

# Table of contents

<i>The trial</i> .....	3
<i>Hierarchy of the courts</i> .....	4
<i>Dressing</i> .....	5
<i>Timeline</i> .....	4/5
<b>■ UNIT 1 - DID YOU SAY LAW?.....</b>	6
<i>What is law?</i> .....	6
<b>Part 1 - Just what exactly is this thing called law?</b> .....	7
<i>Natural law</i> .....	8
<i>Activity</i> .....	8
<b>Documents: The Judgment of Solomon [doc 1]</b> .....	10
<i>Activity</i> .....	11
<b>Part 2 - Just what exactly is this thing called morality?</b> .....	12
<i>Antigone</i> .....	12
<i>Activity</i> .....	13
<b>Documents: Morality and Ethics</b> .....	14
<i>Can we play with nature [doc 2]</i> .....	14
<i>Stem cell research [doc 3]</i> .....	14
<i>The Christian Ten Commandments [doc 4]</i> .....	15
<i>Native American Ten Commandments [doc 5]</i> .....	15
<i>Activity</i> .....	15
<b>Part 3 - Just what exactly is this thing called justice?</b> .....	16
<i>Lord Denning</i> .....	16
<i>H.L.A. Hart</i> .....	16
<i>Jeremy Bentham</i> .....	17
<i>Activity</i> .....	17
<b>Documents: Justice and arts</b> .....	18
<i>Justice and Divine Vengeance Pursuing Crime (Prudhon) [doc 6]</i> ....	18
<i>And Justice for All? [doc 7]</i> .....	18
<i>Allegory of Justice (Gandolfi) [doc 8]</i> .....	19
<i>Allegory of Justice (Cranach) [doc 9]</i> .....	19
<i>Activity</i> .....	19
<b>Part 4 - Just what exactly is this thing called rule of law?</b> .....	20
<i>Albert Venn Dicey</i> .....	20
<i>Prerogative orders</i> .....	20
<i>Gagging clause</i> .....	21
<i>MI5 and MI6</i> .....	21
<i>Activity</i> .....	21
<b>Documents: rule of law in action</b> .....	22
<i>Troubled history of official Secrets Act [doc 10]</i> .....	22
<i>The Great Charter [doc 11]</i> .....	23
<i>Activity</i> .....	23
<b>SUMMARY UNIT 1</b> .....	24
<i>Legal terms</i> .....	24
<b>REVIEW</b> .....	25
<i>References</i> .....	25

<b>■ UNIT 2 - NOT ONLY ONE LAW.....</b>	26
Division of law.....	26
<b>Part 1 - Changes in the law.....</b>	27
The English Legal system.....	27
Activity.....	29
<b>Documents: Changes in Marriage.....</b>	30
Sex uncovered poll: homosexuality [doc 1].....	30
The marital law [doc 2].....	31
Did you know?... About marriage.....	31
Activity.....	31
<b>Part 2 - Divisions of law.....</b>	32
Private law.....	33
Activity.....	33
<b>Documents: Identifying the law.....</b>	34
Laws and cases [doc 3].....	34
Example of a statute [doc 4].....	35
Activity.....	35
<b>Part 3 - Civil or criminal law.....</b>	36
Activity.....	37
<b>Documents: Is it civil or criminal?.....</b>	38
Activity .....	38
Cases.....	38
Cases.....	39
<b>Part 4 - How the system works .....</b>	40
Police powers .....	40
Activity.....	41
<b>Documents: Understanding law.....</b>	42
Division of law [doc 5].....	42
Criminal and civil procedures compared [doc 6].....	43
Division of law [doc 7].....	43
<b>SUMMARY UNIT 2.....</b>	44
Legal terms .....	44
<b>REVIEW.....</b>	45
References .....	45
<b>■ UNIT 3 - COMMON LAW.....</b>	46
Common law .....	46
<b>Part 1 - Where did it all begin?.....</b>	47
Manorial court.....	47
Local customs .....	48
Habeas Corpus .....	49
Act of settlement .....	49
Activity.....	49
<b>Documents: The Good Old days.....</b>	50
From custom law to precedents [doc 1].....	50
Ordeals [doc 2].....	50
Jury [doc 3].....	50
Star chambers [doc 4].....	51
King versus court [doc 5].....	51
Activity.....	51
<b>Part 2 - A judge's role in law.....</b>	52
Binding precedents.....	53
Activity .....	53

