

A-LEVEL LAW



Student Handbook

WELCOME TO LAW

First of all, a very warm welcome to Law at The Polesworth School! You have chosen to study a modern and challenging A-Level course and we hope that for you it will be both enjoyable and successful.

This short guide has been provided both as an introduction to the subject and a brief guide to how it is organised.

Congratulations on getting over the first great educational hurdle - your GCSEs! The fact that you are here to embark upon A-Level means that you have met the required standard - so well done! However, be under no illusions that the transition to A-level is easy. Law in particular requires the ability to retain very large amounts of information. Throughout the course, you will encounter a vast number of key cases which illustrate important legal principles. You will be required to learn these cases in order to apply them to legal scenarios in the exam.

Time-management and **communication** are crucial to your success here. You will need to listen to and act upon advice. Successful communication, however, implies a two-way process. **If you are having difficulties or need help in any way, please do not hesitate to ask.**

You can email Mr. Lewis on s.lewis@thepolesworthschool.com or Mrs Ross on k.ross@thepolesworthschool.com

It is also imperative that you are **using your study periods to good effect**. Summarising information and studies through revision materials as we go is absolutely essential to your success.

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What is A-Level Law?

You will all have a common sense understanding of what “law” is as a concept, and it doesn’t really need much development at this point. The A-Level course is designed to develop your understanding of **how the law has been developed** and **how it is applied** today.

In this sense, **the A-Level is weighted quite heavily towards knowledge**. Whilst evaluative and analytical skills are important, even questions which draw upon these skills still require a secure body of knowledge and leave **no real room for opinion**.



To be clear, A-Level Law will give you an insight into the processes of law creation, the function of courts and legal personnel, and the way in which the law operates in relation to specific offences. **A-Level Law does not focus on whether the law is “fair” in how it is applied or how we can best reduce criminal behaviour** - if this is what interests you, Sociology might be more up your street.

Course Structure

A-Level Examinations

Paper 1: The Legal System & Criminal Law

- 33% of A-Level
- Written paper
- 2 hours
- 80 marks

Paper 2: Law Making & Tort Law

- 33% of A-Level
- Written paper
- 2 hours
- 80 marks

Paper 3: Further Law & Human Rights Law

- 33% of A-Level
- Written paper
- 2 hours
- 80 marks

What about AS exams?

You will not be entered for an AS exam at the end of Y12.

However, in the absence of AS exams at the end of Y12, you will sit an **internally assessed exam** within school known as a **PPE** (pre-public exam). This will be used in the same way that actual AS exams are: **failing to pass this internal exam will result in removal from the course**. It is therefore extremely important that you treat this seriously and complete a sufficient amount of revision to do it justice.

Subject Content

The Legal System

- Civil courts and other forms of dispute resolution
- Criminal courts and lay people
- Legal personnel
- Access to Justice

Criminal Law

- Rules and Theory
- General elements of criminal liability
- Fatal offences against the person
- Non-fatal offences against the person
- Offences against property
- Mental capacity defences
- General defences
- Preliminary offences



Law Making

- Parliamentary law making
- Delegated legislation
- Statutory Interpretation
- Judicial precedent
- Law Reform
- European Union Law



Tort Law

- Rules and Theory
- Negligence
- Occupiers' liability
- Public and Private Nuisance
- Rylands v Fletcher
- Vicarious liability
- Defences and remedies



All of this material relates to papers 1 and 2, and will be completed during year 12.

The following material relates to paper 3 and will be completed during year 13:

Further Law: The nature of law

- Law and Morality
- Law and Justice
- Law and Society

Human Rights Law

- Rules and Theory
- Protection of the individual's human rights and freedoms in the UK
- Key provisions of the European Convention on Human Rights (Articles 5, 6, 8, 10 and 11)
- Restrictions on human rights law
- Enforcement of human rights law

Career Opportunities

The course is designed to give you the foundation of knowledge and understanding required by legal personnel. In the “Legal Personnel” section of the course, you will look specifically at the roles and training routes for key legal professionals such as:

- Solicitors
- Barristers
- Legal Executives
- Judges

In addition to this, law has links to areas such as sociology, politics, business and philosophy to name just a few. Therefore, it provides useful insights for people wishing to pursue careers or further study in these areas.

Equally, the heavy requirements in terms of knowledge retention will teach you important organisational skills which will be extremely important in any future fields of study at university level.



What Makes A Successful Law Student?

- **An ability to write coherently and accurately.**

The basic rules of grammar and sentence construction, reasonable spelling, and well-organised work are required. This is especially important in a subject that relies upon coherent and logical argument.

- **A willingness to debate and engage in lessons.**

Good quality discussion helps to improve your evaluation skills as well as developing confidence in your own ability to express yourself.

