

SUMMER TASKS – GCSE TO AS TRANSITION

Subject: AS LAW

Title: AN INTRODUCTION TO LAW, JURIES AND OFFENCES

NEW STUDENT INFO, ACTIVITIES & SUMMER TASK 2023- LAW

Course Content

At York College, you will study the following areas of law: -

Year 1

Law Making

(Where our different laws come from including: - who or what makes our laws, how do they make the laws, what is good and bad about the different types of law making and how we reform (change with a view to improving) the law).

- Laws made by our Parliament
- Laws made by other organisations e.g., local councils, large companies and the government departments e.g. The Dept. of Education or the Dept. of Health...
- Laws made by judges in court cases.
- Laws made by the European Union (EU- currently, the highest our most important source of law in the UK)
- Law reform- how law reform bodies, e.g., the Grenfell Inquiry... can influence Parliament to change the law.

Legal system

(The key features of both civil and criminal cases including: -the different types of courts which hear both types of case; the procedure (what happens at) civil and criminal trials; how to appeal the decision made at trial; the legally trained professionals and volunteers who have a part to play in both civil and criminal cases etc...)

- How the English legal system developed, different types of legal systems and the difference between civil and criminal cases.
- Criminal courts, criminal appeals, and sentencing (custodial, community, fines and other types)
- Civil courts, civil appeals, and other ways of sorting out a civil dispute including negotiation, mediation, and tribunals...
- What qualifications and training legal professionals including judges, solicitors, barristers, and legal executives need and their roles (work/job) in civil and criminal cases.
- The qualifications and selection process for jurors and magistrates who volunteer to play a part in the legal system.
- The different places which offer legal advice and can arrange for a person with a legal problem to be represented in court including law firms, charities etc. The different ways that an individual can fund (pay for) advice and representation.

An introduction to the law of tort

(An introduction to the law of civil wrongdoing (tort law), a type of civil law which includes claims for compensation for financial losses, property damage and injuries suffered because of the other party's **negligence**)

- The rules (law) that the claimant (person bringing the civil claim) must prove to win their case in the law of negligence.
- How a lawful/legal visitor can make a claim for compensation against the occupier (owner or person in control of) premises (land or property).
- How a trespasser can make a claim for compensation against the occupier of premises.
- The different types of compensation, which can form part of the claim...

An introduction to criminal law

(An introduction to the basic rules of criminal law and an introduction to the law on non-fatal offences such as assault and actual bodily harm...)

- The two main parts (things) which make a crime; - the physical (doing) part and the mental (state of mind) part.
- Some basic rules about criminal law.
- **Non- fatal offences against the person including:** - assault, battery, actual bodily harm, wounding or causing grievous bodily harm...

Year 2

Additional tort law

(Further offences in tort law, which include, nuisance and some defences, which the defendant might use).

- Claims for **nuisance**: - a person can claim compensation or another remedy for the nuisance caused by the way people behave on property/land e.g., dogs barking cause a nuisance, odours/smells coming from property, smoke from factories, noise etc.
- How the claimant's own negligence (e.g., not wearing a seatbelt when involved in a car crash...) could reduce their claim for compensation.
- How a claimant cannot win damages if they knew of the risk of damage and had willingly consented to it.
- The rule of **vicarious liability**- where an employer is liable (responsible) for the negligent and sometimes criminal acts of their employee who is acting in the course of/in a way connected to their employment

Criminal law

(Further criminal law including fatal offences, crimes against property, defences, and attempted crimes)

- Murder and the partial defences for murder: diminished responsibility and loss of control
- Involuntary manslaughter: unlawful act manslaughter and gross negligence manslaughter.
- Offences against property: theft, robbery, and burglary.
- **Defences**, which can be raised/used in criminal law: insanity, automatism, (where the defendant's mind was not in control of their muscles...), intoxication, consent (only to the non-fatal offences from Year 1) and self-defence.
- Attempted crimes (where the defendant intended to commit the full offence, but they were prevented from completing it for some reason... the bullets were blank, the police arrived and stopped them...)

