



Public Law Course Descriptor

Course Title	Public Law	Faculty	Law
Course Code	NCHLW425	Course Leader	Ursula Smartt
Credit Points	30	Teaching Period	Michaelmas & Hilary term
FHEQ Level	Level 4	Date Approved	June 2020
Compulsory/ Optional	Compulsory		
Pre-requisites	None		
Co-requisites	None		

COURSE SUMMARY

The purpose of the Public Law course is to introduce students to the methods and purposes of public law, comprising constitutional and administrative law of the United Kingdom. The course introduces students firstly to the 'unwritten', uncodified British Constitution and encourages comparison with codified (written) constitutions. Students will learn to analyse essential legal scholars' writings, primary and secondary legislation, common law authorities, conventions, the Royal Prerogative, human rights and EU law – all of which make up the sources of the UK Constitution.

The course asks for reflection on the rule of law and separation of powers which make up a democratic state and help regulate the modern state and contemporary British society. The course also focuses on constitutional reform which underlines the flexibility of an uncodified constitution, including devolution in the UK (Scotland, Wales and Northern Ireland). The second part of the course focuses on grounds for judicial review, key human rights issues in relation to citizen and the state (i.e. the power of the executive).

Students are required to appreciate the intellectual, historical and political context wherein public law plays an important part in public life in relation to public authorities. By undertaking independent reading (including leading authorities and the use of legal databases) students learn to develop critical understanding of the modern development of constitutional reform in an ever-changing constitutional environment, thereby engaging in scholarly legal debates and developing skills in interpreting legal texts and authorities. They also learn how to present oral and written legal argument in a scholarly fashion.

COURSE AIMS

The primary aim of the course is to fulfil the key elements and general principles of Public Law as required by the SRA/BSB Academic Stage Handbook for a Qualifying Law Degree. Within that parameter the aims of the course are to:

- Advance students' powers of analysis and interpretation of public law writings, legal authorities and scholarly legal journal articles and textbooks.
- Assist students in formulating and criticising legal arguments regarding public law.
- Develop an active understanding of primary legal texts, legislation and legal authorities in public law (constitutional and administrative) answer questions in seminars which relate to coursework and examination preparation.
- Stimulate critical legal thinking about constitutional, constitutional reform and the role of the executive in a modern democracy.
- Encourage wider reading and independent legal research in pursuit of acquiring wider constitutional and administrative legal knowledge.

LEARNING OUTCOMES

On successful completion of the course, students will be able to:

KNOWLEDGE AND UNDERSTANDING

- K1a Explain the legal theories, principles, doctrines, concepts, values and rules which underpin public law in England and Wales, including the dynamic relationship between government and law and the social and political context in which public law is situated.
- K2a Explain the nature and purpose of the constitution, the ways in which governmental powers are generally allocated amongst the institutions of the state, and the way in which courts operate to review administrative action and protect basic rights.
- K3a Explain the legislation and case law as it applies to public law.

COGNITIVE SKILLS

- C1a Apply knowledge and understanding to evaluate the variety of legal-institutional arrangements that are used for the purpose of allocating governmental power and critically assess the performance of courts in reviewing governmental decision-making.
- C2a Evaluate factual information, selecting the relevant factors from possible alternatives using reasoned judgment and basic recognised constitutional and administrative law theories and concepts.
- C3a Recognise ambiguity in constitutional and administrative law.

TRANSFERABLE AND PROFESSIONAL SKILLS

- T1a Communicate accurately and reliably whilst demonstrating structure and coherence in use of English and legal terminology.
- T2a Demonstrate ability to manage personal development of essay-writing, legal problem solving and legal research skills.
- T3a Undertake self-directed research using legal and other information sources, evaluating and selecting information based on reasoned criteria.

TEACHING AND LEARNING

Teaching and learning strategies for this course will typically include:

- 22.5 hours of full-cohort lectures
- 8 hours of seminars
- Two 45 minute two-to-one tutorials
- Two 30 minute one-to-one tutorials
- One 90-minute revision session

Note: the seminars and lectures may be interchanged at times, depending on the needs of the course.

Course information and supplementary materials are available on the College's Virtual Learning Environment (VLE).

At the end of Michaelmas and Hilary, students will attend Collections (formal meetings) in which they receive comprehensive and collated feedback about their performance over the term.

Students are required to attend and participate in all the formal and timetabled sessions for this course. Students are also expected to manage their directed learning and independent study in support of the course.

EMPLOYABILITY SKILLS

- The course addresses core needs for practicing lawyers, especially research, communication, and presentation skills.
- Students learn how legislation is made and how it can be found.
- Students are taught the limits of government powers and the core of their human rights.
- Students learn the grounds on which they can challenge delegated legislation before courts.
- The course teaches skills allowing continuing professional development.

ASSESSMENT

FORMATIVE

Students will be formatively assessed during the course by means of set assignments. These do not count towards the end of year results, but will provide students with developmental feedback, helping students to become more sophisticated in their analysis of statutes and case law.

SUMMATIVE

Assessment will be in two forms:

AE:	Assessment Activity	Weighting (%)	Online submission	Duration	Length
1	Written assignment	40	Yes	N/A	2,000 words
2	Examination	60	N/A	2 hours	N/A

The examination will consist of a number of questions from which the student will have the choice of answering a specified number. Both the examination and the written assignment will be assessed in accordance with the assessment aims set out in the Programme Specification.

FEEDBACK

Students will receive formal feedback in a variety of ways: written (including via email correspondence); oral (within one-to-one tutorials or on an *ad hoc* basis) and indirectly through discussion during group tutorials. Student's will also attend the formal meeting, Collections, at the end of Michaelmas and Hilary in which they will receive constructive and developmental feedback on their term's performance.

Feedback is provided on written assignments (including essays, briefings and reports) and through generic internal examiners' reports, both of which are posted on the College's VLE.

INDICATIVE READING

Note: Comprehensive and current reading lists for courses are produced annually in the Course Syllabus or other documentation provided to students; the indicative reading list provided below is used as part of the approval/modification process only.

BOOKS

Bradley, Ewing & Knight, *Constitutional and Administrative Law* (Pearson, 17th ed. 2018).

JOURNALS

Modern Law Review

Cambridge Law Review

Quarterly Review

Sometimes, continental, Commonwealth and U.S. journals are referred to, guided by the needs of the topic.

ELECTRONIC RESOURCES

Westlaw, Lexis and Bailii provide access to the main cases.

INDICATIVE TOPICS

- Introduction to Public Law: The UK Constitution & Core Institutions
- Parliamentary Supremacy
- The Rule of Law

- Limited Government and the Separation of Powers
- Responsible Government & Ministerial Accountability
- The Royal Prerogative
- UK Primary & Secondary Legislation
- Constitutional Conventions
- EU Institutions
- EU Law and the UK Constitution
- Devolution
- Principles of Judicial Review I: Illegality
- Principles of Judicial Review II: Procedural Fairness
- Principles of Judicial Review III: Irrationality & Proportionality

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1.1	September 2021	October 2021	Alice Schneider	Academic Handbook/programme specifications and handbooks/undergraduate programme specifications/Law LLB (Hons) Specifications	April 2025
1.0	June 2020	June 2020	Alice Schneider	Academic Handbook/programme specifications and handbooks/undergraduate programme specifications/Law LLB (Hons) Specifications	April 2025
Modifications (As per AQF4)					
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1.1	September 2021	October 2021	Category 1: Change of Course Leader		