

## A Level Law Year 13 Summer Independent Learning

This pack contains various tasks to help you prepare for the start of year 13 in September.

Please **complete ALL tasks** ready for your first day back at New College and **bring them with you to your first A Level Law lesson.**

The Summer Independent Learning in this pack will focus on new content and retrieval from year 12 as shown in the below table:

<u>SIL Focus</u>	<u>Task Number</u>	<u>Topic</u>	<u>Checklist</u> <i>(tick when complete)</i>
New Content (Part 1)	Tasks 1-4	Law Making and Influences ( <i>Paper 2, Section A</i> )	
Retrieval Practice (Part 1)	Tasks 5-6	<b>Legal System and Criminal Law</b> ( <i>Paper 1 Section A &amp; B</i> ) and <b>Tort</b> ( <i>Paper 2, Section B</i> )	
Retrieval and Exam Skills (Part 2)	Task 7-9	<b>Tort</b> ( <i>Paper 2, Section B</i> )	

### Part 1 - Law Making and Influences

#### Task 1 – Law Making and Influences

When Parliament make law they are influenced by a number of different factors. **Use the following links to research and detail how the below influence our laws:**

- <https://www.legalsecretaryjournal.com/influences-in-law-making>
- <https://www.lawteacher.net/free-law-essays/administrative-law/many-influences-on-parliament-administrative-law-essay.php>
- [https://prezi.com/t5xwx\\_t-wzig/the-influences-of-parliament/](https://prezi.com/t5xwx_t-wzig/the-influences-of-parliament/)

Body	How they influence our law?
Media / Public Opinion	

Pressure Groups	
Law Commission	
European Union	

**Task 2 – Law Making and Influences**

When a law is made it starts off as a Bill. There are three main types of bill. **Watch the following video to detail the types of bill and complete the table below:**

- [https://www.youtube.com/watch?time\\_continue=10&v=LaFgWniqd2Y](https://www.youtube.com/watch?time_continue=10&v=LaFgWniqd2Y)

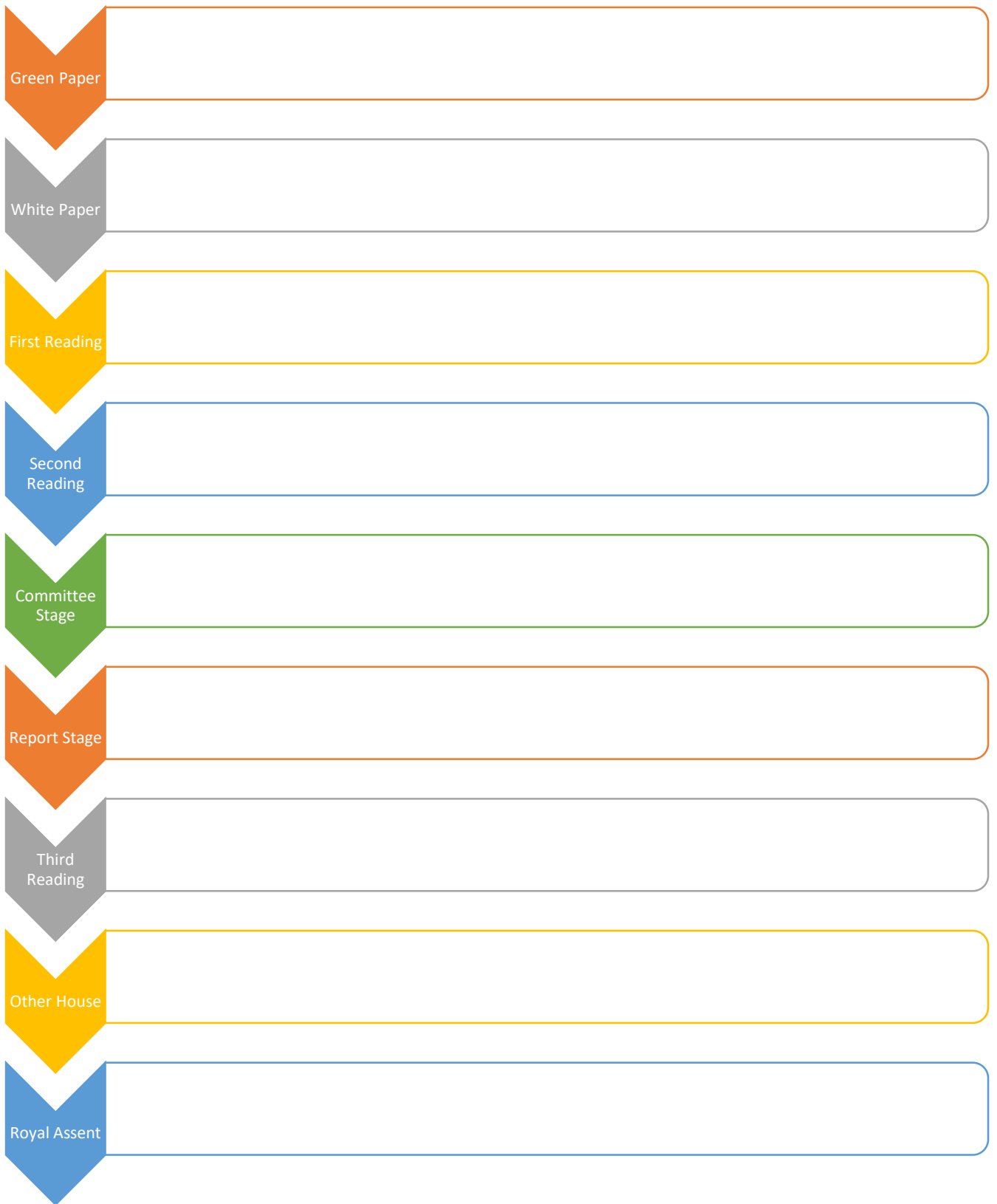
Type of bill	Detail (who proposes it and give examples of each)
Public bill	
Private bill	

