {Foundation} [Sep][SW][Frenchay][5yrs] LLB (Hons) 2019-20