

BTEC National Applied Law

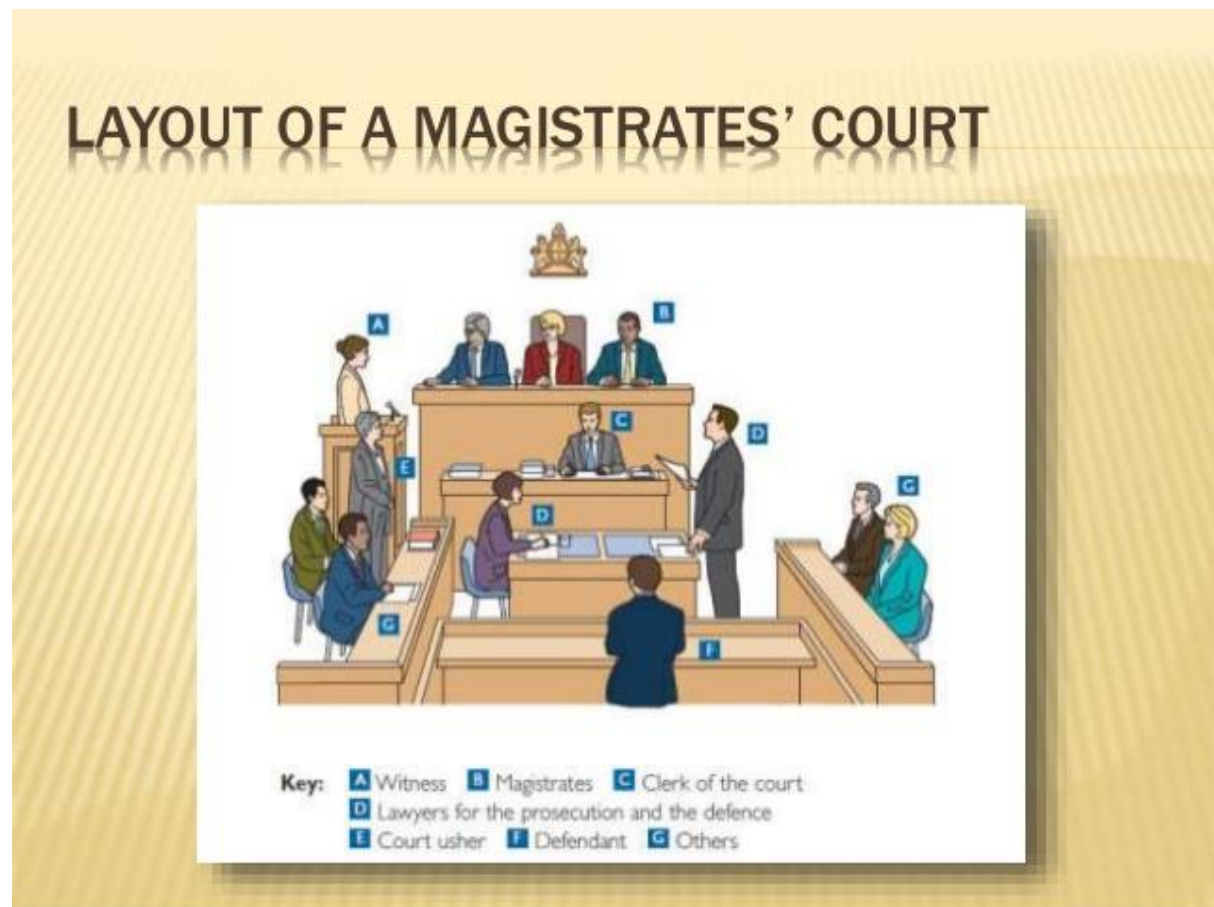
Bridging Tasks

Task 1:

Most of the law you see on TV will be either criminal law or not explained at all. This is also true of real law cases you read in the news. As a law student, one of the first things you have to do is be able to identify different types of law. There are two main types: civil and criminal. They are different in many ways. Your first task is to find out the following differences:

	Civil Law	Criminal Law
Purpose (what do people use it for?)		
Outcomes and remedies		
Who starts the case?		
What is each side called in the case?		
How much proof is needed to win?		
How are case names written?		
What words are used for the decisions made?		
What are the courts of first instance for each type?		
Examples of cases in the news		

Task 2:



People are very important in law. Above is a diagram of the people involved in a Magistrates' Court case. Your job is to find out for each one:

1. What role they have in a case
2. What qualifications they need to have.

Task 3:

You will notice above there is no jury. Juries only appear in Crown Court cases. Your next job is to find out:

1. How jurors are selected
2. Who can/can't be on a jury
3. What they do in a case.

Are juries a good idea??? There are lots of arguments about whether we should have juries or not. See if you can come up with reasons why we should and reasons why we should not. If it was up to you, would you have juries???

Task 4:

The following is a news article about a civil case. See if you can answer the following:

1. Who is the claimant?
2. Who is the defendant?
3. Why do you think the Long's could not find a solicitor?
4. Who did the court hold liable?
5. What costs were awarded to the successful party?
6. Why do you think the costs were so high?
7. What does this case tell you about taking civil disputes to court?

A retired couple face having their £650,000 [three-bed home](#) repossessed and forcibly sold by their neighbour due to a disagreement over a hedge. Grandparents Ron and Wendy Long were taken to court after objecting to their neighbour chopping down the hedge and attempted to put a fence in its place.

