**Seminar 4: Devolution**

***Note: non-compulsory for LAA106 (Joint Honours) Students***

**Reading**

Required reading:

1. Lisa Webley & Harriet Samuels, Complete Public Law (4th Edn, OUP 2018), Chapter 10 [[LINK]](http://www.oxfordlawtrove.com/view/10.1093/he/9780198798064.001.0001/he-9780198798064-chapter-10)
2. Scotland Act 1998, s 28 [[LINK](https://www.legislation.gov.uk/ukpga/1998/46/section/28)] & s 63A [[LINK]](https://www.legislation.gov.uk/ukpga/1998/46/section/63A)

Government of Wales Act 2006, s 107 [[LINK](https://www.legislation.gov.uk/ukpga/2006/32/section/107)] & s A1[[LINK]](https://www.legislation.gov.uk/ukpga/2006/32/section/A1)

Recommended reading:

1. Mark Elliott, ‘Parliamentary Sovereignty in a Changing Constitutional Landscape’ in Jeffrey Jowell & Colm O’Cinneide (eds) *The Changing Constitution* (9th edn, OUP 2019), *(especially pp. 31-39)* [[LINK]](https://www.oxfordlawtrove.com/view/10.1093/he/9780198806363.001.0001/he-9780198806363-chapter-2)
2. *AXA General Insurance Limited and others (Appellants) v The Lord Advocate and others (Respondents) (Scotland)* [2011] UKSC 46[[LINK – Law Report (Westlaw](https://uk.practicallaw.thomsonreuters.com/Document/IE77D8430DB6811E19B13FED1720E91DF/View/FullText.html?skipAnonymous=true))] [[LINK – Judgments Only](https://www.supremecourt.uk/cases/docs/uksc-2011-0108-judgment.pdf)

*(especially paras. 1-2, 5-17, 42-52 (Lord Hope) and 135-154 (Lord Reed))*

*Optional skills reading – How to Read a Statute*

1. *Emily Finch & Stefan Fafinski,* Legal Skills *(7th edn, OUP 2019), Chapter 4* [[LINK]](https://www.oxfordlawtrove.com/view/10.1093/he/9780198831273.001.0001/he-9780198831273-chapter-4)

**Questions**

Quick Questions:

1. What is devolution?
2. How does devolution differ from federalism?
3. Why is devolution in the UK described as asymmetrical?
4. Briefly outline the similarities and differences between devolution to Scotland, Wales, and Northern Ireland.

Essay Question:

1. Devolution has been carefully designed to preserve the sovereignty of the Westminster Parliament as a matter of law. The political reality, however, is that Parliament has ceded parts of its sovereignty to devolved legislatures.

Discuss.

**Learning Outcomes:**

By the end of this seminar, can you…

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| 1. Read and understand a statutory provision? |  |
| 2. Understand the subject matter of this seminar, especially: |  |
| 1. What the word ‘devolution’ means? |  |
| 1. How devolution differs between different parts of the UK? |  |
| 1. How devolution affects Parliamentary sovereignty? |  |
| 3. Orally communicate knowledge and criticism of the subject matter? |  |
| 4. Prepare a brief essay plan on a question about devolution? |  |

***Remember to test your general knowledge of the subject matter with the Quiz on blackboard.***