

MODULE DESCRIPTOR

Module Title

Judicial Review and Public Administration

Reference	BS4182	Version	3
Created	February 2017	SCQF Level	SCQF 10
Approved	June 2017	SCQF Points	15
Amended	June 2017	ECTS Points	7.5

Aims of Module

To develop a critical understanding of how judicial review operates in Scotland and England and its increasing importance to citizens aggrieved by the actions of public bodies. To provide students with a specialist knowledge of three sectors of administrative justice: tribunals, inquiries and ombudsmen.

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Demonstrate comprehensive and current knowledge and understanding of the concept and practical application of judicial review with particular reference to public administration
- 2 Evaluate the effectiveness of judicial review procedure in Scotland and England
- 3 Analyse and critically evaluate the role of public inquiries as a mechanism for achieving administrative justice
- 4 Analyse and critically evaluate the role of tribunals as a mechanism for achieving administrative justice
- 5 Analyse and critically evaluate the role of ombudsmen as a mechanism for achieving administrative justice

Indicative Module Content

The scope of judicial review; title and interest to sue issues; discussion and evaluation of the grounds of judicial review; and remedies and their effectiveness; The evolution of the concept of administrative justice; Evaluation of the roles played by tribunals; public inquiries and tribunals of inquiry and ombudsmen

Module Delivery

This is a lecture and seminar based module. Lectures provide core module content. Seminars develop associated higher level skills through student centred learning.

Indicative Student Workload	Full Time	Part Time
Contact Hours	36	36
Non-Contact Hours	114	114
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	150	150
<i>Actual Placement hours for professional, statutory or regulatory body</i>		

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

Type: Coursework Weighting: 30% Outcomes Assessed: 1, 2
 Description: Written coursework exercise

Component 2

Type: Examination Weighting: 70% Outcomes Assessed: 1, 2, 3, 4, 5
 Description: Written examination

MODULE PERFORMANCE DESCRIPTOR

Explanatory Text

The module is assessed by two components: C1 - Coursework - 30% weighting. C2 - Examination - 70% Weighting. Module Pass Mark = Grade D (40%)

Module Grade	Minimum Requirements to achieve Module Grade:
A	At least 70% on weighted aggregate and at least 35% in each component
B	At least 60% on weighted aggregate and at least 35% in each component
C	At least 50% on weighted aggregate and at least 35% in each component
D	At least 40% on weighted aggregate and at least 35% in each component
E	At least 35% on weighted aggregate
F	Less than 35% on weighted aggregate
NS	Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module	None.
Corequisites for module	None.
Precluded Modules	None.

INDICATIVE BIBLIOGRAPHY

- 1 BLACK, R. et al., eds. 2002. *The laws of Scotland: Stair memorial encyclopaedia, vol 1, administrative law*. [online]. London: LexisNexis.
- 2 CRAIG, P., 2016. *Administrative law*. 8th ed. London: Sweet and Maxwell.
- 3 ELLIOT, M. and VARUHAS, N. E., 2016. *Administrative law text and materials*. 5th ed. Oxford: Oxford University Press.
- 4 HIMSWORTH, C.M.G. and O'NEILL, C.M., 2015. *Scotland's constitution: law and practice*. 3rd ed. Haywards Heath: Bloomsbury Professional.
- 5 MUNRO J., 2007. *Public law*. 2nd ed. Edinburgh: W. Green.