

An Introduction to A-Level Law

What is Law?

Law is the “*system of rules that a particular country or community recognises as regulating the actions of its members and may enforce by the imposition of penalties.*”

“The Law is perfection of reason”

What will you study?

- English legal system: This topic provides students with an understanding of the types of law, structure of the course and legal personnel, including insights on how individuals may access justice (or limits them as may be the case).
- Criminal law: This is the system of law created by the state concerned with the punishment of offenders. After introduction to elements of the offense, students will study the law on: non-fatal offences, murder, manslaughter, property offences and attempts, before looking at defences to crimes such as self-defence or insanity.
- Tort law: This branch of law is a form of civil law which allows a person to claim compensation where they have been injured or their property has been damaged. After a general introduction, students will study the rules on: negligence, occupiers’ liability, private nuisance, the rule in Rylands v Fletcher and vicarious liability, before looking at defences to those torts.
- Contract law: This form of civil law relates to the making and enforcing of agreements. Students will study the law on various contractual requirements including express/ implied contract terms, exclusion clauses, and vitiating factors, as well as the types of remedies available for a person in breach of contract.

Assessment Methods

A-Level Law is wholly assessed through external exams:

- **When?** At the end of your second year
- **How many?** Three exams (out of 100 marks)
- **How long?** Two hours each

Exam Structure

- Paper 1: Criminal Law (75%) and English Legal System (25%)
- Paper 2: Tort Law (75%) and English Legal System (25%)
- Paper 3: Contract Law (75%) and English Legal System (25%)

Why choose Law?

Studying Law gives you an understanding of the role of Law today and raises awareness of the rights and responsibilities of individuals. It will help you to develop your:

- Analytical ability
- Decision making
- Critical thinking
- Problem solving skills

In short, it provides you with skills highly sought after by higher education and employers alike!

What skills do you need to be successful?

- Thirst for knowledge
- Excellent communication skills
- Ability to work independently or as part of a team
- Sound research skills
- Ability to analyse current issues and write concise and succinct arguments



Non-Fatal Offences

Key terminology:

- Statute law: created by statute
- Common law: created by judges
- Actus reus: the guilty act
- Mens rea: the guilty mind
- Direct intention: D's main aim or purpose to cause the consequence
- Recklessness: D sees a risk of a consequence occurring but takes it anyway

Think of as many different injuries a victim might suffer (non-fatal). List them below:

◆
◆
◆
◆
◆

◆
◆
◆
◆
◆

Look at the basic definitions of the non-fatal offences. Which of your above examples fits into which box? If you don't have an example in each box, think about one now!

Assault <i>"Causing the victim to fear immediate unlawful force"</i>	Battery <i>"The unlawful application of force"</i>	Actual Bodily Harm (ABH) <i>"An assault or battery which causes minor injury"</i>	Wounding "A <i>cut or break in the continuity of the skin"</i>	Grievous Bodily Harm (GBH) <i>"The application of really serious harm"</i>

Assault: Law

Statute/ common law? Case:

Category of offence:

Maximum sentence:

Actus reus:

Mens rea:

R v Ireland (1997)

Facts:

Outcome:

Precedent:

R v Lamb (1967)

Facts:

Outcome:

Precedent:



Smith v Chief Superintendent of Woking Police 1983)

Facts:

Outcome:

Precedent:



Tuberville v Savage (1669)

Facts:

Outcome:

Precedent:



Assault: Scenario Solving

Put your new knowledge into practice and solve this scenario according to the layout on the right!

Imran turns round quickly without realising that Harry is standing just behind him, and bumps into Harry. Harry shouts at him, 'If you were not wearing glasses, I would hit you in the face'. Imran panicked.

Discuss whether Harry could be found guilty of an assault against Imran.

Planning your answer:

Is it an assault? Is the victim put in fear of immediate unlawful force being used? **Use the facts of the scenario and case law to build your argument!**

AR: An act which causes the victim to apprehend immediate unlawful force

An act:

Apprehend:

Immediate:

Unlawful force:

MR: Intention or recklessness as to causing the victim to apprehend immediate unlawful force

Writing frame:

Harry could be liable for an _____ as defined in the case of _____.

The actus reus of assault is an act which causes the victim to _____, immediate, _____ force. Here the criminal act was Harry saying '_____, _____'.

This clearly caused Ahmed to apprehend harm as he '_____. It is doubtful as to whether Harry could be charged with an assault because of this as the case of _____ v _____ confirms that _____.

Battery: Law

Statute/ common law? Case:

Category of offence:

Maximum sentence:

Actus reus:

Mens rea:

DPP v K (1990)

Facts:

Precedent:



Collins v Wilcock (1984)

Facts:

Precedent:



R v Thomas (1985)

Facts:

Precedent:



Battery: Scenario Solving

Put your new knowledge into practice and solve this scenario according to the layout below!

Alan believed that Bhu, a fellow student, had stolen his mobile phone. Alan saw Bhu at college and said, "We sort out thieves like you". As Bhu hurried away in a panic, Alan's friend, Carol, sprayed Bhu with red paint

Discuss whether Carol could be found guilty of a battery against Bhu.

Planning your answer

Is it a battery? Has the defendant applied unlawful force?

