

APPLIED LAW

SUMMER WORK

Law is a fascinating subject which is full of surprises. One thing that may surprise you is just how much influence YOU personally can have in getting laws changed. Many pressure groups and individuals have successfully campaigned for laws to be made or changed by Parliament

CHANGING THE LAW



Click on to this link and answer the questions

<https://www.theguardian.com/uk-news/video/2018/jun/15/upskirting-happened-to-me-and-now-im-changing-the-law-video>

1. Who is Gina Martin? _____

2. What happened to her at the festival she attended? _____

3. Why did the police not prosecute the two men who took the photo?

4. What was the aim of the campaign she started? _____

5. Whose support did she get? _____

6. Since the video Has Parliament changed the law to make upskirting a criminal offence? _____



APPLIED LAW

AREAS OF LAW

Upskirting is a CRIMINAL OFFENCE. It is important to understand the difference between CRIMINAL law and CIVIL law. In your first year you will be studying both areas.

The main difference is that CRIMINAL law exists to protect society as a whole, it is a PUBLIC WRONG whereas CIVIL law is a dispute between private individuals/ businesses.

Look at the statements below and TICK whether they relate to criminal or civil law. If you watch a lot of crime dramas you should be able to spot some of the 'criminal' statements !!!

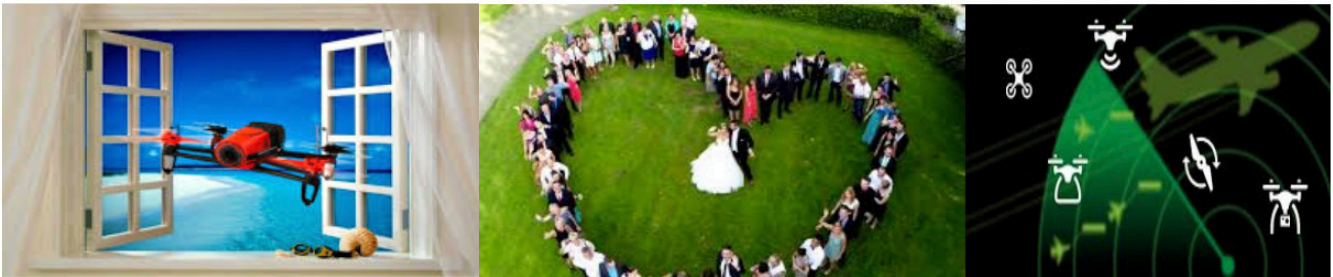
	CRIMINAL LAW	CIVIL LAW (contract and negligence)
A prosecution is brought by the Crown (Crown Prosecution Service) not the victim after it has looked at the evidence collected by the Police. The victim may be a witness in court		
The matter is brought to court by the individual affected eg. Someone who has not been paid under a contract		
The prosecution must prove 'beyond all reasonable doubt' that the person is guilty		
The proof to needed to win a case is based on the 'balance of probability'		
A claimant sues (brings an action) against the defendant.		
This type of law is about the protection of society.		
A successful action (ie. a win in court) generally leads to the payment of damages to the injured party.		
A successful prosecution leads to the offender being punished eg.prison,fine.		
There is a presumption of innocence until proved guilty		
It is the duty of the POLICE to enforce this sort of law		

APPLIED LAW

THE LAW IS ALWAYS PLAYING CATCH UP WITH CHANGES IN SOCIETY

Although technological advances can bring many benefits to society and individuals they can also cause problems and NEW LAWS may be needed to control their usage to protect individuals and society.

The emergence of DRONES has brought benefits and also created many problems. List their benefits and negatives in the table below. Use the pictures as clues.



BENEFITS OF DRONES	NEGATIVES OF DRONES

RESEARCH

- What kind of laws do you think we need to protect the public and individuals from drones?
- Have you heard how drones may be used by the government during the Corona crisis?

APPLIED LAW

BACK TO CRIMINAL LAW – THE REALLY LEGAL STUFF!

Every crime has a definition and for most crimes it includes the **MENS REA** and the **ACTUS REUS** of the crime. As a general rule both elements are needed to be guilty of the crime

RESEARCH the following definitions:

MENS REA

ACTUS REUS

Find a definition of the law of MURDER and see if you can pick out the **MENS REA** and the **ACTUS REUS** from the definition

MENS REA for murder is _____

ACTUS REUS for murder is _____

AN INTERSTING CASE INVOLVING POISON – BUT WAS IT MURDER?

Research the case of **R v White [1910] 2 KB 124**. The case of a son trying to poison his mother. Which element was missing for murder– the MENS REA or the ACTUS REUS?

What offence was he actually found guilty of and why?



APPLIED LAW

CRIMINAL CASES ARE TRIED IN THE MAGISTRATES COURT OR THE CROWN COURT



Look at 2 videos produced by the University of Derby on the Magistrates Court and the Crown Court (you can find on YouTube) which describe proceedings in both these courts and see if you can identify which court is which in the photos above.

RESEARCH the roles of Solicitors and Barristers and see which one would suit you most and why?

MORE CRIMES

MATCH THE DEFINITION WITH THE EXAMPLE

<p>Theft is an act where a person dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it. (A)</p>	<p>Dinesh an anaesthetist fails to notice that his patient is not receiving oxygen and the tube has been disconnected for at least 15 minutes. The patient dies. (1)</p>
<p>Murder is defined as: where a person of sound mind unlawfully kills any reasonable person in being under the Queen's peace with malice aforethought, either express or implied. (B)</p>	<p>Eric walks into a shop and puts a can of pop into his pocket and leaves without paying. (2)</p>
<p>Involuntary manslaughter is an unlawful killing where the accused did not have a specific intention for murder. For example they may have been grossly negligent. (C)</p>	<p>Jim spots a window has been left open in a shop and climbs through it, he then steals a loaf of bread and a pack of cheese. (3)</p>
<p>Criminal damage takes place when someone either intentionally or recklessly damages any property belonging to another. (D)</p>	<p>Gurdeep throws a brick through the window of a local factory. (4)</p>
<p>Burglary takes place when a person enters a building or part of a building as a trespasser and steals. (E)</p>	<p>Lelia picks up a kitchen knife and stabs Stella through the heart, Stella dies from her injury. (5)</p>

answers on next page

APPLIED LAW

MISCARRIAGES OF JUSTICE

Society usually perceives that one of the aims of law is to provide **JUSTICE**. However over the years there have been many miscarriages of justice.

If you have time over the summer research the cases of **DEREK BENTLEY** and **RUTH ELLIS**.

There are plenty of documentaries and films on both these cases. These cases are now recognised as miscarriages of justice and the law on murder has subsequently changed, providing more protection for defendants by creating more defences and partial defences to the law of murder. We will be covering these as part of the course in year two.

STAIRCASE, a documentary style series on NETFLIX covers a more recent example of an alleged miscarriage of justice in America.

Did you watch the series **QUIZ** recently – based on the series ‘Who Wants to be a Millionaire?’ Major Charles Ingram and his wife were found guilty of cheating on the show but they have recently lodged an appeal against their conviction claiming that there has been a miscarriage of justice.

.....

RESEARCH HOW LAWS ARE MADE

How laws are made is part of constitutional law. Most laws in the UK are made by Parliament. We live in a democracy because we vote for the people that make the law, giving us influence over the laws that are made.