### Task 3 – Law Making and Influences

When a bill becomes a law, it has to go through many stages. All of the stages must be done correctly. **Use the following links to research each stage of the Parliamentary law making process and complete the flow diagram on the next page.**

- <https://www.youtube.com/watch?v=iM4CKYCrW7Y>
- [https://www.youtube.com/watch?time\\_continue=4&v=Wuk3L3tknwg](https://www.youtube.com/watch?time_continue=4&v=Wuk3L3tknwg)
- <https://www.parliament.uk/about/how/laws/passage-bill/commons/commons-first-reading/>

## Law making process



### Task 4 – Law Making and Influences

So far, you have looked at areas that you can have 8 mark knowledge (AO1) questions on (influences, bills, process). You can also be asked 12 mark evaluation (AO3) questions on this topic. **Conduct your own independent research into the advantages and disadvantages of Parliament making law.**

#### Evaluation of Parliamentary law making

Advantages	Disadvantages

## Task 5 – Legal System and Criminal Law – Practice

**Complete the following practice exam paper without notes.** Ensure you answer all questions on the paper. Time yourself and write your total time at the bottom of the paper. *This paper should take you 2 hours maximum.*

### **Paper 1: Legal System and Criminal Law**

#### **SECTION A**

#### **The legal system**

Answer **two** questions (**one** from questions 1-2 and **one** from questions 3-4.)

*Answer **one** question from questions 1-2.*

- 1.** Describe the trial courts that can hear criminal cases and the types of cases that are dealt with by these courts. [8]
- 2.** Explain how technology is being used to assist the legal profession. [8]

*Answer **one** question from questions 3-4.*

- 3.** Discuss the disadvantages of using juries in criminal cases [12]
- 4.** Discuss the advantages of using the judiciary and advantages of judicial independence [12]

## SECTION B

### Criminal Law

Choose **Part 1** or **Part 2**.

#### Part 1

Answer the **three** questions below

*The first two questions are based on the scenarios below. The scenarios are **not** related.*

Sophie and Neil had been married for 10 years. Recently, Neil has accrued a large amount of debt, as he has developed a gambling problem, and was struggling to pay the mortgage. Neil planned to kill Sophie and claim the money from her life insurance policy. One night, while Sophie was in the bath, Neil went into the bathroom, plugged in the hairdryer and said. 'Sorry love, there's no other way'/ Just as Neil was about to drop the hairdryer into Sophie's bath, Sophie jumped up and knocked the hairdryer out of his hand and kicked Neil in the face. Sophie then ran out of the house, and her neighbour called the police. Neil suffered a broken nose that required surgery.

Daniel suffered from schizophrenia. He often heard voices and saw shadows of people, but this was controlled with medication. Daniel has recently met Abigail in a pub. He arranged to go out on a date with Abigail to a restaurant. During their meal, Daniel started to shout at the waiter because he claimed that his food was too hot; he claimed that the restaurant was trying to kill him. Daniel picked up a steak knife and stabbed the waiter in the leg. The waiter has an emergency operation on his leg and, as a result, despite medical treatment, the waiter was partially paralysed.

5. Advise whether Neil is criminally liable for the attempted murder of Sophie, and advice on any **defences** available to Sophie for the injury to Neil. [20]
6. Discuss Daniel's criminal liability for the injuries to the waiter, and advise if there are any **defences** available to Daniel. [20]

#### Essay question on criminal law

7. 'The defence of intoxication is not fit for purpose and needs to be reformed urgently.' Discuss the extent to which this statement is accurate. [20]

## Part 2

Answer the **three** questions below

*The first two questions are based on the scenarios below. The scenarios are **not** related.*

Dixon worked as the manager of a security depot in Hockley, which handled cash for the Bank of London. Colin and Asif were cleaners at the depot and planned to steal the contents of the safe when the next shipment of money arrived. One night whilst on duty, Colin and Asif called Dixon at home and said that the alarm to the safe was going off and they needed his help. When Dixon arrived at the depot, he was immediately confronted by Colin pointing what looked like a gun at him (this was actually a chair leg) and by Asif with a roll of duct tape. Colin told Dixon that if he did not follow his instructions, he would 'get his head blown off'. Colin told Dixon that he wanted the keys to the safe, so Dixon handed Colin the keys. Asif tied up Dixon using the duct tape and locked him in the office. Less than two hours later, Colin and Asif left with £1 million in cash. Anna purchased a gun and a rope in order to tie up the security guards. When Anna was approaching the depot, through the window she saw Asif tying Colin up. Anna panicked and ran away.

Dale ordered a pair of trainers online and went to the shop to collect and pay for his trainers. When Dale arrived at the shop, the salesgirl told him that she would collect his trainers from the stockroom. Dale waited for over 20 minutes and became increasingly frustrated. Dale was in a rush, so he decided to get the trainers himself and walk out of the shop without paying. Dale saw that the door to the stockroom has a sign on it saying; 'Staff only permitted'. Dale went into the stockroom and took a pair of trainers. As he walked towards the exit, he saw a security guard walking towards him and ran out of the shop with the trainers.

8. Discuss the criminal liability of Colin and Asif for robbery. Discuss the liability of Anna for attempted robbery. [20]
9. Advise whether Dale is criminally liable for entering the stockroom and or the taking of the trainers from the shop. [20]

### **Essay question on criminal law**

10. 'The defence of intoxication is not fit for purpose and needs to be reformed urgently.' Discuss the extent to which this statement is accurate. [20]



## Task 6 – Law of Tort – Practice Paper

**Complete the following practice exam paper without notes.** Ensure you answer all questions on the paper. Time yourself and write your total time at the bottom of the paper. *This paper should take you 1 hour maximum.*

### SECTION B

#### Tort Law

Answer the **three** questions below.

The first two questions are based on the scenarios below. The scenarios are **not** related.

Percy keeps free-range chickens that make a lot of noise, disturbing his next door neighbours. One of his neighbours, Darla, teaches meditation classes in her home. The noise from the chickens interrupts her sessions and she has lost ten students as a result. Kerry lives in the house on the other side and told Percy that the smell from the chickens made it unpleasant to be in her garden. Percy was annoyed by this, and when he cleaned out the henhouses, he started piling the chicken droppings next to the fence between their gardens. The smell has got so bad that Kerry is unable to sit in her garden or have the windows open at the back of her house.

Carly has bought a shop. The shop is in a bad state of repair, especially in the storeroom where there is a rotten floorboard. Carly fixed a warning notice to the door saying 'Keep out – floor unsafe'. The electrical wiring needed to be replaced, so she called in Andy the Electrician, who was recommended by the local council. Andy replaced the wiring and told Carly that it was all completed. Andy then packed up his tools to leave but found he was missing a set of pliers. He went into the storeroom to see if he left it there and the rotten floorboard collapsed. Andy fell part-way through the hole in the floor, breaking his leg. An ambulance was called, and Meg the paramedic came into the shop to help Andy. She switched on the light and received an electric shock due to faulty wiring. Meg suffered severe burns.

1. Advise whether Darla and Kerry can successfully sue Percy for private nuisance including the remedies they can potentially claim. **[20]**
6. Advise whether Carly will be liable to Andy and Meg under Occupiers Liability, including any relevant defences. **[20]**

#### Essay question on tort law

7. Discuss the extent to which the law on negligence is fit for purpose. **[20]**

## Part 2 – Additional content – Tort Law

This additional content focuses on the law of Tort.

### Task 7 – Law of Tort – Nuisance

This is an extract from an important case. The extra detail will provide a deeper understanding of the law and how it fits in with other cases in this topic.

Read the following case summary on the next page and answer the questions below:

1. What interference was caused by the Canary Wharf building?
2. Is there a right to a view?
3. Is there a right to television reception?
4. Should the right to television reception be recognised by the law?
5. According to this case, who can claim for a nuisance?
6. Which decision was overruled by the House of Lords in this case?
7. What is the advantage of limiting claims to people with an interest in land?

#### **Extension task**

8. Research the other cases cross referenced to in the text (**Bland v Moseley (1587)** and **Malone v Laskey (1907)**) and using the template used for Hunter, produce your own key cases.

## **HUNTER v CANARY WHARF LTD and LONDON DOCKLANDS DEVELOPMENT CORPORATION (1995)**

### Facts:

This landmark case was heard in the House of Lords. It involves the civil law of nuisance. Canary Wharf is an expansive business and retail park situated on the Isle of Dogs in East London, the largest of the towers being 235 metres high. Local residents who lived near the Canary Wharf buildings in London found that they no longer had very good television reception, as the building was so tall, it caused interference. The construction company did rectify the television interference but the residents claimed for the loss of their use and enjoyment of land during 1989-1992. One of the main issue in this case was the fact that the claimants were not all owners or tenants of the houses and flats. Claims were also made by the owner's spouse, children etc.

### Held:

The Court of Appeal had decided that television reception was not a right, just as people do not have the right to a view (**Bland v Moseley (1587)**). The court did however; state that claims could be made by people who did not have an interest in the land affected by the building of the Canary Wharf by following the decision in **Khoransandjian v Bush (1994)**.

The House of Lords however, reversed the decision and held that claims could only be made by people who owned or occupied land near to Canary Wharf. This was to simplify the law of nuisance and reaffirm that it is essentially a land-based tort.

### **LORD GOFF OF CHIEVELEY:**

'Since the tort of nuisance is a tort directed against the plaintiff's enjoyment of his rights over land, an action of private nuisance will usually be brought by the person in actual possession of the land affected, either as the freeholder or tenant of the land in question, or even as a licensee with exclusive possession of the land It has for many years been regarded as settled law that a person who has no right in the land cannot sue in private nuisance...'

### Evaluation point:

The decision in this case to only allow claims from people with an interest in land has returned the law to the position it was in 1907 (**Malone v Laskey**). The House of Lords justified this decision as being necessary to make the law of nuisance more straightforward and to distinguish it from the law of negligence. Lord Cooke's dissenting judgement argued that it was unjust to change the law back just to make it simpler.

### Cross-reference to other important cases:

**Bland v Moseley (1587)** – there is no right to a view.

**Malone v Laskey (1907)** – only people with an interest in land can claim in the tort of nuisance.

This additional content focuses on exam skills and the law of Tort.

### Task 8 – Law of Tort - Remedies

By applying the law to a scenario you are able to test your knowledge of the law whilst developing essential skills for the exam. Read the facts and decide what remedies may be available to Richard:

Carole owns a chicken farm. A year ago she obtained planning permission to build a large shed to expand her business. Carole's next-door neighbour, Richard, is an artist who sells work from a studio at his home. He complains forcefully to Carole that his business is suffering as the noise of her chickens means visitors don't stay long enough to buy any art. In response Carole takes delivery of even more chickens.

Lorries collecting eggs from Carole's chickens day and night. Richard claims that the lorries keep him awake and that the rural atmosphere is ruined. The cars and lorries produce fumes which Richard says have made his prize-winning flowers die

**Advise Richard as to the type of remedies he might be able to claim.**

### Task 9 – Law of Tort - Defences

The following scenario includes some defences. Read the facts and decide if David can successfully raise any defence, answer the questions below:

David was taking his daughter Elena, aged eight, to school in his car. She was not wearing a seat belt. As they were late, David was driving very fast. He was unable to avoid Frank who was in the middle of the road on his motorbike, overtaking a car. Frank had seen David approach him but decided to overtake him anyway.

Both Elena and Frank were taken to hospital as they were seriously injured. At the hospital the doctors offered Frank a risky operation to limit the extent of his brain injury. Frank chose to go ahead with the operation but it made his condition worse.

1. Can David raise any defences against a claim of negligence made by Elena?
2. Can David raise any defences against a claim of negligence made by Frank?