Concepts (ideas/theories) about law

(This is a holistic unit. You are expected to look back over your whole course, identifying areas of law where we see justice is or is not achieved, legal and moral rules either do or don't coincide/come together or where we see the law trying to strike a difficult balance between protecting individual rights and giving out the right public policy message...)

- Law and justice.
- Law and morality
- Law and society
- Law and technology (cyber- crime/the right to privacy etc.)

A- level
only

An introduction to human rights law

(An introduction to laws which protect and enforce human rights)

- The history of human rights law in the UK, from Magna Carta to the effect of the European Court of Human Rights and the UK Human Rights Act 1998.
- The European Convention on Human Rights (ECHR) including *the right to a liberty (freedom) and security; the right to a fair trial, the right to respect for private and family life; the right to freedom of expression (includes free speech) and the right to freedom of assembly (meet where you like/form gatherings/marches etc.)*
- Restrictions on our human rights including public order offences and police powers (stop & search, arrest etc.).
- The duty of confidentiality; obscenity; defamation (writing or saying untrue things about a person, which damage their reputation...) and harassment.
- How a person's human rights can be enforced through our national (UK) courts and in the European Court of Human Rights.

A-level
only

Assessments

A-level (exams)

- Year 1= two 1.5- hour exams in May
- Year 2= three 2 hours exams in June (all humanities A levels, except History, which has some course work have 6 hours of exams in Year 2)

BTEC Applied (coursework and exams)

- Year 1= two pieces of extended coursework to be completed and submitted in Term 1 and Term 2 plus an externally assessed examination in Term 3.
- Year 2= two pieces of extended coursework to be completed and submitted in Term 1 and Term 2 plus an externally assessed examination in Term 3 * In Year 2 more weight is on the exam than in the first year.

Exam Board Websites and Information

A-LEVEL (OCR) [AS and A Level - Law - H018, H418 \(from 2020\) - OCR](#)

TASKS

TASK (1) INTRODUCTION TO LAW

Please read and highlight the following piece of writing and complete activity (grid) at the end.

An introduction to law

We study the English Legal System, which applies in England, Wales, and Northern Ireland. Scotland has its own separate legal system.

Who makes our laws?

Our laws have developed over time on a piecemeal basis. They are a combination of both legal rules and social norms. Some laws make society function and must be followed, even if they can be unfair to some people. Other laws seem to reflect society's views of what is morally right and what is not. However, society's views of what is morally right and wrong can change over time. Laws therefore must be changed to reflect society's changing views, technological and medical advances.

Parliament makes some of our laws through a legislative (law making) process, which requires a bill (proposal for a new law) to pass through several stages in both House of Parliament (the House of Commons and the House of Lords). This type of law making is called "statute law".

Judges make some legal rules (laws) in the courts. These legal rules are followed in later cases, which have similar facts. Judge made law, which develops over time is called the "common law".

Some of our laws have been made by the European Union, sit over our national (UK) laws and we have to follow them

The difference between civil and criminal law cases

There are two different types of law within our legal system:

- 1) Criminal Law, and
- 2) Civil Law

Criminal cases

In criminal cases, the state (Crown) prosecutes (brings a case) against the defendant who has broken a criminal law. The trial takes place in either the Magistrates' Courts or the Crown Courts. If the defendant is guilty, the court will sentence them. Sentences can be custodial (prison), community (unpaid work etc.), fines or another sentence such as a driving ban or penalty points on your licence. Judges sitting in the Court of Appeal and the UK Supreme Court hear appeal cases.

Civil cases

Civil cases are disputes or disagreements between private individuals/businesses. They include contract disputes, civil claims for compensation for personal injury or clinical (medical) negligence, business/commercial disputes, family and divorce law, neighbour disputes etc.

