



Constitutional and Administrative Law Course Descriptor

Course	Constitutional and Administrative Law	Faculty	Law
Course Code	NCHLW550	Course Leader	Dimitrios Kyriazis
Credits Points	30	Teaching Period	Both
FHEQ Level	Level 5	Date Approved	June 2020
Compulsory/ Optional	Compulsory for Senior Status students		
Pre-requisites	None		
Co-requisites	None		

COURSE SUMMARY

The purpose of this course is to familiarise students with the methods and purposes of constitutional and administrative law, comprising constitutional and administrative law of the United Kingdom. The course commences with the 'unwritten', uncodified British Constitution and encourages comparison with codified (written) constitutions. Students will learn how to analyse complex and advanced writings by leading academics, 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). Finally, the use of police powers in public demonstrations, surveillance powers, the citizens' right to peaceful demonstration, riots and terrorism legislation.

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. Reflecting its more advanced status, this course places more emphasis on judicial review and practical problem solving.

COURSE AIMS

The primary aim of the course is to fulfil the key elements and general principles of Constitutional and Administrative 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' knowledge and critical understanding of public law writings, legal authorities and scholarly legal journal articles and textbooks.
- Assist students in formulating and criticising legal arguments regarding public law including contexts outside those in which they were first studied.
- 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.
- Demonstrate critical legal thinking and analysis about constitutional, constitutional reform and the role of the executive in a modern democracy.
- Undertake 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

- K1b Effectively communicate 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.
- K2b Effectively communicate 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.
- K3b Effectively communicate the legislation and case law as it applies to public law.

COGNITIVE SKILLS

- C1b Apply knowledge and understanding to evaluate the variety of complex 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.

- C2b Critically evaluate factual information, selecting the relevant factors from possible alternatives using reasoned judgment and basic recognised constitutional and administrative law theories and concepts.
- C3b Recognise ambiguity in constitutional and administrative law and the limits of knowledge.

TRANSFERABLE AND PROFESSIONAL SKILLS

- T1b Effectively communicate information, arguments and analysis while demonstrating structure and coherence in the use of English and legal terminology.
- T1b Demonstrate an effective technical proficiency of written English that uses a wide range of literacy skills and vocabulary selected appropriately to communicate to specialist and non-specialist audiences.
- T2b Effectively demonstrate an ability to develop existing skills and manage personal development of essay-writing, legal problem solving and legal research skills.
- T3b Undertake self-directed research using legal and other information sources, evaluating and selecting information at a level appropriate for sophisticated decision making.

TEACHING AND LEARNING

Teaching and learning strategies for this course will typically include:

- 22.5 hours of full-cohort lectures
- Eight group seminars
- One 90-minute revision session

Course information and supplementary materials will be available on the College's Virtual Learning Environment.

Students will attend a formal meeting (a 'Collection') in which they receive comprehensive and collated feedback on their performance.

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.
- The course teaches skills allowing continuing professional development.

ASSESSMENT

FORMATIVE

Students will be formatively assessed during the course by means of set assignments. These will not count towards the final degree but will provide students with developmental feedback,

for example helping students to become more sophisticated in their analysis of statutes and case law.

SUMMATIVE

Assessment will be in two forms:

No:	Assessment Type	Weighting	Online submission	Duration	Length
1	Written assignment	40%	Yes	N/A	2,000 words
2	Examination	60%	N/A	2 hours	N/A

FEEDBACK

Students will receive a mixture of formal and informal feedback. The informal feedback will be delivered in a variety of ways: written (via email correspondence); oral (within one-to-one tutorials or on an *ad hoc* basis) and indirectly through discussion during group tutorials.

Formal feedback is provided on assessed assignments and through generic internal examiners' reports, both of which are posted on Moodle.

Feedback on examinations is provided through generic internal examiners' reports and are made available to the student on the VLE. For all other summative assessment methods, feedback is made available to the student either via email, the VLE or another appropriate method.

INDICATIVE READING

Note: Comprehensive and current reading lists for courses are produced annually in the Course Guide 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
- Protection of Human Rights
- Police Powers and Freedom of Assembly
- State Security: Surveillance and Terrorism Legislation
- Ombudsmen: Parliamentary Commissioner for Administration

Title: NCHLW550 Constitutional and Administrative Law					
Approved by: Academic Board					
Location: Academic Handbook/Programme specifications and Handbooks/ Postgraduate Programme Specifications/LLB (senior status) Programme Specification/Course Descriptors					
Version number	Date approved	Date published	Owner	Proposed next review date	Modification (As per AQF4) & category number
2.0	February 2022	March 2022	Stephen Dnes	April 2025	Category 3: Changes to Learning Outcomes
1.0	June 2020	June 2020	Stephen Dnes	April 2025	