

## MODULE SPECIFICATION

1. **Title of the module**

Constitutional and Administrative Law

2. **School or partner institution which will be responsible for management of the module**

Pearson Business School

3. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 5

4. **The number of credits and the ECTS value which the module represents**

15 (7.5 ECTS)

5. **Which term(s) the module is to be taught in (or other teaching pattern)**

The module will always be taught in the first term of a student's studies at level 5 (whether or not they start in September or January)

6. **Prerequisite and co-requisite modules**

Pre-requisites: English Legal System I and II

Co-requisites: None

7. **The programmes of study to which the module contributes**

Certificate of Higher Education

Diploma of Higher Education

LLB (Honours)

LLB Law with Accounting

LLB Law with Business

MLaw (Integrated Masters) Professional Legal Practice

8. **The intended subject specific learning outcomes.**

**On successfully completing the module students will be able to demonstrate:**

**Subject Specific Knowledge and Skills**

1. A knowledge and critical understanding of key principles of Constitutional and Administrative law and their ongoing evolution, including: Parliamentary sovereignty and the rule of law; personal liberty and human rights; and the principles of Judicial Review.
2. An ability to apply underlying concepts and principles within Constitutional and Administrative Law to complex practical legal problems of the kind they might encounter in public law practice.

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3. An ability to devise and sustain arguments based on appropriate and reflective use of the main modes of enquiry found in this area and critically analyse the information thereby collected, with a view to proposing informed and reasoned solutions accordingly.
4. An ability to use legal terminology correctly and utilise accepted methods of referencing and citation.

### General Transferable Skills

1. An ability to use the English language accurately and reliably.
2. An ability to effectively communicate information, arguments, and analysis, in both written and oral form, to specialist and non-specialist audiences.

### 9. A synopsis of the curriculum

This module aims to introduce students to the key constitutional principles operative in the United Kingdom against the backdrop of continual evolution and change, with reference to relevant common law and statutory provisions. This will frequently involve a consideration of how external factors have affected, and continue to affect, its operation, most obviously in the context of Britain's membership of the EU and the ECHR. In addition to covering key principles and institutions, it will also contextualise this area with reference to legal practice, most obviously in the area of administrative law.

### Outline Syllabus

In the course of studying this module, students will cover the following key areas:

1. An introduction to constitutional law in the context of the United Kingdom.
2. Parliamentary sovereignty and the rule of law.
3. The institutions of government.
4. Human Rights.
5. Introduction to administrative law and delegated legislation.
6. Administrative justice – particularly the role of tribunals.
7. Judicial review.
8. Liability of public bodies.

### 10. Reading List (Indicative list, current at time of publication. Reading lists will be published annually)

All textbooks and practitioner materials will be updated annually. Textbooks will be held in the latest edition and older editions will be withdrawn.

	<ul style="list-style-type: none"> <li>• <b>Title, author, publisher</b></li> </ul>
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<b>Core Text</b>	<ul style="list-style-type: none"> <li>Constitutional and Administrative Law, Bradley, AW, Ewing KD, Knight, CJS, Pearson</li> </ul>
<b>Essential Reading</b>	<ul style="list-style-type: none"> <li>Blackstone's Statutes on Public Law and Human Rights Statutes, Jones, P, OUP</li> <li>Cases and materials on Constitutional and Administrative law, Thompson, B and Gordon, M, OUP</li> </ul>
<b>Recommended Reading</b>	<ul style="list-style-type: none"> <li>Unlocking Constitutional and Administrative Law, Ryan, M, Routledge</li> <li>Constitutional law, Administrative Law and Human Rights, Loveland I, OUP</li> </ul>

### 11. Learning and Teaching methods

This module will be taught by means of a 1 hour lecture and 2 hour seminar for ten weeks.

**The lecture** is designed to provide an overall context and explanation of the particular topic, drawing out links to past and future areas of study. Lectures may be viewed live or online. Students may ask questions, in real time if attending live or via electronic means if listening and watching online. It is envisaged that students will have completed introductory reading prior to experiencing the lecture.