When parties cannot resolve (sort out) their differences, the claimant brings a case against the defendant. An independent judge will hear the evidence which each side produces and then will decide "liability" (who has won the case). The judge will award (give) a remedy (something to put things right). The most common remedy is compensation/damages (£). The trial takes place in either the County Courts or the High Courts.

	CRIMINAL CASES	CIVIL CASES
Party who starts/brings the case		
Party who the case is against		
Courts which hear trials		
Which party has to prove the case (has the "burden" of proving the case)?		
What is the level of proof, which has to be proved (the "standard" of proof)?		

Who (judge or jury) decides the outcome of the case?		
What is the outcome (guilty or not-guilty/liable or not-liable)		
Penalties/remedies?		

Task (2)

Please watch the following video “your role as a juror” & make a note of some key points, plus any questions you may have [Your role as a juror - YouTube](#) (12 minutes).

Please read and highlight the following piece of writing, make a brief note under the summary headings (just of key points) and complete activity (grid) at the end.

THE HISTORY OF JURIES

Trial by jury has taken place in the UK, for over 1000 years. The idea of your trial being heard and decided by your fellow citizens came over from France, with William the Conqueror in 1066. Magna Carta set out the right to being tried by your peers (equals) in 1215. The jury must make its decision free from any outside pressure or influence. Not even the judge can influence the jury’s decision. This was confirmed by Bushell’s case in the 16,000’s. (OPTION- WATCH THIS CLIP- LANDMARK CASES IN LAW- [Bushel's Case and the Independence of Juries | Legal Landmarks - YouTube](#)). The Jury is seen as central to a “fair trial” and the right to a fair trial is a fundamental human right, set out in the European Convention (agreement) on Human Rights and in our Human Rights Act 1998. For this reason, jury trials were cancelled in the pandemic (2020 & 2021), and we now have backlog of over 60,000 Crown Court jury trials!

HOW JURIES ARE SELECTED

Anyone aged between the ages of 18 and 75 years old, whose name appears on the electoral role and who has lived in the UK for 5 years or more, since the age of 18, can be called to do jury service. Names are randomly selected from the electoral role, by a computer at a central office. Enough people are chosen to cover a 2- week period for a court area (e.g., The York Crown Court area). People, who have been sentenced to more than 5 years in prison are banned from doing jury service for life and people who have been given any sentence (community or prison) of under 5 years are banned for a 10- year period. People who cannot cope with the trial for serious physical or mental health reasons do not have to do jury service. Members of the armed services can be excused if their commanding officer confirms that they are needed. People who have pre-arranged commitments like- medical appointment/surgery, pre-arranged holidays, work commitments or must look after small children can have their jury service postponed to a later date. This random selection should achieve a jury which represents a good cross section of society

and so is fair. However random selection does not always produce a balanced jury in terms of ethnicity/race, gender, background, or beliefs. This was shown in the case of R v Ford, where a juror was told that they were not entitled to be tried by a multi-racial jury if the random selection had not produced one. * Jury service is compulsory- you are fined £1000 if you do not attend. Checks can be carried out on a juror's background in cases involving national security and they can be checked for criminal convictions.

THE ROLE OF THE JURY

A jury of 12 sits with a judge in Crown Court trials. The Crown Court hears the trials of more serious criminal cases which involve serious offences like murder, manslaughter etc.

The judge has control of the court room, advises on the relevant laws, and decides the sentence (if the defendant is found guilty).

The jury sit in court and hear the evidence which can be listening to witnesses, watching CCTV footage, or examining exhibits.

Once the closing speeches have been given, the jury retires to the jury room to decide their verdict in secret. There can be no outside involvement and no influence. The decision must be made on the facts (evidence) heard in the court room. The jury try to reach a unanimous verdict in 2 hours (everyone agrees). If this is not possible a judge will accept a majority verdict of 11-1 or 10-2. One member of the jury is appointed as the foreperson and reads the verdict (guilty or not guilty) out in open court. No reasons are given.

