

STUDY LAW AND BECOME....



PRIME MINISTER



A JUDGE

ANYTHING!

OR BEST OF ALL....

NHS WORKER



A BARRISTER

A TEACHER LIKE ME!





Topics of Study

- You will study 2 topics in Year 12
- Component 1: The English Legal System
- Components 2&3: Criminal Law
- You will study 3 topics in Year 13
- Components 2&3: Criminal Law, Tort Law and Contract Law

Legal System

Section B – The English legal system and the nature of law

Content	Amplification	The Nature of Law
<p>1.2.3 Legal personnel</p>	<ul style="list-style-type: none"> • Barristers and solicitors: education, training and role. Structure of the legal professions; fusion, appointment, training and social background • Role of the legal executive and para-legal personnel • Regulation of the legal professions • Judiciary: role, hierarchy, selection, training, composition, regulation, constitutional position and judicial independence and the rule of law • Magistracy and district judges in the magistrates' courts: role, selection, appointment and training 	<ul style="list-style-type: none"> • Law and society – rule of law; human rights • Law and morality – the legal enforcement of moral values
<p>1.2.4 Access to justice and funding</p>	<ul style="list-style-type: none"> • Sources of funding: Civil Legal Aid • Sources of funding: Criminal Legal Aid and Public Defender Services • Funding of civil and criminal cases, including advice schemes and role of Legal Aid Agency • Alternative methods of funding • Conditional fee arrangements 	<ul style="list-style-type: none"> • Law and justice – the extent to which substantive legal rules, legal institutions and processes achieve justice or create barriers to justice

The English Legal System – The Basics

- <https://www.youtube.com/watch?v=gkJkjQEuHNg>
- <https://www.youtube.com/watch?v=hIMHEWvrqDI>

Criminal Law

Content	Amplification
2.3.1 Rules of criminal law and theory in criminal law	<ul style="list-style-type: none"> • Rules of criminal law and theory in criminal law; definition of crime and the purpose of criminal law; burden and standard of proof • Codification of criminal law • Functions of the Crown Prosecution Service, including outline of the roles of the Attorney-General and the Director of Public Prosecutions • Bail and remand in custody • The trial process, including youth justice
2.3.2 General elements of liability	<ul style="list-style-type: none"> • Elements of crime: <i>actus reus</i> to include voluntary, involuntary conduct, consequences and omissions • Elements of crime: <i>mens rea</i>: fault; to include negligence, recklessness and intention • Causation; legal and factual causation tests • Strict Liability; including the <i>Gammon</i> tests • Burden and standard of proof
2.3.3 Offences against the person	<ul style="list-style-type: none"> • Fatal offence of murder: elements and application of law • Fatal offence of involuntary manslaughter. Elements and application of law, including constructive manslaughter, gross negligence manslaughter • Fatal offence of voluntary manslaughter: elements and application of law, defences of loss of control and diminished responsibility • Non fatal offences: Criminal Justice Act 1988: assault and battery • Non fatal offences: Offences Against the Person Act 1861: actual bodily harm; wounding and grievous bodily harm; wounding and grievous bodily harm with intent
2.3.4 Property offences, including theft and robbery	<ul style="list-style-type: none"> • Theft and robbery: <i>actus reus</i> (appropriation, property, belonging to another), <i>mens rea</i> (dishonesty, intention permanently to deprive), (s1 Theft Act 1968) • Robbery: theft with use or threat of use of force (s8 Theft Act 1968) • Burglary: Elements of s9(1)(a) and s9(1)(b) Theft Act 1968, burglary in dwellings and other buildings
2.3.5 Capacity defences of insanity and intoxication	<ul style="list-style-type: none"> • Intoxication by alcohol • Intoxication by drugs • Insanity • Automatism: insane and non-insane automatism
2.3.6 Necessity defences of self defence, duress and duress of circumstances	<ul style="list-style-type: none"> • Mistake • Self-defence • Duress by threat • Duress of circumstances • Necessity • Consent
2.3.7 Preliminary offences of attempt	<ul style="list-style-type: none"> • Statutory definition; <i>mens rea</i> and <i>actus reus</i>; meaning of 'more than merely preparatory' • Attempts to do the impossible

Criminal Law

- <https://www.youtube.com/watch?v=6Gc6La918aA&list=PLnniUjV8pf5-zcopCpkS0aNYqfJVLNajG>