AR: The unlawful application of force

Unlawful:

Application:

Force:

MR: Intention or recklessness as to the application of unlawful force

What is present? Why?

Writing frame:

Carol could be liable for a _____ as defined in the case of _____.

The actus reus of battery is the _____ of unlawful force.

Carol clearly applied unlawful force here when she " _____

_____ ". It does not matter that she didn't touch Bhu herself as the case of _____

v _____ makes it clear that the application of force does not need to be _____.

Actual Bodily Harm: Law

Statute/ common law?

Category of offence:

Maximum sentence:

Actus reus:

Mens rea:

R v Chan-Fook (1994)

Facts:

Precedent:

‘Actual’:

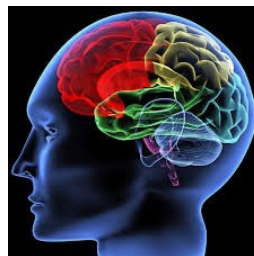
‘Bodily’:

‘Harm’:

R v Roberts (1971)

Facts:

Precedent:



Actual Bodily Harm: Scenario Solving

Put your new knowledge into practice and solve this scenario according to the layout below!

Megan punched Jessica in the face. The punch caused extensive bruising and nasty swelling, which did not clear up for many weeks.

Discuss whether Megan would be liable for actual bodily harm against Jessica.

Planning your answer

Has the victim suffered actual bodily harm?

AR: An assault or battery that occasions (causes) actual bodily harm

Assault/ battery?

Actual bodily harm:

MR: Intention or recklessness as to causing an assault or battery

Writing frame:

Megan could be liable for _____ as defined under S. ____ Offences Against the Person Act _____. The actus reus is an _____ or _____ which causes actual bodily harm. Here, Jessica has committed a _____ as she had applied unlawful force on Jessica by _____ (R v Ireland). Further, she has suffered ABH because of this as the punch caused _____ that did not clear up for many weeks which clearly goes beyond the health and comfort of the victim (R v _____). It would not matter if Jessica only intended to apply a slight force as the mens rea of ABH only requires them to intend or be reckless to an assault or batter (R v _____).

Summer Work

So you're thinking about studying A-Level Law? What do you need to do to prepare?

If you're interested in studying for A-Level Law then you will be required to produce a document and send it to me (eharvey@handsworth.bham.sch.uk) before your first lesson in September!



Introduce

- Who are you?
- What are your hobbies/ interest?
- Why do you want to study law?
- Why do you think you'll be good at it?

Demonstrate

Demonstrate your commitment to studying law by researching the following questions:

- What is Law and why are laws needed in our society?
- What is the difference between criminal and civil law?

Watch

Watch one of the following legal programmes and write a summary of it (max 500 words)

Murder 24/7 (one episode): <https://www.bbc.co.uk/programmes/m000frh9>



Murder Trial: The Disappearance of Margaret Fleming: <https://www.bbc.co.uk/programmes/m000d2cy>



The Trial: A Murder in the Family: <https://www.channel4.com/programmes/the-trial-a-murder-in-the-family/episode-guide/>



Bridging Unit

There are a number of tasks available for you to complete as part of the bridging unit. Challenge points are awarded per task. You can pick and choose which tasks you complete but you must achieve **at least 100 points**.

Challenge Tasks:

Points:

20 **Short video to watch and consider**

Search for the YouTube video: Crimewatch—How they caught Lukasz Reszpondek: https://www.youtube.com/watch?v=TbR2mscGD_Q

Write some notes and consider:

- What evidence did the police have before the final confession by the defendant?
- Was the investigation worth that much police time?
- Did the case achieve justice? If yes, for who?

20 **Short video to watch and consider:**

Search for the YouTube video: Crimewatch—How they caught Stephen Marshall ('The Jigsaw Man Murderer'): https://www.youtube.com/watch?v=7j_fleruXs4

Write some notes and consider:

- What do you think to the convictions and sentences in this case?
- Do you think that this case achieved justice? Why/ why not? If yes, for who?

40 **Review some newspaper articles:**

Find three newspaper articles where people have been convicted and sentenced for their crimes—look for non-fatal offences where people were injured but didn't die (common law assault or battery. S.47 actual bodily harm, S.20 or S.18 grievous bodily harm/ wounding). Cut the articles out and stick them in your notes.

For each article find out:

- Which court heard the case?
- What was the defendant convicted of?
- What sentence did the defendant get?
- What do you think of the sentence given?

60 **Essay writing**

Research the death penalty and write an essay evaluating whether it was right to get rid of the death penalty for heinous crimes such as murder. Make sure you are objective and consider both sides of the argument (min 500 words).

60 **Essay writing/ current affairs**

Answer the question— Is Brexit good or bad? Make sure you evaluate and consider both sides of the argument (min 500 words).

60 **Current affairs research**

- Who does the current government consist of?
- Who is Parliament?
- What political party has control of the government?
- Who is your local MP?
- Which political party does he/ she represent?
- How does your local MP affect Parliament?
- Research and list three things that your local MP has been involved with in your area
- Do you think having local MPs is important? Why/ why not?

60 **Law and Morality**

Using the notes given to you during taster week, compose an essay on the following question:

"Discuss the extent to which the law is based on morality."

