

Liverpool John Moores University

Title: Public Law
Status: Definitive
Code: **4101LAWPL** (121472)
Version Start Date: 01-08-2021

Owning School/Faculty: Law
Teaching School/Faculty: Law

Team	Leader
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Academic Level: FHEQ4 **Credit Value:** 20 **Total Delivered Hours:** 40.5
Total Learning Hours: 200 **Private Study:** 159.5

Delivery Options

Course typically offered: Semester 2

Component	Contact Hours
Lecture	21
Online	1
Seminar	8
Workshop	10.5

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	Essay	4000 words essay	100	

Aims

Public Law is basically concerned with the law and politics governing the relations

between the various institutions of the UK State, such as Parliament, the judiciary and the Government. It also examines the relations, legal and otherwise between the citizen and the State. It examines notions of constitutionalism and enquires into how we can speak of Constitutional law in the UK by reference to principles such as Parliamentary Sovereignty and the Rule of Law. It then investigates how the Government, or Executive, administers the UK State and also considers the effect this has on us as individual citizens and considers the differing methods, political, administrative and legal, of holding the Executive to account.

Learning Outcomes

After completing the module the student should be able to:

- 1 Demonstrate an awareness of and an ability to explain the main institutions of the constitutional framework of government in England and Wales such as Parliament and the Executive and show an understanding of their role in Public Law by for example examining different ideas of Parliamentary Sovereignty and Administrative Law.
- 2 Demonstrate an awareness and depth of contextual understanding of the main policy and doctrinal issues involved in the development and operation of Public Law by, for example, showing an understanding of the notion of the Rule of Law, the effects of the Human Rights Act 1998 and the nature of civil liberties in England and Wales, and the role of the Ombudsman and tribunal system.
- 3 Demonstrate a firm grounding and knowledge of the major concepts, values, principles and rules of Public Law in the UK including the effects of membership of the European Union, the operation of ministerial responsibility and the theory and practice of Judicial Review.
- 4 Demonstrate a basic ability to identify accurately research issues, identify and retrieve up-to-date legal information, both primary and secondary, using both paper and electronic sources in the preparation and writing of their written essay assessment.

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

4000 words essay	1	2	3	4
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Outline Syllabus

- 1. UK Parliament and Democratic Process (looks mainly at role of executive and legislature, how governments are formed following general Election and roles of government ministers).*
- 2. UK constitution and constitutional principles (covers how an unwritten constitution operates with comparisons to states with written constitutions).*
- 3. Parliamentary Sovereignty and Rule of Law (covers mainly issues around sovereignty, how it operates, the meaning of rule of law and how it applies to the state).*
- 4. Membership of the EU (looks mainly at the implications EU membership has on the UK constitution, role of the Court of Justice of the European Union inc how its*

decisions on the UK judiciary and primary sources for EU Law).

5. Civil Liberties (looks mainly at the key provisions in the European Convention on Human Rights and the impact the Human Rights Act 1998 has had on the UK).

6. Tribunals and Parliamentary Ombudsman (covers mainly the role and function of these two bodies and their effectiveness in relation administrative law).

7. Ministerial Responsibility (covers mainly the distinction between collective and individual responsibility and the ministerial code of practice).

8. Judicial Review (covers mainly the grounds for application of and the remedies in judicial review).

Learning Activities

A series of lectures, seminars, workshops and online tasks set around the undermentioned topics:

1. Parliament and the Democratic Process
2. UK Constitution and constitutional principles
3. Parliamentary Sovereignty
4. The Rule of Law
5. Membership of the European Union and its impact on the UK Constitution
6. Civil Liberties and the Human Rights Act 1998
7. Administrative law theories and Executive powers
8. Ministerial Responsibility
9. Tribunals
10. Judicial Review

Notes

This is a core LLB module that explores and evaluates the political dimension of law making and its application. It also examines the processes how citizens can bring the state to account under the concept of the rule of law.