Tort Law

Content	Amplification
2.2.1 The rules of the law of tort and theory in the law of tort	<ul style="list-style-type: none"> • Origins of the law of tort, categories of tort, theory in the law of tort • Definition of tort. Concept of fault liability versus strict liability • Economic justification of tort; corrective justice • Retributive justice • Criticisms of the tort system
2.2.2 Liability in negligence for injury to people and damage to property	<ul style="list-style-type: none"> • Duty of care: people and damage to property; neighbour principle, Caparo test • Breach of duty: the reasonable man, the objective standard of care • Causation of damage: 'but for' test, legal causation, foreseeability, effect of an intervening act, remoteness of damage
2.2.3 Occupiers' liability	<ul style="list-style-type: none"> • Liability in relation to lawful visitors (Occupiers' Liability Act 1957) • Liability in relation to trespassers (Occupiers' Liability Act 1984) • Special categories of visitors, especially children
2.2.4 Torts connected to land	<ul style="list-style-type: none"> • Trespass to land: unlawful entry; intention; defences of lawful authority including licence, right of entry • Public Nuisance: class of persons, role of Attorney-General; when individual can sue • Private Nuisance: unlawful interference/physical damage, interference with health and comfort, unreasonable user, relevance of locality and utility; abnormal sensitivity; duration; effect of malice • Specific defences to nuisance: prescription; statutory authority • <i>Rylands v Fletcher</i>: dangerous things; accumulation; escape; non-natural user; damage • Specific defences of consent, act of stranger, statutory authority, Act of God, default of claimant
2.2.5 Vicarious liability	<ul style="list-style-type: none"> • Nature and purpose of vicarious liability • Liability for employees: tests for status of employment; scope of employment; frolic of his own • Liability for independent contractors: distinguished from employees; choice of, and supervision in relation to, unusually hazardous activities
2.2.6 Defences	<ul style="list-style-type: none"> • <i>Volenti non fit injuria</i>: must be voluntary; effect of Road Traffic Act 1988; position of rescuers • Contributory negligence: nature and effect; Law Reform (Contributory) Negligence Act 1945 • Defences specific to claims connected to nuisance and <i>Rylands v Fletcher</i>
2.2.7 Remedies	<ul style="list-style-type: none"> • Damages including compensatory damages, mitigation of loss, injunctions

Tort Law

- <https://www.youtube.com/watch?v=-inVFWpNjr4>

Contract Law

Content	Amplification
<p>2.1.1 Rules of the law of contract</p>	<ul style="list-style-type: none"> • Origins and definition of contract law. Function of the law of contract • Theory of the law of contract as a set of rules enabling persons to freely make agreements on their own terms. Importance of contract law in economic development • Arguments for the development of a European and/or global contract law system • The relationship between human rights and contract law • General awareness of the impact of judicial decisions, legislation and EU provisions relating to contract formation and discharge • Freedom of contract, relationship with consumer protection
<p>2.1.2 Essential requirements of contract</p>	<ul style="list-style-type: none"> • Offer: requirements of a valid offer, distinguishing offers from invitations to treat, communicating the offer • Acceptance: rules of acceptance, communication of acceptance • Consideration: rules of consideration, promissory estoppel • Intention to create legal relations: social and domestic arrangements, commercial and business agreements • Privity of contract: the basic rule, exceptions to the rule, <i>Dunlop v Lambert</i>, Contracts (Rights of Third Parties) Act 1999
<p>2.1.3 Express and implied terms</p>	<ul style="list-style-type: none"> • Obligations under a contract: difference between representations and terms • Express terms: incorporation of express terms, parole evidence rule • Implied terms: terms implied by fact, terms implied by statute: Consumer Rights Act 2015, Consumer Contracts Regulations 2013 • Exclusion clauses: incorporation of exclusion clauses, Unfair Contract Terms Act 1977, Unfair Terms in Consumer Contracts Regulations 1999 • Other terms: conditions, warranties, innominate terms
<p>2.1.4 Misrepresentation and economic duress</p>	<ul style="list-style-type: none"> • Fraudulent misrepresentation • Innocent misrepresentation • Negligent misrepresentation • Misrepresentation Act 1967 • Economic duress
<p>2.1.5 Discharge of contract</p>	<ul style="list-style-type: none"> • Discharge by agreement: bilateral agreements, unilateral agreements • Discharge by breach: actual breach, anticipatory breach • Discharge by frustration: impossibility, illegality, commercial, sterility • Discharge by performance: Rule in <i>Cutter v Powell</i>, exceptions to rule
<p>2.1.6 Remedies</p>	<ul style="list-style-type: none"> • Common Law remedy of damages: compensatory damages, tests of causation, remoteness of damage, mitigation of loss • Equitable remedies: rescission, specific performance, rectification of document, injunctions

Contract Law

- https://www.youtube.com/watch?v=KFia_uQirNg

Why study law?

- <https://www.ucas.com/explore/subjects/law>
- <https://www.thecompleteuniversityguide.co.uk/subject-guide/law>

Questions or Advice

Email Mr. Mather anytime on mathers@stjosephs.uk.net if you would like to know more, have any questions or want some advice on what to do.