It is a criminal offence for a member of the jury to carry out any independent research on the case or research it on the internet. It is a criminal offence for jurors to speak about how the verdict was reached in the jury room. Jurors come and go each day and there have been cases of jury tampering or nobbling (the defendant's family or associates getting to a juror and bribing them, threatening them to decide in a particular way). Juries give no reason for their decisions, which makes it hard for a defendant to appeal the verdict. Jury service is compulsory, so some jurors may really not want to be there, might resent being there and might want the case over quickly. Jurors have requirements other than a reasonable understanding of English. The cases they hear can be long and include complex technical, medical and in fraud cases, financial evidence which they may actually find hard to understand. We never actually know how jurors reach their decisions and the case of young v Karayaka, has caused concern that they may use unfair, questionable and dubious methods.

SUMMARY OF KEY POINTS ON: -

The history of juries: -

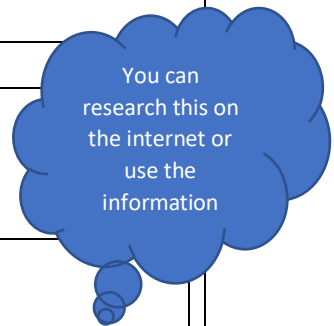
Who can and cannot be a juror: -

The role of juries: -

CAN YOU FIND ANY
INTERESTING PRESS
STORIES/CASES ON JURIES
TO SHARE?

GOOD AND BAD POINTS GRID – ARGUMENTS FOR AND AGAINST JURIES

FOR (advantages)	AGAINST (disadvantages)



Task (3)

Please read the information in the following chart. Then read the scenarios and decide which of the 5 non-fatal offences, each character will be charged with.

Offences are “crimes”.

“Non-fatal” means that a person may have been scared or injured by the crime against the person, but no one has died.

The 5 non-fatal offences are: - (1) assault (2) battery (3) assault occasioning (causing) actual bodily harm (ABH) (4) malicious wounding or inflicting grievous bodily harm (GBH) and (5) wounding or causing GBH with intent...

Here is a brief introduction to the non-fatal offences [Non-Fatal Offences Against the Person # 1 - Introduction - YouTube](#)

Optional extra- read the College Law- notes on “non-fatal offences”. You can watch the quick cartoon videos on each non-fatal offence by clicking the YouTube link [Non-Fatal Offences - Criminal Law A2 \(collegelaw.co.uk\)](#)

OFFENCE/CRIME	Type of injuries/harm	Sentence
1) Assault	<ul style="list-style-type: none"> Causing (making) the victim apprehend (fear/believe) that they are about to have unlawful force inflicted on them. No force has to be applied It could be staring through a window, silent phone calls, sending letters. There is no injury. 	Up to 6 months in prison or a maximum fine of £5000
2) Battery	<ul style="list-style-type: none"> Inflicting/applying unlawful force on another person. The force applied must be hostile. The force can be indirectly applied through clothing or another article. There does not have to be any kind of injury and the slightest touch might count as battery. 	Up to 6 months in prison or a maximum fine of £5000
3) ABH (Assault occasioning/causing actual bodily harm)	<ul style="list-style-type: none"> Assault (or battery) which causes actual bodily harm. Actual bodily harm includes any hurt or injury which interferes with the health and comfort of victims and lasts for more than moments- but is not serious/permanent) It can include physical harm or psychiatric harm (which must be more than simply fear, distress etc.) 	Up to 5 years in prison
4) Recklessly wounding or grievous bodily harm	<ul style="list-style-type: none"> A wound is where all the outer layers of the skin are broken and there is external bleeding. Internal bleeding does not count as a wound. Grievous bodily harm is where the victim suffers serious injury and it can include fractures, severe twists/sprains, ligament damage, scarring, disfigurement and injuries causing serious disability 	Up to 5 years in prison
5) Intentionally wounding or causing grievous bodily harm	<ul style="list-style-type: none"> A wound is where all the outer layers of the skin are broken and there is external bleeding. Internal bleeding is not a wound. Grievous bodily harm is when the defendant inflicts serious injury on the victim. It, can include fractures, severe twists and ligament damage, scarring, disfigurement and injuries causing serious disability. 	Life imprisonment

(b) Which offence will the defendant be charged with?