Mr Long, 72, a retired flooring contractor, said the ordeal started when he saw workmen chopping the hedge down four years ago, and has resulted in the couple now facing the loss of their home due to their neighbour Diana Lambeth taking them to court.

Ron and Wendy, a housewife, bought their three-bed home in 2001. On friendly terms with neighbour Mrs Lambeth, keen gardener Mr Long happily maintained his side of the hedge between their homes, he said. But he came home in May 2015 from a morning out to find three workmen in his garden, he claims. They had cut down half the hedge and piled it in the middle of his garden and were replacing it with fence posts, some of which he said were on his side.

"I hadn't given permission for anyone to come on my garden," he said. "There were great big roots left. Instead of the new fence posts being straight, they were taking the posts around the roots. It looked a mess. I'm fond of gardening and I like it to look neat and tidy. And if she was putting up a fence to keep her dog in, it wasn't the right sort of fence to do that anyway. It was only a metre high. I told them to stop."

He went inside, did some research online and penned a letter to his neighbour, telling her they should have been consulted on the fence location. He said the new

fence posts were on his property, but apologised for the letter, assuring his neighbour "we hope we can resolve this amicably".

But in the coming weeks, the Longs woke up to find someone had removed the rest of the fence while they were asleep. He sent her another letter urging her to "sort this out in a civilised fashion". But after months of letters, the couple were named as the defendants in a County Court "boundary dispute" claim.

Ms Lambeth took the couple to court in pursuit of an injunction to stop them interfering with the hedge, in Swanage, Dorset.

An independent expert decided the boundary was in the middle of the old hedge - and the Longs agreed in the hope it would end the disagreement. According to court documents from June 2017, Mrs Lambeth claimed they were preventing her from putting a fence up. She asked the court to seek a declaration of the boundary, an injunction stopping the Longs from obstructing the fence building, going on her property, or altering any fence.

The Longs claim the judge urged them to sort the case outside of court.

Fearful and unable to afford a solicitor, they said they agreed in court to the fence, in May 2018. "I just didn't want to take it any further - we never wanted it to get that far," said Mr Long. "But their solicitor just took over. Every time I tried to say anything I got told to sit down. We just didn't have a chance."

But despite the Longs representing themselves in court, the judge ordered them to pay Mrs Lambeth's £13,792 court costs. Without any money to pay, they were hauled back to court and the charge was placed on their £650,000 three-bed home. But they weren't able to pay in full, and were hauled back to court and the charge was transferred to their home in November last year.

Last month they were told Mrs Lambeth intends to take them to court for an order of possession and sale of their home. Her lawyers also warned the Longs that they'll ask the judge to make the couple pay the legal costs incurred.

Mr Long said: "We've done nothing wrong, we broken no laws, and we followed all the advice we could find - yet we find ourselves in this situation. When you say all this is over a garden fence, people can't believe it. I'm not out to get revenge. I don't want to give my neighbour grief. I don't want to shame my neighbours, but I want to make people aware of what can happen to you. We never thought this could happen to us. We never thought someone could take our home over a hedge."

This case cost nearly £14,000. There are examples of civil cases that have cost even more than that (sometimes into the hundreds of thousands). Do some research on line and find a civil case where the final bill for the liable party was even higher than this one.

Task 5:

In 2017 a series was made where they made up a pretend criminal murder case and then got real barristers, judges and juries to hear it and decide the outcome. It gives you an important look at the roles of key people in criminal trials at the Crown court.

Watch all 5 episodes of The Trial on 4OD. The link is below:

<https://www.channel4.com/programmes/the-trial-a-murder-in-the-family/on-demand/63974-001>

you have to sign up but it is free and just requires an email and password (and for you to be over 16).

Pick up what you can about how the different roles in a criminal trial work and (before you get to the last episode where it tells you whether he was guilty or not), see if you would convict him based on the evidence if you were part of the jury.

Task 6:

There are a lot of law in England that are outdated and bizarre, but are still laws! For example, it is illegal to handle salmon suspiciously!!!

Find 10 other such crazy laws and find out where they came from and why they were made laws in the first place!

Follow up: It is the job of the Law Commission to review the law and ensure obsolete (unnecessary) laws are repealed (removed). Try and find some reasons why they haven't gotten rid of all these crazy laws!

Task 7:

You will be learning to use a whole new set of legal vocabulary in Law! Get a head start by finding the meanings of these legal terms:

Actus reus

Appeal

Arrest

Claimant
Common law
Damages
Defendant
Guilty
Jurisdiction
Mens rea
Offence
Omission
Precedent
Prosecution
Remedy
Statute
Trial
Tort

Task 8:

There are lots of places you can get legal advice from. One of these is to go to a solicitor. The good thing about this is that they are well qualified and can advise you properly. The problem is that they are expensive (they often charge around £250 an hour!)

Come up with a list of other places you can get legal advice from and try to work out what the advantages and disadvantages of these would be.

Task 9:

Finally, some questions for you to ponder/try and find some answers to:

1. What is the difference between murder and manslaughter?
2. Why is a life sentence called a life sentence when it is not usually for your whole life?
3. Should we bring back the death penalty?
4. Should anyone be allowed to own a gun?
5. Do you have to steal something to be guilty of burglary?
6. When can you argue self-defence if you kill someone?
7. At what age can you be charged with a crime?
8. Who is not allowed to serve on a jury?
9. Is it right that prisoners cannot vote in elections?
10. Not having a TV license is currently a criminal offence. Should it remain one?

We will discuss these and other issues when we meet in class!

Good luck everyone and see you in September!!!