ORGANISATION

- From the start, get a wide ringbinder file and keep all your work in order. Then you must bring this file with you to all lessons, otherwise you will not be coming prepared to the class and may not be able to do the work planned for that lesson. Folders should be stored in the sociology workroom.
- You will be given homework every week. These will involve a range of tasks from preparing for essays to completing summaries of cases/aspects of law. This must be done to the deadline set by your teacher. Failure to prepare for an essay (and therefore underachieving on it) will result in you having to resit the assessment.
- If you have missed a class, **it is your responsibility to find out what work you have missed**. If you do not do this, you may well find questions appearing in your exams which cover work done in class when you were absent! **It is not your teacher's responsibility to chase you and give you missed work.**
- Given the large amount of information you are expected to absorb, it is essential that right from the start of the course you **put together revision materials for yourself**. DO NOT leave it until Year 13 to do this.

ATTENDANCE

- You are required to attend all classes.
- If you know you are to be absent, you must arrange this beforehand and find out what work you will be missing.
- You will be expected to attend all revision sessions organised by your teachers in the run up to your exams

PUNCTUALITY

- To be late for a lesson means that you miss the important re-cap of the previous lesson and the introduction to the day's learning objectives. Furthermore, it is disrupting to the majority of the rest of the students who have had the organisation to arrive on time.

ASSESSMENT

- Work will be completed during lesson time in timed conditions
- Your homework will mostly be to prepare for these essays. It is obvious when a student has not prepared adequately. If this is the case, you will be expected to resit work during one of your study periods or after school.
- If you are struggling to plan/prepare for an assessment, it is your responsibility to speak to your teachers beforehand and get some support. Arriving on the day and saying that you "don't understand" is not acceptable and you will be made to complete the essay.
- Your essays will be marked using OCR mark schemes.
- We will use skills marking to help you progress.
- All assessment will include an action statement which gives information on what you need to do to improve the work. You will be given time within lesson to complete this.
- You are expected to be performing broadly in line with the minimum expected grades issued at the start of the year
- All assessments should be your own work. You are encouraged to work with others in planning essays and revising, but copying from others or the booklets is not permitted and will result in you having to repeat the work during your free time.

Law Internet Resources

The following websites contain useful information which you may wish to read around:

Details of cases - <http://www.e-lawresources.co.uk/cases/>

Hansard (transcripts of parliamentary debates) - <https://hansard.parliament.uk/>

Information on Solicitors - <https://www.lawsociety.org.uk/>

Information on Barristers - <https://www.barstandardsboard.org.uk/>

General information on the judiciary - <https://www.judiciary.uk/>

In addition to these, the website <https://quizlet.com/en-gb> is an extremely useful resource for making online flashcards to help your revision.

Transition Tasks

Complete all tasks.

Task 1: Revision of Cases

Over the summer, you will need to **learn the following case studies**. On your second lesson, you will then be tested on the details of these in exam conditions. For each case study, you will be expected to **outline the key details of the case and the ruling** that was made (i.e. the outcome).

In addition to this, you will be provided with **two fictional scenarios**. For each, you will be expected to say which of the key cases would be applicable, and, based on this, what ruling you think would be reached.

Key case

Nettleship v Weston (1971)

Mrs Weston arranged with her neighbour, Mr Nettleship, for him to give her driving lessons. She was on her third lesson with him and failed to straighten up after turning a corner. She approached the pavement and Mr Nettleship grabbed the handbrake and tried to straighten the wheel but it was too late. She mounted the pavement and hit a lamp post. Mr Nettleship fractured his knee. The court decided that Mrs Weston should be judged at the standard of the competent driver, not at the standard of the inexperienced learner driver.



Key case

Bradford v Robinson Rentals (1967)



The claimant was required by his employer to take an old van from Exeter to Bedford, collect a new van and drive it back to Exeter (roughly 500 miles). It was an extremely cold winter and neither van had a heater. As the windscreen kept freezing over he had to drive the whole return journey with the window open. The claimant suffered frostbite and was unable to work.

The court decided that the employers **were** liable for his injuries, because even though the injury he suffered was very unusual, some form of injury from the cold was reasonably foreseeable.

Key case

R v Martin (1881)

The defendant decided to play a practical joke on theatre goers by barring the exits to a playhouse, cutting the lights on the exits, and proclaiming that there was a fire to the audience, so as to cause panic. Resultantly, the audience rushed to exit the playhouse, during which several audience members sustained severe injuries from trampling. He had not himself inflicted the harm nor necessarily directly intended that any persons would be injured. The Court found the defendant guilty of GBH under s. 20, a charge of actual bodily harm (ABH) does not necessarily require that the accused has personally committed an assault; rather that they committed an illegal act and it be reasonably foreseeable that this act may cause harm. It isn't necessary for the defendant to directly or indirectly apply physical force in causing the harm, merely that their actions were the identifiable cause of the injuries suffered by the victims.



Key case

Collins v Wilcock (1984)

Two police officers saw two women apparently soliciting for the purposes of prostitution. They asked the appellant to get into the police car for questioning but she refused and walked away.



As she was not known to the police, one of the officers walked after her to try to find out her identity. She refused to speak to the officer and again walked away. The officer then took hold of her by the arm to prevent her leaving. She became abusive and scratched the officer's arm. She was convicted of assaulting a police officer in the execution of his duty. She appealed against that conviction on the basis that the officer was not acting in the execution of his duty, but was acting unlawfully by holding her arm as the officer was not arresting her. The court held that the officer had committed a battery and the defendant was entitled to free herself.