- (1) Lewis and Neal get into an argument about who is going to sing the lead on their next single. Lewis wins. Neal picks up a knife holds it in the air, shouting, "Watch out, I will wipe that silly smile off your face". Lewis runs off.
- (2) Zaide has been practising for a performance in their band's new video. It involves a fight scene. He tells Harrison, that he will show him how he is going to throw a fake punch. He aims at Harrison, intending to miss him, but instead hits him, causing him to fall backwards (but fortunately, Harrison was not injured).
- (3) Harrison stumbled and fell backwards into an elderly woman, called Doris who was working at the studio. She was knocked to the ground and struck her head on the hard floor. She was knocked out for a short- period and sustained some bruising to the side of her head, which lasted a few weeks.

- (4) Leo is fed- up with Harrison getting all the attention from the fans. In a fit of rage, he waits for him in the dressing room, picks up a bottle of champagne and hits him over the head with it. The bottle breaks causing lacerations to Harrison's face and scalp, which will cause permanent scarring.

Task (4)- CASES

Click on the link below

Please listen to Michael Sandel, tell you about the historic case of "Dudley v Stephens".

This is a criminal case from 1884.

It involves a shipwreck, killing and eating the cabin boy.

The survivors were charged with murder but raised the defence of necessity.

They argued that killing the cabin boy was the lesser of two evils.

More harm would be done, if they did not kill him (more would die) than if they did.

Click on the link and start watching at **29 minutes 38 seconds**.

Law is about deciding what is morally right and wrong.

It is also about justice and fairness and righting wrongs.

Please listen to the story of Dudley & Stephens

(*The rest of the Harvard University First Year is optional)

THINK- about the following questions: -

1. Do you think the sailors did the right thing?
2. Do you think that killing the cabin boy was morally wrong?
3. Was it legally wrong?
4. Do you know if cannibalism was illegal in the 1800's (in Victorian Britain)?
5. Why do you think the men confessed?
6. What happened to them?
7. What do you think they should have done in that situation?

[Justice: What's The Right Thing to Do? Episode 01 "THE MORAL SIDE OF MURDER" - YouTube](#)

CASE RESEARCH (use the internet)

Can you research the case of Donoghue v Stevenson (the snail in ginger beer)?

Can you find out what happened in the case?

What year was the case?

Was the case about civil or criminal law?

ADDITIONAL OPTIONAL EXTRA TASKS

- Watch the following programmes if you are interested in how our legal system and laws developed... This is optional 😊
- "The Strange Case of the Law", episodes 1-3, BBC4, presented by Harry Potter (a barrister, not the wizard), available on YouTube...
- [The Strange Case of the Law, episode 1 of 3, Laying Down the Law - YouTube](#)
- **Interested in learning more about law? Watch a fly on the wall documentary about becoming a barrister...**
- "The Barristers", episodes 1-6, BBC1 Documentary, available on YouTube... [The Barristers, part 1 - 1of6 - YouTube](#)
- Watch the following video which introduces you to human rights law [Everything you need to know about human rights | EachOther](#)
- Find out how laws are made in our country- by Parliament- [How Are Laws Passed in the UK? | EachOther An introduction to Parliament - YouTube](#)

ANSWERS/NOTES PAGE

How long should I spend on this? 3-4 hours

How will I get feedback? Bring your work/sheet to class for discussion- do not worry about it though- it is just a little intro to get you thinking about the law. Do what you can/have time to do.

Contact email: Clare Kirton ckirton@yorkcollege.ac.uk