



Boston University Study Abroad

London

Paul Cousins

Terry Sullivan

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Current British Legal Issues

CAS PO 224 (*Elective B*)

Spring 2018

Instructor Information

A. Name	Paul Cousins and Terry Sullivan
B. Day and Time	Fridays, 9am-1pm
C. Location	
D. BU Telephone	
E. Email	
F. Office hours	By appointment

Course Overview

This course will discuss some of the most important and controversial issues in contemporary British law. It is not a law course as such, but rather seeks to place the issues in their social, political and ethical context. Comparisons will be made throughout with wider European legal issues and those of the USA. It will focus on the origins of these issues and will analyse the diverse methodological and theoretical positions taken in explaining and understanding them. It will also draw on empirical illustration of the various issues from the current events. Furthermore, it will investigate the main agents and actors involved in the chosen topics.

The choice of topics has been based on issues that raise interesting and topical concerns. Despite the diversity of topics, the course is designed to enable students to achieve a critical understanding of different approaches to the study of law together with knowledge of, and sensitivity to, the complexity and diversity of law in different societies.

On successful completion of the course students should be able to demonstrate a good knowledge and understanding of some of the vocabulary of British law and the languages of jurisprudential debate and confrontation. They should be able to analyse critically a range of theories, concepts, and methods employed in the legal and associated disciplines and evidence judged by these perspectives. They should, in addition, be able to engage in an informed assessment and criticism of these positions. Above all, they should be able to adopt an independent, critical and reflective approach to a number of important current issues confronting contemporary societies.

ATTENDANCE POLICIES

Important note for students on the Internship Programme:

The rules governing Internship Programme students' UK visas are strict and require, as a condition of the student's presence in the United Kingdom, that the student participates fully in all classes and in the placement. If a student does not attend classes or his/her placement as required the student will be considered to be in breach of the visa and can be deported. As the sponsor of our students' visas, Boston University has the legal obligation to ensure that each student complies with visa requirements.

For that reason Boston University London Programmes requires full attendance in classes and placements. Any student who does not comply with this policy may be sent home from the program at the discretion of the programme directors, and will result in a forfeit of credit and program costs for part or all of the semester.

Classes

All Boston University London Programme students are expected to attend each and every class session, seminar, and field trip in order to fulfill the required course contact hours and receive course credit. Any student that has been absent from two class sessions (whether authorised or unauthorised) will need to meet with the Directors to discuss their continued participation on the programme.

Authorised Absence:

Students who expect to be absent from any class should notify a member of Academic Affairs and complete an Authorized Absence Approval Form 10 working days in advance of the class date (except in the case of absence due to illness for more than one day. In this situation students should submit the Authorised Absence Approval Form with the required doctor's note as soon as possible). The Authorised Absence Approval Request Form is available from: <http://www.bu.edu/london/current-semester/>

Please note: Submitting an Authorised Absence Approval Form does not guarantee an authorised absence

Students may apply for an authorised absence only under the following circumstances:

- Illness (first day of sickness): If a student is too ill to attend class, the student must phone the BU London Student Affairs Office (who will in turn contact the student's lecturer).
- Illness (multiple days): If a student is missing more than one class day due to illness, the student must call into to the BU London Student Affairs Office each day the student is ill. Students must also provide the Student Affairs office with a completed Authorised Absence Approval Form and a sick note from a local doctor excusing their absence from class.
- Important placement event that clashes with a class (verified by internship supervisor)
- Special circumstances which have been approved by the Directors (see note below).

The Directors will only in the most extreme cases allow students to leave the programme early or for a significant break.

Unauthorised Absence:

Any student to miss a class due to an unauthorised absence will receive a 4% grade penalty to their final grade for the course whose class was missed. This grade penalty will be applied by the Academic Affairs office to the final grade at the end of the course. As stated above, any student that has missed two classes will need to meet with the Directors to discuss their participation on the programme as excessive absences may result in a ‘Fail’ in the class and therefore expulsion from the programme.

Religious Holidays

Boston University’s Office of the University Registrar states:

‘The University, in scheduling classes on religious holidays and observances, intends that students observing those traditions be given ample opportunity to make up work. Faculty members who wish to observe religious holidays will arrange for another faculty member to meet their classes or for cancelled classes to be rescheduled.’

Special Accommodations

Each student will need to contact the Office of Disability Services to request accommodations for the semester they are abroad. Students are advised by BU- ODS not to expect the same accommodations as they receive on campus.

BU London can only uphold special accommodations if we have received the appropriate documentation from the BU-ODS. We cannot accept letters from other universities/centres.

All disabilities need to be known to the ODS in Boston if they are to be used as a reason for requiring a change in conditions, i.e. reduced internship hours or special accommodations for the internship schedule.

Lateness

Students arriving more than 15 minutes after the posted class start time will be marked as late. Any student with irregular class attendance (more than two late arrivals to class) will be required to meet with the Associate Director for Academic Affairs and if the lateness continues, may have his/her final grade penalised.

Programme Topics

- March 2:** Brief introduction to the course followed by an overview of the British judicial system and a discussion on the protection of human rights in the UK.
Reading: Slapper & Kelly, 'The English Legal System', Chapter 1
- March 9:** The Constitutional Reform Act, 2005, and its consequences.
Reading: Kavanagh & Oberdick: 'Arguing about Law' Chapters 23 & 24
Other reading: A Le Suer: 'Building the new UK Supreme Court'
J Andenas & D Fairgrieve (eds): 'Tom Bingham and the Transformation of the Law'
K Hall: 'The Magic Mirror'
- March 16:** Ethical Controversies and the Law. .
Readings to follow
- March 23:** Freedom of the Press and associated issues.
Reading: The Leveson Report
Other readings to be advised..
- April 6** The constitutional and legal aspects of Brexit.
Readings to be advised.
- April 13** International law, international agreements and conflicts. Guest speaker: Dr Adrian Kendry
Readings to be notified.
- April 19:** Just and unjust wars.
Readings to follow
- April 20:** Theories of Punishment
Readings to follow
- April 24:** Student presentations.

Please note that April 25th should be kept free in case any earlier class has to be re-scheduled.

Final Examination: April 26th

Exam times and locations will be posted on the BU London website and in the Student Newsletter two weeks before exam dates.

Methodology

There will be lectures, short documentary films and specialist talks by expert guest lecturers. Students will be encouraged to participate in interactive discussions during lectures as well as delivering a formal presentation. In most lectures detailed handouts will be distributed so that more time can be devoted to listening and discussing and less to writing.

Assessment

There are three elements to the assessment. Each student will be required to write a 3000-word paper on an agreed subject, worth 40% of the final grade. Each student will be asked to give a presentation in the final class prior to finalising the paper. The presentation is not part of the assessment but does count towards the participation mark. There will be a two-hour final examination worth 50% and 10% will be allocated for participation and attendance.

Your grades will be based on the following criteria: the relevance of your answer to the topic chosen, clarity of expression and continuity, explicit evidence of having read the main information and arguments in the required and supplementary reading. In addition, extra credit will be given for the strategic use of up-to-date illustrative material from the press or other media that you may have gathered during the course.

Grading

Please refer to the Academic Handbook for detailed grading criteria and policies on plagiarism:
<http://www.bu.edu/london/current-semester>

** Final Grades are subject to deductions by the Academic Affairs Office due to unauthorised absences.*

Readings

The readings for each topic will be indicated weekly. The following texts are important:

Barnett, Hilaire. *Constitutional and Administrative Law*. London: Cavendish Publishing Ltd, 2013.

Kavanagh, Aileen & Oberdiek, John. *Arguing About Law*. Abingdon: Routledge, 2009.

LaFollette, Hugh (Ed). *Ethics in Practice: An Anthology*. Oxford: Blackwell Publishing, 2007.

Slapper, Gary & Kelly, David. *The English Legal System*. Abingdon: Routledge-Cavendish, 2017.

Other useful reference works are:

Bradley, A. W. And Ewing, K. D. *Constitutional and Administrative Law*. UK: Longman, 1998.

Coxall, Bill; et al. *Contemporary British Politics*. Basingstoke: Palgrave Macmillan, 2003.

Dunleavy, Patrick (ed). *Developments in British Politics 8*. Basingstoke: Palgrave Macmillan, 2006.

Hall, Kermit L. *The Magic Mirror: Law in American History*. New York: Oxford University Press, 1989.

Weir, Stuart. *Unequal Britain: Human Rights as a Route to Social Justice*. London: Politico's Publishing Ltd, 2006.

All students should read a 'serious' newspaper regularly (i.e. The Times, Guardian or Independent etc.), and be aware of current issues in the other media.

Additional reading may be found on Blackboard: <https://lms.bu.edu>

We hope that you find the course both stimulating and interesting.

Paul Cousins
Terry Sullivan
March 2018