

## MODULE DESCRIPTOR

### Module Title

Judicial Review and Public Administration

Reference	LL4182	Version	1
Created	January 2022	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:
<b>A</b>	At least 70% on weighted aggregate and at least 35% in each component
<b>B</b>	At least 60% on weighted aggregate and at least 35% in each component
<b>C</b>	At least 50% on weighted aggregate and at least 35% in each component
<b>D</b>	At least 40% on weighted aggregate and at least 35% in each component
<b>E</b>	At least 35% on weighted aggregate
<b>F</b>	Less than 35% on weighted aggregate
<b>NS</b>	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.