Key case

Sweet v Parsley (1969)



D rented a farmhouse and let it out to students. The police found cannabis at the farmhouse and D was charged with 'being concerned in the management of premises used for the purpose of smoking cannabis resin'. D did not know that cannabis was being smoked there. It was decided that she was not guilty as the court presumed that the offence required intention and she did not have this.

Key case

Fagan v Metropolitan Police Commissioner (1986)

Fagan was told by a police officer to park by a kerb. In doing this Fagan drove on to the policeman's foot, without realising he had done so. Initially, Fagan refused to move the car. When the policeman pointed out what had happened, he asked Fagan several times to move the car off his foot. Eventually, Fagan did move the car. Fagan was convicted of assaulting the police officer in the execution of his duty.



The Court of Appeal held that once Fagan knew the car was on the police officer's foot he had the required intention. As the action (the car putting force on the foot) was still continuing, the two elements of intention and action were then present together. He was therefore found guilty of assault.

Key case

Day v High Performance Sports (2003)

The claimant was an experienced climber but fell from an indoor climbing wall and suffered serious injuries. She had to be rescued by the duty manager from a height of 9 metres (30 feet) when she became 'frozen' in her position. The way the manager rescued her was inappropriate, causing her fall.



The court decided the manager and the centre **had not** breached their duty of care to the claimant in view of the emergency situation. Whilst a better solution might have been seen in retrospect, nothing else occurred to him at the time. Thus, the error was one of judgement rather than negligence.

Key case

Bolton v Stone (1951)

A cricket ball hit a lady passer-by in the street outside a cricket ground. The evidence was that there was a 17-foot-high fence around the ground and the wicket was a long way from this fence. There was also evidence that cricket balls had only been hit out of the ground six times in the 30 years before the accident.



Because of the number of times balls had been hit out of the ground, it was found the cricket club had done everything it needed to do in view of the low risk and it had not breached its duty of care.

Task 2: Coronavirus and the Law

Research and write a study on **The Coronavirus Act 2020**

It should deal with the following issues (which you can use as headings if you wish)

Section 1: Implementation of the Coronavirus Act 2020

- How did it become law so quickly and why was it rushed through?
- Do you think it was good to do it so quickly?

Useful Resources:

<https://www.parliament.uk/about/how/laws/passage-bill/>

<https://www.gov.uk/guidance/legislative-process-taking-a-bill-through-parliament>

Section 2: Powers Granted by the Coronavirus Act 2020

- What does it actually do?
- Why might these powers be considered good/necessary?
- Do the powers granted by it go far enough?

Useful Resources:

<https://www.instituteforgovernment.org.uk/explainers/coronavirus-act>

Section 2: The Coronavirus Act 2020 and Human Rights

- What are the impacts of the Act on Human Rights?
- Do the overall social benefits of the Act outweigh the restrictions placed on an individual's rights?

Useful Resources:

<https://www.bih.org.uk/blog/the-corona-virus-bill-and-human-rights>

<https://publications.parliament.uk/pa/bills/cbill/58-01/0122/Memorandum%20to%20the%20Joint%20Committee%20on%20Human%20Rights%20-%20The%20Coronavirus%20Bill%202020.pdf>

Section 4: Restrictions on Powers Granted by the Coronavirus Act 2020

- What restrictions exist to limit the power of the Act?
- Do you think these are strong enough?

Useful Resources:

<https://www.instituteforgovernment.org.uk/blog/coronavirus-bill> (look at the final paragraph)

Task 3: Aspect of the Legal System

Write a short summary of each of the following topics:

- 1) Conduct research into solicitors. Look at:
 - a. What they are
 - b. What they do
 - c. How you become one
 - d. How much they earn, etc

A good starting point is: <https://www.lawsociety.org.uk/>

- 2) Conduct research into barristers. Look at:
 - a. What they are
 - b. What they do
 - c. How you become one
 - d. How much they earn, etc

A good starting point is: <https://www.barstandardsboard.org.uk/>

- 3) Conduct research into EU institutions. Look at:
 - a. The Council of the EU
 - b. The European Parliament
 - c. The European Commission
 - d. The Court of Justice of the EU

For each, find out *what the different institutions do* and *who they made up of*.

A good starting point is: https://europa.eu/european-union/about-eu/institutions-bodies_en

- 4) Research alternatives to going to court (known as Alternative Dispute Resolution). Look at:
 - a. www.resolver.co.uk
 - b. <https://www.financial-ombudsman.org.uk/>

What sorts of disagreements do they deal with? What type of assistance do they offer? How do you go about getting their assistance?

- c. www.ebay.co.uk

What are your rights as a buyer/seller? What is the process that you undergo in the event of a complaint?

- d. What is “mediation”?

“Wherever law ends,
tyranny begins”



- John Locke (1689)

Two Treatises of Government