<b>Documents: Codification of the law.....</b>	54
Abortion in Great Britain [doc 6].....	54
Napoleonic Code [doc 7].....	55
Activity.....	55
<b>Part 3 - Case law.....</b>	56
Hierarchy.....	57
Activity.....	57
<b>Documents: Hierarchy of the courts.....</b>	58
The Judicature Act 1873-1875 [doc 8].....	58
The current hierarchy of courts [doc 9].....	59
Activity.....	59
<b>Part 4 - Judicial precedent.....</b>	60
Reading a case.....	61
Binding precedents (exceptions to the rule).....	61
Activity.....	61
<b>Documents: Studying a case.....</b>	62
Activity.....	62
Where can the cases be found.....	63
Activity.....	63
<b>SUMMARY UNIT 3.....</b>	64
Legal terms.....	64
<b>REVIEW.....</b>	65
References.....	65

<b>■ UNIT 4 - STATUTE LAW.....</b>	66
Statute law.....	66
<b>Part 1 -Primary legislation.....</b>	67
Act of the Union.....	67
Advisory agencies.....	68
Pressure groups.....	68
Select committee.....	69
Activity.....	69
<b>Documents: State organs in the UK.....</b>	70
The monarchy [doc 1].....	70
The legislature [doc 2].....	71
Activity.....	71
<b>Part 2 - Delegated legislation.....</b>	72
Bylaws.....	73
Statutory Instruments.....	73
Activity.....	73
<b>Documents: Delegated legislation a close study.....</b>	74
Activity.....	74
Graphic.....	75
Activity.....	75
<b>Part 3 - English law and European Union law.....</b>	76
The Maastricht Treaty .....	77
The European Court of Justice.....	77
Activity.....	77
<b>Documents: Chronology of the European Union [doc 3].....</b>	78
Activity.....	79
<b>Part 4 - Statutory interpretation.....</b>	80
The Literal Rule.....	80

<i>The Golden Rule</i> .....	80
<i>The Mischief Rule</i> .....	81
<i>Activity</i> .....	81
<i>Documents: Why do we interpret things differently?</i> .....	82
<i>Activity</i> .....	83
<b>SUMMARY UNIT 4</b> .....	84
<i>Legal terms</i> .....	84
<b>REVIEW</b> .....	85
<i>References</i> .....	85
<b>■ UNIT 5 - EQUITY</b> .....	86
<i>Equity</i> .....	86
<b>Part 1 - Origins of equity</b> .....	87
<i>Great Council</i> .....	88
<i>Justices of the Peace</i> .....	89
<i>Activity</i> .....	89
<b>Documents: Shakespeare, the common law and equity</b> .....	90
<i>Shakespeare, the common law and equity [doc 1]</i> .....	90
<i>Activity</i> .....	91
<b>Part 2 - Developments of equity</b> .....	92
<i>The writ system</i> .....	92
<i>The jury system</i> .....	93
<i>Activity</i> .....	93
<b>Documents: Earl of Oxford in Chancery</b> .....	94
<i>Earl of Oxford in Chancery, 1615 [doc 2]</i> .....	94
<i>Robert de Vere [doc 3]</i> .....	95
<i>Activity</i> .....	95
<b>Part 3 - Equity today</b> .....	96
<i>Thomas More</i> .....	96
<i>Activity</i> .....	97
<b>Documents: Equitable creations at law</b> .....	98
<i>The Mareva Injunction and Anton Pillar orders [doc 4]</i> .....	98
<i>Promissory Estoppel [doc 4]</i> .....	98
<i>The Court of Chancery [doc 5]</i> .....	99
<i>Activity</i> .....	99
<b>Part 4 - Maxims of equity</b> .....	100
<i>Maxims in equity</i> .....	100
<i>Activity</i> .....	101
<b>Documents: How do maxims apply?</b> .....	102
<i>Activity</i> .....	103
<b>SUMMARY OF UNIT 5</b> .....	104
<i>Legal terms</i> .....	104
<b>REVIEW</b> .....	105
<i>References</i> .....	105
<b>■ UNIT 6 - REVIEW UNITS 1 TO 5</b> .....	106
<i>Unit 1</i> .....	107
<i>Unit 2</i> .....	111
<i>Unit 3</i> .....	115
<i>Unit 4</i> .....	118
<i>Unit 5</i> .....	122

