

GCE

# LAW: LEGISLATIVE PROCESS

## SUGGESTED IDEAS FOR TEACHING/LEARNING



## SUGGESTED IDEAS FOR TEACHING AND LEARNING

Teacher /Lecturer:	
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Course:	AS and A Level Law
Topic:	The Legislative process
Session:	

Unit:	Component One: The Nature of Law and the English Legal System
Ref. to specification:	Parliamentary and European Law Making
Suggested time allocation:	3 – 8 hours

**Aims & Objectives:** At the end of these sessions the student will be able to:

- **Describe** the various chambers and people who make up Parliament
- **Explain** the different types of Bills
- **Explain** how an Act of Parliament is made
- **Critically evaluate** the legislative process
- **Evaluate** the effect of EU membership and the HRA 1998 on Parliament ( please see lesson plans & PowerPoint's on EU legislation and the ECHR / HRA 1998 )

### Main Teaching and Learning Activities

#### **Teacher/Lecturer Activities:**

- Introduce topic and objectives, IWB, PowerPoint or whiteboard.
- Organize class in to small groups or pairs and ask them – **Questions** – What is Parliament made up of? What are the names of the various chambers? Who sits in the various chambers? These questions should initiate a discussion of the role of the House of Commons & the House of Lords AND the Monarch – particular reference should be made to the **House of Lords Act 1999** and the plans to scrap all hereditary peers and make it an elected chamber.
- Explain how statutes begin – manifesto, white paper, green paper.
- Explain that All statutes begin as a Bill – 3 types - Public Bills; Private Members' Bills ;Private Bills – if time allows ask students to research statutes that began life as a private members Bill e.g. Abortion Act 1967.
- Explain the process for making an Act of Parliament with the aid of flow diagram ( see accompanying PowerPoint) – from first reading through to Royal Assent – in doing so explain the role of the House of Lords – they can delay legislation but they cannot stop it ( **Parliament Acts 1911 & 1949** ) Class discussion should follow of Acts of Parliament that have been given Royal Assent without the Lords approval e.g. **Hunting Act 2004** & see the case of **R ( on the application of Jackson & others) v Attorney General (2005)**- Countryside Alliance - challenge to the use of the Parliament Act 1949 to bring in the Hunting Act
- Class discussion - evaluate the law making process – What reforms can you think of?
- Discuss and evaluate with the class, through either direct questioning or class discussion what is the effect of EU membership and the passage of the HRA 1998 on the role of

Parliament - with particular reference to parliamentary sovereignty / supremacy and ss.3 & 4 HRA 1998

### Student Activities:

- Group work – What is Parliament made up of / names of the various chambers and the people who sit in them? – this work should identify the Government , numbers of MPs, political parties etc.
- Group discussion - should hereditary peers be allowed to sit in the House of Lords? – if time allows a class debate could be organized with for and against abolition of the House of Lords or for and against an elected second chamber
- Research a law that started life as a private members Bill
- Class discussion – evaluate the law making process and suggest reforms
- Class discussion – evaluate the effect of EU membership & HRA 1998 on Parliament

### Suggested links / resources:

- PowerPoint presentation
- Cases
- Flip chart paper (optional )
- [www.parliament.uk](http://www.parliament.uk)
- [www.opsi.gov.uk](http://www.opsi.gov.uk)
- <http://www.lawcom.gov.uk/>

### Assessment

During the lesson	Group exercises, these show how much the students have understood the legislative process
Subsequent to lesson	Homework question – Describe the stages of the law making process in Parliament; to what extent is approval of the House of Lords required? Research activities as above

TOPIC: Legislative process

Questions:		Expected answers:
1.	Who makes Statutes?	Students answers usually include the following - Government ; Parliament, MPs, House of Lords ; Queen.
2.	What are the names of the chambers in Parliament?	House of Commons & the House of Lords (students usually know that the House of Commons has the green benches and the Lords the red benches).
3.	How many MPs sit in the house of Commons?	Students usually give an answer much lower than the approximate number of 650.
4.	What s a hereditary peer	Inherited title – passed from generation to generation.
5.	What is a life peer	Title for life - dies with the person it is given to, is not passed on.
6.	What is a Public Bill	Change the general law of the whole country.
7.	What is meant by Royal assent	The Queen must give her consent to all legislation before it can become law.
8.	What is meant by the supremacy / sovereignty of Parliament	Parliament is the highest source of l – statutes must be applied by the courts – however limit on this is European law.
9.	Should the House of Lords be abolished, kept the same or replaced with an elected chamber?	Answers will depend on students own opinions and research.