BL1161 – ENGLISH LEGAL SYSTEM

Module Number: BL1161

Module Title: English Legal System

Number of Aston Credits: 10

Total Number of ECTS Credits: 5
(European Credit Transfer)

Staff Member Responsible for the Module:

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Group administrator, Basia Nowakowska, ABS 428,
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Other Staff Contributing to the Module: None

Pre-Requisite(s) for the Module:

The assumption is that students have not made any detailed study of legal systems prior to this module.

Module Learning Outcomes:

The primary aim of the module is to develop and enhance students' knowledge of the central characteristics and traditions of the English legal system. The module is designed to provide students with a firm structural foundation for further studies in law. It also seeks to improve students' ability to reflect critically on the contextual framework in which English law functions and practical operation of the system's key characteristics.

At the end of this module, students will be able to:

(a) Appraise the central features and traditions of the English legal system;
(b) Rank the main sources of English law in their hierarchical order;
(c) Explain the institutional framework and law-making process in England;
(d) Explain the methods of statutory interpretation and illustrate them with case law examples;
(e) Explain the manner in which European law is made and how it becomes effective within the United Kingdom;

(f) Differentiate between the civil, criminal and administrative justice systems and recognise their distinctive features;
g) Review the roles of the different types of personnel in the justice system;
h) Evaluate the merits and disadvantages of the major methods of dispute resolution;
i) Examine the practical functioning of the key characteristics of the legal system (e.g. through case law analysis of the operation of the doctrine of precedent).

Module Content:

1. The purpose and nature of law. The concept of a legal system. The sources of law in England: an overview.

2. Case law. The court structure. The doctrine of precedent.

3. Primary and delegated legislation. The legislative process. Statutory interpretation.

4. The European Union: the institutions, law-making and the impact on national law.

5. The civil, administrative and criminal processes: functions, jurisdiction and procedure.

6. Personnel: magistrates, juries, judges and the legal professions.

7. Alternative dispute resolution: arbitration, mediation and conciliation.

International Dimensions:

Students' knowledge, and their ability to critically evaluate the operation of the English legal system, will be developed further through comparison with other legal systems, where appropriate.

Corporate Connections:

The English legal system is a diverse and dynamic subject and case illustrations will provide real life examples of business behaviour and practices. These illustrations bring the subject to life and are further supplemented through discussion and interactive learning tools.

Where feasible guest speakers will be invited to address students.

Links to Research:

Odette Hutchinson is a Fellow of the HEA, Associate Fellow of SEDA and the ABS technology in teaching champion, her primary research interests include: legal education and skills. Current research includes: The role of the affective

domain in learning ethics and morality and technology enhanced legal education.

Learning and Teaching Method and Rationale:

a) Method of teaching – lectures, seminars, practical research exercises, and independent study.

Lectures are designed to provide students with a basic understanding of the subject area in order to support and guide their independent studies. The seminars will enable students to develop their ability to apply their knowledge and to present the results of their independent and group-based research. This module dovetails with BL1168 Introduction to Legal Research.

b) Duration

Lectures	12 hours
Seminars	10 hours
Private study	56 hours
Coursework preparation	20 hours
Exam	2 hours
Total	100 hours

Ethical Approval:

This module does not require any primary research and no ethical approval will be necessary.

Assessment and Feedback rationale and Method:

The module is assessed by a two hour examination (70%) and coursework (30%). The coursework will take the form of an essay, which will explore a core topic from the course.

Summative feedback is provided within the six week turn around specified. Formative feedback is provided by way of interactive tutorials and lectures, online quizzes and discussion forums and during office hours.