



St Benedict's
Sixth Form

APPLIED LAW TRANSITION PACK





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Law plays a vital and wide-ranging role in society. Its functions include protecting the public, regulating relationships, the construction of agreements and the resolution of disputes.

An aspect of law that students particularly enjoy is the 'case study approach', where legal principles are applied to real life cases. For example, **R v White [1910]** where a man tried to poison his mother but was not convicted of murder, **Jodie and Mary in Re A (conjoined twins) [2001]** which posed the question, is it justified to separate and knowingly 'kill' the weaker twin in order to save the stronger twin? Finally, the negligence case of **Donoghue v Stevenson [1932]** involving the infamous snail in the ginger beer that developed an entire area of law.

It is the combination of human stories raising real and relevant issues that makes law an engaging, yet challenging subject to study. Studying law is about gaining a deep understanding of core legal principles and concepts which enable you to access a number of careers. Law equips you with a wide range of skills and knowledge which are respected by a range of different disciplines where legal issues are attached. Whatever your ambition, a qualification in law is a valuable first step.

Baseline Assessment

During the week beginning 27/09/21, an assessment will be undertaken to consider suitability for the course. The assessment will comprise of:

- A review of summer work
- Assessment of a preliminary practical task that you will produce in the first 2 weeks.



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Task 1: Introduction to civil law

1. Research the case of **Liebeck v McDonald's Restaurants**. Describe what happened, describe what was the outcome and explain the decision of the jury.
2. Define the following keywords:
 - a. Claimant
 - b. Defendant
 - c. Law of tort
 - d. Negligence
 - e. Contract law
 - f. Compensation
3. What is the difference between the burden of proof and the standard of proof?

EXTENSION: Do you think the burden of proof should be higher in civil cases? What arguments are there for and against the suggestion?

Task 2: **Donoghue v Stevenson [1932]**

You are to write 400 words explaining the landmark case of **Donoghue v Stevenson [1932]**. The format is as follows:


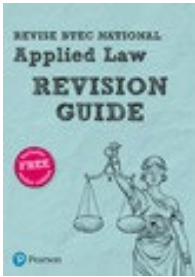
1. Describe the facts of the case (200 words)
2. What was the outcome of the case? (50 words)
3. What was the *ratio decidendi* of the case? (100 words)
4. What was the significance of the case? (50 words)



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Resources

Want to get a head start for September? Have a look at these resources. You do not need to purchase anything now, though it is highly recommended that you do purchase a textbook as we will refer to this in lessons.

Textbooks	
	<p>The official approved BTEC textbook</p> <p>Author: Anne Summerscales Publisher: Pearson Price: £26 Edition: 2017</p> <p>This book covers all units in both years of study. You can buy directly from the publisher or Amazon.</p>
	<p>Additionally, Pearson offer a revision guide for the two years of study</p> <p>Authors: Richard Wortley, Ann Summerscales, Nicholas Price Publisher: Pearson Price: £10 Edition: 2018</p> <p>You can buy this directly from the publisher or on Amazon</p>
Websites	
<p>https://www.e-lawresources.co.uk/</p>	<p>A great resource for case law. This website offers simplified and clear case law summaries.</p>
<p>https://www.parliament.uk/about/how/laws/</p>	<p>For some pre-reading, the Parliament website gives a good clear explanation of how laws are made.</p>
Other	
<p>News sources such as:</p> <p>https://www.bbc.co.uk/news</p>	<p>Keep up to date on current affairs with news sources. Use a variety of sources to ensure there is no bias.</p> <p>Crime is heavily reported in the news, more so than civil law, because we are fascinated by it in society. When you see crime in the news consider:</p> <ul style="list-style-type: none"> • What crime has been committed?



<https://news.sky.com/uk>

- If it is an ongoing investigation, do the facts suggest they are guilty? Why?
- When a sentence has been given what is it and do you think it is fair?

<https://www.open.edu/openlearn/society-politics-law/starting-law-overview-the-law/>

This free course from the Open University offers a brilliant introductory course for those studying law. It is aimed at those without any legal knowledge.

This is not compulsory but a great activity to complete should you wish to get a head start for September.

<https://www.tutor2u.net/law/reference/learning-activities>

This website creates free and paid for resources for different topics. This link leads to free revision resources that you may find useful later in your studies

<https://www.theguardian.com/law/2013/dec/04/law-cases-essential-student>

Some of the most famous legal cases (UK and worldwide) that have shaped our legal system and others.

<https://www.law.ac.uk/resources/blog/top-legal-podcasts/>

Podcasts are a fantastic way to learn something new or just for entertainment. This link leads to some great legal podcasts you may find useful especially if you wish to enter the legal profession or want to know more about it.



wish to enter the profession.

The Secret Barrister is a legal blogger (@BarristerSecret on Twitter) who is a practicing Barrister. This book sheds light on what the legal profession is really like, and the problems it faces daily. Great reading especially if you



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Summary of basic points about civil law:

Civil law	Brief explanation
Purpose	To find a solution or remedy for the injured party.
Outcome and remedies	Usually compensation, or where compensation is insufficient, a court order such as an injunction to stop the defendant continuing the activity.
Taking the case to court	The decision to take the matter is made by the individual who wishes to make a claim that cannot be settled in any other way such as by negotiation.
Parties to an action	The claimant and the defendant.
Standard of proof	The decision is based on a 'balance of probabilities' (the judge must be over 50% sure the defendant is liable).
Case names	The surname/business name of the claimant comes first and then the defendant.
Terminology	Sue, liable, not liable, remedies, etc.
Courts	If the parties cannot agree to an out-of-court settlement, a trial will take place in either the County Court or the High Court.
Examples of areas of civil law	Negligence in the law of tort, contract law, family law, etc.