

# Law AQA

## A Level Preparation Work



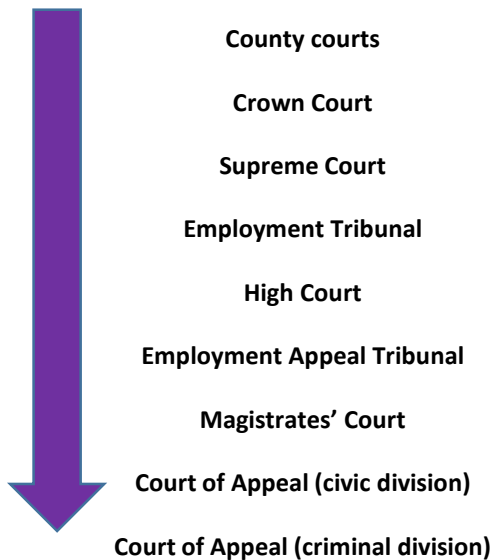
**Task One - Criminal or Civil Law?** There are different types of law and understanding the difference between Civil and Criminal law is key to understanding the workings of the English Legal System. Watch 'What is the distinction between Civil and Criminal Law?' with Professor Jo Delahunty QC <https://www.youtube.com/watch?v=LbLPiwo10bM>

a) A number of words and phrases are listed below but do they relate to civil or criminal law. Can you put them in the right column?

Prosecutes	beyond reasonable doubt	small claims court	Claimant
jury	damages	CPS	R
defendant		Balance of probabilities	Compensation
punishment	convicts	County court	Crown Court

b) Familiarise yourself with the different hierarchy structures of both the Civil and Criminal courts. Read through the jumbled Civil and Criminal court structures and then create an annotated diagram for each hierarchical structure that should include:

- The purpose of each of the courts
- The limitations of each of the courts
- Which type of cases would be heard at each type of court



### Differences between Civil & Criminal law

	Civil Case	Criminal Case
<i>Purpose of the law</i>	Uphold <b>individual</b> rights	Maintain law & order; protect society
<i>Person Starting the case</i>	Individual whose rights have been affected	State
<i>Legal name for parties</i>	Claimant & Defendant	Prosecution and Defendant
<i>Courts hearing the case</i>	County or High court	Magistrates or Crown Court
<i>Standard of proof</i>	Balance of probability	Beyond reasonable doubt
<i>Burden of Proof</i>	On the Claimant	On the Prosecution
<i>Person/s making decision</i>	Judge/s	Magistrates or Jury
<i>Decision</i>	Liable or not liable	Guilty or Not Guilty
<i>Powers of court</i>	Damages, injunction, Specific performance	Prison, fine, Community order

You could use the following links to help you with your research activity.

- [https://england.shelter.org.uk/legal/courts\\_and\\_legal\\_action/court\\_structure/the\\_court\\_structure\\_and\\_hierarchy](https://england.shelter.org.uk/legal/courts_and_legal_action/court_structure/the_court_structure_and_hierarchy)
- <https://www.judiciary.uk/wp-content/uploads/2012/08/courts-structure-0715.pdf>
- <https://revisionworld.com/a2-level-level-revision/law-level-revision/court-system>
- <https://www.youtube.com/watch?v=QF46W6LvHY4> – The Magistrates' Court
- [https://www.youtube.com/watch?v=tZYvv\\_s5R-s](https://www.youtube.com/watch?v=tZYvv_s5R-s) – The Crown Court



## Task Two: Beth's Problems

For each of the scenarios below, outline whether you think that Beth's possible legal problem is civil or criminal.

Also, decide whether you think that Beth will win or lose if the case ends up in a court or Tribunal and explain your reasoning.

1. Beth is sacked on the spot for allegedly telling a customer to 'F@\*k off'. Her boss refuses to listen to Beth's side of the story. In fact, the customer was lying to get Beth into trouble.

- a) Criminal or Civil
- b) Win or Lose
- c) Why?

2. Beth is sacked from her job for persistently arriving late for work smelling of alcohol. She has been given a series of written and verbal warnings.

- a) Criminal or Civil?
- b) Win or Lose?
- c) Why?

3. Beth's colleague is drunk at work and accidentally runs over Beth's foot in the yard. It causes a clot and Beth becomes paralyzed from the waist down.

- a) Criminal or Civil.
- b) Win or Lose?
- c) Why?

a)

4. Beth's moped is damaged by a driver who made a small error of judgement.

- a) Criminal or Civil?
- b) Win or Lose?
- c) Why?

5. Beth's moped is damaged by a driver who made a small error of judgment but has left the scene without leaving a note?

- a) Criminal or Civil?
- b) Win or Lose?
- c) Why?

6. Beth's moped is damaged by a drunk driver who was on his phone at the time.

- a) Criminal or Civil?
- b) Win or Lose?
- c) Why?

7. Beth buys a pair of shoes that she gets home, wears for an hour and then decides she doesn't like.

- a) Criminal or Civil?
- b) Win or Lose?
- c) Why?

### Task Three: Parliamentary Research Activity

a) Do some research on both The House of Commons and the House of Lords.

- How many people sit in each chamber?
- How do people become members?
- What are the roles of each House?

b) Do you think that the 1999 review of the membership of the House of Lords is democratic enough? Write a few paragraphs stating your opinion, with evidence. Consider both the membership of the House of Lords before 1999 and the democratic state of the House of Lords now.

<https://www.parliament.uk/business/news/2010/12/elect-select-or-reject-the-future-of-the-house-of-lords/reform-options-pros-and-cons/> (Use this website to help you).



c) There are many steps that need to be taken before a bill (a proposed parliamentary act) passes through government. Both houses (House of Commons and the House of Lords) must be consulted.

- Write a few sentences about what happens during the Parliamentary law-making process.
- Explain what potential difficulties an MP may face in passing their bill.

Use the following resources to help you:

- <https://www.youtube.com/watch?v=1KFGt9M-j28>
- <https://www.parliament.uk/about/how/laws/passage-bill/>

### Preparing to study law

In order to really understand the legal system in England and Wales it is a good idea to do some research of your own so that you can start to build a picture of what the law is all about. Students who wish to prepare further for their studies may find the following suggestions useful:-



#### The Media:

A good Law student will have a broad awareness of current affairs (in particular relating to legal issues). For this reason, we recommend that one of the best ways to prepare for your Law degree is to read a good quality British newspaper or news website every day. Many newspapers have specific sections for legal news.

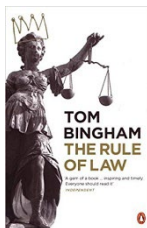
The Independent

The Telegraph

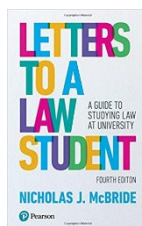
The Guardian and Twitter @GdnLaw



#### Books:



The Rule of Law, Tom Bingham (Lord Bingham, the senior Law Lord). This is viewed as the best book for anyone to read if they are interested in the profession.



Letters to a Law Student, N.J.McBride.

There are a number of legal blogs that you may find interesting, including:

- Blogs written by two current University of Leicester students <http://studentblogs.le.ac.uk/law/>
- The blog of Leicester law graduate Philip Henson, who is now a partner and Head of Employment Law at an award winning London Law firm. He is regularly quoted as an expert in employment law in the national, international and HR media; including several appearances on BBC News 24, BBC Radio, ITN News and Sky News:  
<http://employmentlawupdate.wordpress.com/>
- Two blogs focusing on legal issues in the UK <http://obiterj.blogspot.co.uk/> and <http://charonqc.wordpress.com/>
- The blog of a Leeds-based barrister who writes about the realities of entering the profession:  
<http://pupillageandhowtogetit.wordpress.com/>