**The seminar** is the forum in which students will typically contextualise their independent reading and study, alongside their learning from the lecture, in the context of realistic problem scenarios requiring the application of relevant law to factual disputes as well as essay questions requiring debate and discussion. Tutors will use a variety of techniques and pedagogic approaches in seminar delivery, including: tutor led discussion; group / team work; targeted and open questions; moots; debates; presentations (individual and group).

Activity	Notional Hours of Study
Lectures	12 (10+2 revision lectures)
Independent lecture preparation	20
Seminars	20
Independent seminar preparation	50
Group preparation (including use of online discussion forum)	10
Assessment preparation and completion	38 (35 + 3 CBT and exam)
Total	150

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### 12. Assessment methods.

This module will be assessed in two parts comprising:

Part A - objective testing of 1.5 hours duration (50%);

Part B – coursework essay (3,000 words) (50%).

Since the learning outcomes tested by each part overlap (see further detail below) an overall pass of 40% will be sufficient to pass the assessment.

#### Rationale

This methodology reflects two key objectives: firstly, and most importantly, to assess that the learning outcomes set out above have been achieved by the students. Secondly, to align our assessment regime with that proposed by the Solicitors Regulation Authority for the new Solicitors Qualifying Exam.

According to the SRA’s recent consultation paper, this assessment will use “Objective testing” to assess “Functioning legal knowledge”, with the former defined as requiring “... a candidate to choose or provide a response to questions whose correct answer is predetermined. This might include multiple choice questions, matching questions, assertion/ reason questions or single best answer.” They further state that “All assessments will be computer-based and will take place in timed conditions at secure assessment centres.”<sup>1</sup>

It is clear that the SRA does not intend objective testing to be a matter of mere recall, noting that the aim is to assess “candidates’ ability to draw on sufficient knowledge to practise effectively” and “the application of knowledge and legal processes...Questions will require candidates to identify relevant legal principles and apply them to factual issues to produce a solution which addresses a client’s needs.”<sup>2</sup>

The proposed assessment methodology, combining objective testing with a group presentation, we feel will combine an assessment of the outcomes of the SQE test with the broader skills outcomes for the module, particularly the ability to work in teams.

### 13. Map of Module Learning Outcomes to Learning and Teaching Methods and methods of Assessment

<b>Module learning outcome</b>		SS1	SS2	SS3	SS4	GTS1	GTS2
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<sup>1</sup> Consultation, Training for Tomorrow: assessing competence 7 December 2015 at page 58, available at: <http://www.sra.org.uk/sra/consultations/t4t-assessing-competence.page#download>

<sup>2</sup> Ibid.

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<b>Learning/ teaching method</b>	<b>Hours allocate d</b>						
<b>Private Study</b>	108	X	X	X	X	X	X
<b>Group Study</b>	10		X	X			X
<b>Lecture</b>	12	X			X		
<b>Seminar</b>	20	X	X	X	X	X	X
<b>Assessment method</b>							
<i>Objective testing (in exam conditions)</i>		X	X		X		
<i>Coursework</i>		X	X	X	X	X	X

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14. The Collaborative Partner recognises and has embedded the expectations of current disability equality legislation, and supports students with a declared disability or special educational need in its teaching. Within this module we will make reasonable adjustments wherever necessary, including additional or substitute materials, teaching modes or assessment methods for students who have declared and discussed their learning support needs. Arrangements for students with declared disabilities will be made on an individual basis, in consultation with the Collaborative Partner’s disability/dyslexia student support service, and specialist support will be provided where needed.

15. Centre where module will be delivered:

Pearson College London

If the module is part of a programme in a Partner College or Validated Institution, please complete sections 17 and 18. If the module is not part of a programme in a Partner College or Validated Institution these sections can be deleted.

16. Partner College/Validated Institution:

Pearson Business School, part of Pearson College

17. University School responsible for the programme:

Kent Business School

### FACULTIES SUPPORT OFFICE USE ONLY

Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.

Date approved	Major/minor revision	Start date of the delivery of revised version	Section revised	Impacts PLOs (Q6&7 cover sheet)