<b>■ UNIT 7 - THE LEGAL PROFESSION.....</b>	126
The legal profession.....	126
<b>Part 1 - Defining the legal profession.....</b>	127
Who can enter the legal profession?.....	128
Contemporary issues within the legal profession.....	128
Dining at the Inns of Court.....	128
Activity.....	129
<b>Documents: Inns of court.....</b>	130
What are the Inns of Court? [doc 1].....	130
Another type of organisation for lawyers [doc 2].....	131
The French case .....	131
Activity.....	131
<b>Part 2 - Barristers.....</b>	132
First women QC's.....	132
Prosecution.....	132
Taking silk.....	133
Famous barristers.....	133
Activity.....	133
<b>Documents: Queen's Counsel.....</b>	134
Should we abolish Queen's Counsel [doc 3].....	134
Queen's Counsel have been appointed for the last 400 years .....	135
Activity.....	135
<b>Part 3 - Solicitors.....</b>	136
Activity.....	137
<b>Documents: Solicitor's job.....</b>	138
Two typical solicitor's offices [doc 4].....	138
The Interview [doc 5].....	138
Activity.....	138
How lawyers are using social media for real results [doc 6].....	139
Activity.....	139
<b>Part 4 - Legal executives.....</b>	140
Activity.....	141
<b>Documents: lawyers in paintings.....</b>	142
Promoting the profession [doc 7, 8, 9, 10, 11, 12].....	142
Promoting the profession [doc 13, 14].....	143
Activity.....	143
<b>SUMMARY OF UNIT 7.....</b>	144
Legal terms.....	144
<b>REVIEW.....</b>	145
References.....	145
<b>■ UNIT 8 - THE JUDICIARY.....</b>	146
The judiciary.....	146
<b>Part 1 - A role of great importance.....</b>	147
Judicial independence.....	147
Judicial neutrality.....	148
Lord Devlin's quotes.....	148
Lord Devlin.....	149
Judicial supremacy.....	149
Activity.. ..	149
<b>Documents: Who's doing what in a modernized administration of justice.....</b>	150
The Lord Chancellor [doc 1].....	150

<i>Ministry of Justice [doc 1].....</i>	150
<i>Judicial Appointments Commission [doc 1] .....</i>	150
<i>What are the CPS and the DPP? [doc 1].....</i>	150
<i>The Attorney General and the Solicitor General [doc 1].....</i>	150
<i>Judge or Justice [doc 2].....</i>	151
<i>Activity.....</i>	151
<b>Part 2 - Being a judge.....</b>	152
<i>District judge (Stipendiary Magistrates).....</i>	152
<i>Recorders .....</i>	152
<i>Circuit judges .....</i>	152
<i>High Court judges (Puisne judges) .....</i>	153
<i>Court of Appeal judges .....</i>	153
<i>Activity .....</i>	153
<b>Documents: Head of the hierarchy.....</b>	154
<i>Lord Chief Justice [doc 3].....</i>	154
<i>Master of the Rolls.....</i>	155
<i>President of the Queen's Bench Division.....</i>	155
<i>President of the Family Division.....</i>	155
<i>Chancellor of the High Court.....</i>	155
<i>Activity.....</i>	155
<b>Part 3 - The lay magistracy.....</b>	156
<i>Conditions to be a magistrates.....</i>	156
<i>Selection process.....</i>	157
<i>The Magistrates' Court Committee.....</i>	157
<i>Activity.....</i>	157
<b>Documents: For or against a lay magistracy?.....</b>	158
<i>Magistrates in doubt as summary justice rises [doc 4].....</i>	158
<i>Activity.....</i>	158
<i>Are professional judges better than lay magistrates. [doc 5].....</i>	159
<i>Activity.....</i>	159
<b>Part 4 - Judicial appointments.....</b>	160
<i>Activity.....</i>	161
<b>Documents: A modern process of selection.....</b>	162
<i>Richard Wright, deputy District judge [doc 6].....</i>	162
<i>Falconer ends 700 years of history [doc 7].....</i>	163
<i>Activity.....</i>	163
<b>SUMMARY.....</b>	164
<i>Legal terms.....</i>	164
<b>REVIEW.....</b>	165
<i>References.....</i>	165
<b>■ UNIT 9 - CIVIL COURTS.....</b>	166
<i>Civil courts.....</i>	166
<b>Part 1 - Starting a case.....</b>	167
<i>Usher.....</i>	168
<i>Clerk of court.....</i>	169
<i>Tribunals.....</i>	168
<i>Activity.....</i>	169
<b>Document: First steps.....</b>	170
<i>The English counties [doc 1].....</i>	170
<i>Activity .....</i>	170
<i>Thinking of suing in a small claims court? [doc 2].....</i>	171
<i>Activity.....</i>	171

