

Public Law

Course code: LEG 154/A (LA 1020)

Semester and year: Fall 2021

Day and time: Wednesday 14:45 – 17:30

Instructor: Mgr. Alexandra Trochtova BA, MA (Cantab)

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Consultation hours: Wednesday 13:45 – 14:45

Credits US/ECTS	3/6	Level	Introductory
Length	16 weeks	Pre-requisite	TOEFL iBT 71
Contact hours	42 hours	Course type	Bachelor Required

1. Course Description

Focusing upon constitutional issues and reform, students will analyse key issues governing the relation between citizen and the state, including sovereignty and the division of powers between legislature, executive and administration.

2. Student Learning Outcomes

Upon completion of this course, students should be able to:

- undertake straightforward legal research;
- identify relevant facts and issues;
- draw on primary and secondary legal sources, including case law and statutes, to address problems in a legal context;
- formulate an argument;
- write in a comprehensible manner, using legal terminology correctly
- retrieve information from legal databases, the VLE and Online Library.

3. Reading Material

Required Materials

Le Sueur, A., M.Sunkin and J.E.K.Murkens Publiclaw: text, cases and materials. (Oxford: Oxford University Press, 2019) fourth edition [ISBN 9780198820284].

Recommended Materials

- Bogdanor, V. The new British constitution. (Oxford: Hart Publishing, 2009) [ISBN 9781841136714].
- Elliot, M. Public law. (Oxford University Press, 2017) third edition [ISBN: 9780198765899]
- Jowell, J., D. Oliver and C. O’Cinneide (eds) The changing constitution. (Oxford: Oxford University Press, 2015) eighth edition [ISBN 9780198709824].
- King, A. The British constitution. (Oxford: Oxford University Press, 2009) [ISBN 9780199576982].
- Leyland, P. The constitution of the United Kingdom: a contextual analysis. (Oxford: Hart Publishing, 2012 or 2016) second or third edition [ISBN 9781849461603].

- Syrett, K. The foundations of public law. (Basingstoke: Palgrave Macmillan, 2014) second edition [ISBN 97881137362674].

4. Teaching methodology

Each topic will contain an introduction setting the scene. Brief descriptions of the law will follow, accompanied by a variety of activities. In addition, reading case reports and other material on LexisNexis or Westlaw will be important. In response to the material on the internet, a variety of questions will be given. Some of them will be straightforward factual questions where there is only one correct answer. Other questions will ask you to consider your own personal responses to the material and the wider issues discussed. The class is conducted as a mixture between a lecture and a seminar involving active participation.

5. Course Schedule

Date	Class Agenda
01/09	<p>Topic: Introduction to the class. Introduction to public law. Introduction to the UK constitution.</p> <p>Description: Getting to know each other. Class description and class expectations. Grading and attendance. Introduction to public law in general and to UK public law specifically.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO</p> <p>Assignments/deadlines: --</p>
08/09	CANCELLED
15/09	<p>Topic: The UK constitution and its core institutions</p> <p>Description: The basic principles of the UK constitution. Sources of the UK constitution. History of the UK constitution.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
22/09	<p>Topic: Constitutional conventions</p> <p>Description: Definition of constitutional conventions. Examples of conventions. Principles behind conventions.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
29/09	<p>Topic: Parliamentary Sovereignty</p> <p>Description: Definition and importance of the Parliamentary sovereignty. The differences behind the self-embracing and continuing theories of Parliamentary sovereignty. Parliamentary sovereignty in judicial decision making.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
06/10	<p>Topic: The Rule of Law</p> <p>Description: The principles behind the rule of law. The content rich and content free schools of thoughts. Rule of law and judicial decision making.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
13/10	Topic: Limited government and separation of powers

	<p>Description: Interplay between the executive powers, judiciary and legislative powers. Checks and balances. Separation of powers in judicial decision making.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
20/10	<p>Topic: Writing in public law and exam tips</p> <p>Description: Exam tips and tricks. How to write a well argued and well structured essay in public law.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
27/10	MIDTERM BREAK
03/11	<p>Topic: Revision and mock exam</p> <p>Description: Revision of the past chapters and 45 minutes long mock exam question written in class.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
10/11	<p>Topic: The Executive and Ministerial Accountability</p> <p>Description: Types of ministerial accountability and their differences and principles. Overview of the relevant examples from politics and the Government.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: Home written essay on ministerial accountability due on Wednesday 25th November noon. Three past exam questions will be given as a choice and it would compulsory to answer at least one question.</p>
17/11	PUBLIC HOLIDAY
24/11	<p>Topic: The Crown, Monarch and The Prerogative Powers</p> <p>Description: The types of prerogative powers and case law. Reform of prerogative powers.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
01/12	<p>Topic: The Parliament.</p> <p>Description: Detailed overview of the composition of the UK Parliament. Detailed understanding of reforms needed.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: Home written essay with deadline 9th December. Three past exam questions will be given as a choice and it would compulsory to answer at least one question on the Parliament.</p>
08/12	<p>Topic: UK Primary and Secondary Legislation.</p> <p>Description: The processes behind the UK primary legislation and its weaknesses and control mechanisms. The processes behind the UK secondary legislation. Ideas for reform.</p> <p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
15/12	<p>Topic: Revision and mock exam (1 past exam question)</p> <p>Description: Revision of all chapters.</p>

	<p>Reading: Relevant chapter(s) in the recommended text book and optional articles in NEO.</p> <p>Assignments/deadlines: --</p>
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6. General Requirements and School Policies

General requirements

All coursework is governed by AAU's academic rules. Students are expected to be familiar with the academic rules available in the Codex and Student Handbook and to maintain the highest standards of honesty and academic integrity in their work.

Electronic communication and submission

The university and instructors shall only use students' university email address for communication. It is strongly recommended that any email communication between students and instructors take place in NEO LMS.

Each e-mail sent to an instructor that is about a new topic (meaning not a reply to an original email) shall have a new and clearly stated subject and shall have the course code in the subject, for example: "COM101-1 Mid-term Exam. Question".

All electronic submissions are carried out through NEO LMS. No substantial pieces of writing (especially take home exams and essays) can be submitted outside of NEO LMS.

Attendance

All students will be expected to join the classes either in person or on MS Teams. Attendance will be taken at the beginning and end of each class session. Attendance will be recorded for all students each session on the class NEO page (online learning platform). AAU requires that all absences must be excused through an official process, which is overseen and approved by the Dean of Students, and then communicated directly to the instructors. Law Students must attend 80% of their courses, per UOL's requirements, regardless of whether an absences are excused by AAU. Excused absences count as absences. This means students can miss only 20% of your classes, regardless of whether it is excused.

Students attending through MS Teams will be required to actively participate in class discussion at the same level as if they were in person. The instructors will be asking them direct questions and will encourage them to ask questions as well. These questions will be asked spontaneously, as they are in regular in-person classes, to ensure that students are actively paying attention and have come prepared to the classes (this is based on the Socratic Method).

Students that do not respond to the instructor during class will be counted as absent, this way it will ensure that all students are participating in the classes. If a student must take a break during the class, they will need to note that in the chat function on MS Teams, so that the instructor is aware of how long they are gone.

All MS Teams class sessions will be recorded and posted on MS Teams, so that students may watch the recorded sessions as many times as needed.

Watching a recorded lecture may only count as attendance for LLB students if the absence is excused and the student produces an approximately 500 word document highlighting at least 3 things he/she learned from the lecture. This must be submitted within 72 hours of the missed class session. Before counting it as attendance, the instructor has discretion to follow-up directly with the student to ensure that he/she satisfactorily watched and understood the lecture.

Absence excuse and make-up options

Should a student be absent from classes for relevant reasons (illness, serious family matters), s/he must submit to the Dean of Students an Absence Excuse Request Form

supplemented with documents providing reasons for the absence. The form and documents must be submitted within one week of the absence. If possible, it is recommended the instructor be informed of the absence in advance. Should a student be absent during the add/drop period due to a change in registration this will be an excused absence if s/he submits an Absence Excuse Request Form along with the finalized add/drop form.

Assignments missed due to unexcused absences cannot be made up which may result in a decreased or failing grade as specified in the syllabus.

Students whose absence has been excused by the Dean of Students are entitled to make up assignments and exams provided their nature allows for a make-up. Students are responsible for contacting their instructor within one week of the date the absence was excused to arrange for make-up options.

Late work: No late submissions will be accepted – please follow the deadlines.

Electronic devices

Electronic devices (phones, tablets, laptops...) may be used only for class-related activities (taking notes, looking up related information, etc.). Any other use will result in the student being marked absent and/or being expelled from the class. No electronic devices may be used during tests or exams.

Eating is not allowed during classes.

Cheating and disruptive behavior

If a student engages in disruptive or other conduct unsuitable for a classroom environment of an institution of learning, the instructor may require the student to withdraw from the room for the duration of the activity or for the day and shall report the behavior to the Dean.

Students engaging in behavior which is suggestive of cheating (e.g. whispering or passing notes) will, at a minimum, be warned. In the case of continued misbehavior the student will be expelled from the exam and the exam will be marked as failed.

Plagiarism and Academic Tutoring Center

Plagiarism is “the unauthorized use or close imitation of the language and thoughts of another author and the representation of them as one’s own original work.” (Random House Unabridged Dictionary, 2nd Edition, Random House, New York, 1993)

Turnitin’s White Paper ‘The Plagiarism Spectrum’ (available at <http://go.turnitin.com/paper/plagiarism-spectrum>) identifies 10 types of plagiarism ordered from most to least severe:

1. CLONE: An act of submitting another’s work, word-for-word, as one’s own.
2. CTRL-C: A written piece that contains significant portions of text from a single source without alterations.
3. FIND-REPLACE: The act of changing key words and phrases but retaining the essential content of the source in a paper.
4. REMIX: An act of paraphrasing from other sources and making the content fit together seamlessly.
5. RECYCLE: The act of borrowing generously from one’s own previous work without citation; To self-plagiarize.
6. HYBRID: The act of combining perfectly cited sources with copied passages—without citation—in one paper.
7. MASHUP: A paper that represents a mix of copied material from several different sources without proper citation.
8. 404 ERROR: A written piece that includes citations to non-existent or inaccurate information about sources

9. AGGREGATOR: The "Aggregator" includes proper citation, but the paper contains almost no original work.
10. RE-TWEET: This paper includes proper citation, but relies too closely on the text's original wording and/or structure.

As the minimum policy the types of plagiarism from 1 through 8 results in the failing grade from the assignment and must be reported to the Dean. The Dean may initiate a disciplinary procedure pursuant to the Academic Codex. Allegations of bought papers and intentional or consistent plagiarism always entail disciplinary hearing and may result in expulsion from AAU.

If unsure about technical aspects of writing, students are encouraged to consult their papers with the tutors of the AAU Academic Tutoring Center. For more information and/or to book a tutor, please contact the ATC at: <http://atc.simplybook.me/sheduler/manage/event/1/>.

Students with disabilities

Students with disabilities are asked to contact their instructor as soon as possible to discuss reasonable accommodation..

7. Grading Scale

The criteria of the grading scale are elaborated in the Law School Handbook. Students should review the handbook for a greater understanding of the aspects of each classification. Courses will be marked with a numerical grade while the degree is awarded an honour. Feedback for your formative assessments will indicate an honour level.

Grade Translations Table			
UK Class of Honours LLB	U.K. Numerical Grade	U.K. Class of Honours CertHE	ECTS* Grade
First	70 - 100	Distinction	A
Upper Second	67 - 69	Merit	A
Upper Second	65 - 66	Merit	B
Upper Second	60 - 64	Merit	B
Lower Second	55 - 59	Credit	C
Lower Second	50 - 54	Credit	C
Third	47 - 49	Pass	D
Third	45 - 46	Pass	D
Third	40 - 44	Pass	D
Fail	35 - 39	Fail	E
Fail	Below 35	Fail	F

* European Credit Transfer and Accumulation System

Prepared by and when: Alexandra Trochtova, August 2021

Approved by and when: