

Law – Summer Transition

Law can be defined as a set of rules that are created and are enforceable by social or governmental institutions to regulate behaviour. Most of our law has been created by Parliament and written down into an Act which we have to follow. Pressure groups can play a key role in the creation of new legislation in the United Kingdom.

Pressure groups are groups of people who have very particular interests and try to bring topics that matter to them, to the attention of the general public and the government.

Pressure group activity may make the government reconsider the law on certain areas. This was notable in the year 2000, when the age of consent for a homosexual act was reduced to 16 years of age. Sometimes pressure groups will also campaign *against* a proposed change in current law.

TASK 1

Over the summer please take the opportunity to look up websites of pressure groups such as Liberty (www.liberty-human-rights.org.uk) or Justice (www.justice.org.uk) or Greenpeace (www.greenpeace.org.uk). (These are only suggestions. You can find any other pressure groups if you wish).

Choose one pressure group and write a brief summary of any changes in the law that it is suggesting. Identify any success it has had in the past in bringing about a change in the law.

Bring this work along to the first lesson in September and be prepared to discuss your findings.

TASK 2

However, there are some English laws and legal processes that are not written down, but are still followed. This is called common law. Tort is a type of common law, slowly developed by decisions made by the judges in court and by following precedent (a previous decision made by a judge). I have provided you with a link here to access a website which discusses the concept of Negligence which is a type of Tort developed by common law. **Please write notes on the topic.**

[Introduction to Negligence | Law of Tort - Bing video](#)

Then have a go at learning these relevant Negligence cases. Try to learn the facts of each case and be able to explain why a duty of care did/did not exist.

Case	Facts	Decision
Donoghue v Stevenson (1932)	Mrs Donoghue visited a café. Her friend bought Mrs D a bottle of ginger beer. The glass was dark, so the contents could not be seen. After drinking some of it, Mrs D poured the rest of the drink out and noticed that it contained a dead and decomposing snail. The impurities of the drink caused the claimant both physical and mental injuries. She sued the manager for negligence claiming that he owed her a duty of care.	The principle of a Duty of Care was stated: "duty of care to...anyone you ought to bear in mind, who could be injured by your act or omission'. Here it was agreed that the manufacturer had a duty of care towards Mrs Donoghue.
Kent v Griffiths (2000)	An ambulance was called to take the claimant who was suffering an asthma attack. Despite reassurances from the control centre and for no obvious reason, the ambulance failed to arrive at the hospital at a reasonable time. The claimant suffered a respiratory arrest.	The court decided that it was reasonably foreseeable that the claimant would suffer further illness and as no good reason was given as to why the ambulance failed to arrive promptly, the ambulance service were liable to pay compensation as they owed the patient a duty of care.
Hill v Chief Constable of West Yorkshire (1990)	The Yorkshire Ripper, a serial killer, had been attacking and murdering women in Yorkshire and across the North of England. The claimant's daughter was the last victim. By the time of her death, the police had enough evidence to arrest the killer but failed to do so. The claimant alleged that the police owed her daughter a duty of care.	It was considered by the court that the relationship between the victim and the police was not proximate (close) enough and that it would not be fair, just and reasonable to impose a duty on the police. They did not have a duty of care to the general public (ie. They no idea that it would be her that was the next victim). Held no duty of care.

Books

Letters to a Law Student - Nicholas McBride

Although targeting graduates, this was voted in the top 6 books future law students should read and aids the transition from school to becoming a first-year undergraduate law student (the A level has very similar content and skills!). The book takes you through the steps to becoming a law student, from thinking about a law degree to developing essential skills. This edition reads as a series of letters between a lecturer and an aspiring student, containing new and updated features to support your learning.

The Firm - John Grisham

Fiction: When Mitch McDeere qualified third in his class at Harvard, offers poured in from every law firm in America. Bendini, Lambert and Locke were a small, well-respected firm, but their offer exceeded Mitch's wildest expectations: a fantastic salary, a new home, and the keys to a brand-new BMW. Except for the mysterious deaths of previous lawyers with the firm. And the FBI investigations. And the secret files. Mitch soon realises that he's working for the Mafia's law firm, and there's no way out - because you don't want this company's severance package.

Bleak House - Charles Dickens

Fiction: As the interminable case of Jarndyce and Jarndyce grinds its way through the Court of Chancery, it draws together a disparate group of people: Ada Clare and Richard Carstone, whose inheritance is gradually being devoured by legal costs; Esther Summerson, a ward of court; the menacing lawyer Tulkinghorn; the determined sleuth Inspector Bucket; and even Jo, a destitute crossing-sweeper. A savage indictment of a society that is rotten to the core, *Bleak House* is one of Dickens's most ambitious novels, with a range that extends from the drawing-rooms of the aristocracy to the London slums.

The Secret Barrister: Nothing But the Truth

Nothing But The Truth is *The Secret Barrister*'s bestselling memoir. It charts an outsider's progress down the winding path towards practising at the Bar,

taking in the sometimes, absurd traditions of the Inns of Court, where every meal mandates a glass of port and a toast to the monarch, to the Hunger Games-style contest for pupillage, through the endlessly frustrating experience of being a junior barrister-as a creaking, ailing justice system begins to convince them that something has to change . . .

The Secret Barrister - Stories of the law and how its broken

An anonymous barrister's darkly comic and moving first-hand account of life in the legal system, and how it's failing us all. A barrister who, every day witnesses how fairness is not guaranteed and how all too often the system fails those it is meant to protect; the innocent are wronged and the guilty allowed to walk free.

In White and Black - Alexandra Wilson

Alexandra Wilson was a teenager when her dear family friend Ayo was stabbed on his way home from football. Ayo's death changed Alexandra. She felt compelled to enter the legal profession in search of answers. As a junior criminal and family law barrister, Alexandra finds herself navigating a world and a set of rules designed by a privileged few. A world in which fellow barristers sigh with relief when a racist judge retires: 'I've got a Black kid today and he would have had no hope'.

Mafia Princess - Merissa Merico

Marisa Merico, the daughter of one of Italy's most notorious Mafia Godfathers, was dazzled by her father, Emilio DiGiovine. To her he was all powerful, sophisticated and loving; to the rest of the world, he was staggeringly ruthless. Marisa knew her father would do anything for her, but she hadn't expected just how much he would ask in return. This is the autobiographical account of Marisa Merico, as she tries to unravel the experiences whilst being the daughter of mafia Godfather.

Films & Documentaries

McLibel - You Tube

McDonald's Corporation v Steel & Morris, also known as "the McLibel case", was an English case for libel filed by MacDonald's Corporation against environmental activists Helen Steel and David Morris, over a factsheet critical of the company. The original case lasted nearly ten years which, according to the BBC, made it the longest-running libel case in English history.

The Interrogation - Netflix

A televised series following the case of *R v Martin*, where victims broke into the defendant's home to rob it and without warning, were shot by the defendant in an act of self-defence. What follows was a controversial case that questions the extent that an Englishman can protect himself and his home.

In the Name of the Father

Is a 1993 biographical crime drama film, co-written and directed by Jim Sheridan. It is based on the true story of the Guildford Four, four people falsely convicted of the 1974 Guildford pub bombings that killed four off-duty British soldiers and a civilian.

The Jury: Murder Trial - Channel 4

Unbeknown to them, two juries are selected to take part in re-enactment of a criminal murder trial. For the first time, we are given access to what makes a jury tick, how assumptions are quickly made and how a person's liberty is held in the hands of those who are more than happy to 'judge' us.