<b>Part 2 - At the County Court.....</b>	172
Legal aid .....	172
Small claims procedure.....	172
Fast track procedure.....	173
Multi track procedure.....	173
Activity .....	173
<b>Documents: The County Court.....</b>	174
Representation of the court (drawing) [doc 3].....	174
Who's who in court [doc 4].....	175
Activity.....	175
<b>Part 3 - At the High Court.....</b>	176
John Deed .....	176
Family Division.....	176
Chancery Division.....	176
Queen's Bench Division.....	177
The QBD or the KBD .....	177
Activity.....	177
<b>Documents: A Royal Court of Justice.....</b>	178
Representation of the court (drawing) [doc 5].....	178
In English courts justice must be seen, to be done, and not by the Rich [doc 6].....	179
Activity.....	179
<b>Part 4 - Going on appeal.....</b>	180
Appellant vs respondent .....	180
The Supreme Court .....	181
The judicial committee of the Privy Council .....	181
Activity.....	181
<b>Documents: The top of the hierarchy.....</b>	182
Supreme Court appointee says role of judges is too politicised [doc 7].....	182
Royal Court of Justice (drawing) [doc 8].....	183
Activity.....	183
<b>SUMMARY OF UNIT 9.....</b>	184
Legal terms.....	184
<b>REVIEW.....</b>	185
References.....	185
<b>■ UNIT 10 - CRIMINAL COURTS.....</b>	186
Criminal courts.....	186
<b>Part 1 - Criminal case.....</b>	187
Rights in case of an arrest.....	187
Summons .....	187
Arrest .....	187
Criminal offences .....	188
CPS or DPP .....	188
What happens after an arrest.....	188
Youth court .....	189
Activity.....	189
<b>Documents: The Youth Court.....</b>	190
Representation of the court (drawing) [doc 1].....	190
Cases at Youth Court [doc 2].....	191
Activity.....	191

## TABLE OF CONTENTS

<b>Part 2 - At the Magistrates' Court.....</b>	192
Number of magistrates .....	192
The Coroner's court .....	192
Lay magistrates .....	192
Cases a Magistrates' Court can deal with .....	192
Sentences a Magistrates' Court can give .....	192
Aggravating or mitigating sentences.....	193
Sentencing .....	193
Activity .....	193
<b>Documents: Magistrates' court.....</b>	194
Representation of the court (drawing) [doc 3].....	194
Cases at the Magistrates' court [doc 4].....	195
Activity.....	195
<b>Part 3 - At the Crown Court.....</b>	196
Seriousness of the offence.....	196
Did you know about Rumpole? .....	197
Activity.....	197
<b>Documents: The Old Bailey.....</b>	198
Representation of the court (drawing) [doc 5].....	198
Cases at the Old Bailey [doc 6].....	199
Activity.....	199
<b>Part 4 - Going on appeal.....</b>	200
Broadcasting.....	200
The Court of Appeal (criminal Division) .....	200
The Supreme Court .....	201
Composition of the Supreme Court .....	201
Activity.....	201
<b>Documents: The court of Appeal.....</b>	202
Representation of the court (drawing) [doc 7].....	202
Law report case on appeal [doc 8].....	203
Activity.....	203
<b>SUMMARY OF UNIT 10.....</b>	204
Legal terms.....	204
<b>REVIEW.....</b>	205
References.....	205
<b>■ UNIT 11 - The jury.....</b>	206
The jury.....	206
<b>Part 1 - History.....</b>	207
The inquest.....	207
Should jurors be allowed to Google their defendants?.....	209
Activity.....	209
<b>Document: What happens during a trial?.....</b>	210
What happens during a trial? [doc 1].....	210
Court procedure [doc 2].....	211
Activity.....	211
<b>Part 2 - