

WJEC Eduqas GCE AS in  
**LAW**

Component 1 Section A  
Parliamentary and European  
law making  
Suggested Activities



## Component 1 Section A

**EXAM LEVEL: AS and A LEVEL**

**Area of Study: Parliamentary and European law making**

### Key Points:

- Learners should be able to explain and evaluate Parliamentary law making including Green and White Papers and the legislative process.
- Learners should be able to explain and evaluate the composition and role of Parliament.
- Learners should be able to explain and evaluate the influences on Parliament and their advantages and disadvantages.
- Learners should be able to explain and evaluate the concept and application of Parliamentary sovereignty.
- Learners should be able to explain and evaluate the UK Constitution including sovereignty, separation of powers, the rule of law and the Royal Prerogative.
- Learners should be able to explain and evaluate law reform including the role of the official law reform agencies, the Law Commission and the role of pressure groups and judicial influences.
- Learners should be able to explain and evaluate European Union law including the institutions of the European Union, the sources of European Union law and the impact of European Union law on the law of England and Wales.

### Provides an opportunity to develop the following skills:

- Application of law making to analyse and offer answers to problems, based on legal principles, legislation and case law.
- Analysis of a factual scenario by identifying the key facts and applying the law in order to form a legal argument.
- Analysis and application of the legal rules and principles of public and private areas of law.
- Identification and breaking down into constituent parts of the relevant legal rules and principles for each area of law and applying those legal principles to a hypothetical situation.
- Evaluation of the law to reach a reasoned conclusion.
- Construction of clear, concise and logical legal arguments which are substantiated by legal authority, using appropriate legal terminology.

## Suggested Activities

- Many of the terms used in law-making can be unfamiliar to learners. A useful exercise could be for learners to build their own glossary of essential words and terms. The table below could be adapted to help learners build their glossary.

Term	Meaning
Parliament sovereignty	
The separation of powers	
The Rule of Law	
Pressure groups and interest groups	
Devolution	
Royal prerogative	
Green Papers	
White Papers	

- The Rule of Law is pervasive to the specification. Learners could take part in a discussion in which they attempt to identify the ways in which the United Kingdom attempts to uphold the Rule of Law. Points to be considered include:
  - The courts are independent of the Government and Parliament. The recent creation of the Supreme Court was an attempt to separate even further the courts from Parliament and the Government.
  - The head of the Ministry of Justice is the Lord Chancellor who does not sit as a judge.
  - The Judicial Appointments Commission and special appointment commissions for the Supreme Court are an attempt to ensure that judges remain independent.
  - It is possible to sue the Government.
  - The police can be prosecuted for the crimes they commit. This can be seen when the London Metropolitan Police were prosecuted for health and safety breaches over the shooting of Jean Charles de Menezes at Stockwell Tube Station.
  - It is possible to make a claim against the police for false imprisonment or trespass to the person.
  - The power of the police is laid down in statutes such as the Police and Criminal Evidence Act 1984.
  - The writ of habeas corpus is remedy whereby a person detained by the authorities must be brought before a court so that the court can see whether the person is being lawfully held.
  - The Independent Police Complaints Commission exists to ensure the police do not abuse their power.
  - The decision to prosecute remains with the Crown Prosecution Service rather than the police for most crimes. This is an attempt to ensure the police to do not attempt unnecessary prosecutions.

- The legal aid system, e.g. Duty Solicitor scheme and the public funding of a defendant's legal representation is an attempt to ensure that the defendant is not disadvantaged in court.
  - The Human Rights Act 1984 was introduced to ensure that the Government and Parliament did not infringe individual human rights.
3. Learners are to select a real or fictitious proposed government policy. They are then to prepare and deliver a presentation in which they describe how the policy could become law. To do this they will need to describe the role of interest and pressure groups, manifestos, the Law Commission, judicial influences, White and Green Papers, the different types of bills and the passage of a bill through Parliament.
4. Learners are asked to draft an answer to the following question:
- Explain the role of the Law Commission.  
Points to consider include:
- The function of the Law Commission
  - The composition of the Law Commission
  - Their methods of working including the use of public consultations
  - Examples of reports that have brought about law reform.
- Learners will benefit from looking at some of the Law Commission's reports that relate to an area of substantive law that they will study in later units.
5. The learners are to be divided into groups. Each group will investigate one of the main European Union institutions and report back to the other groups the main responsibilities and composition of their institution.
6. Learners need to know the effect of European Union law on English law although Brexit may decrease this importance over time. Learners could be asked to investigate the impact of European Union Treaties, directives and regulations on domestic law. In particular, learners should be able to explain the difference between vertical and horizontal direct effect. The key points could be summarised in the form of wall charts to help them remember the different effects.

### Useful websites

Law Commission: <http://www.lawcom.gov.uk/>

Parliament: <http://www.parliament.uk/>

European Union: <https://europa.eu/>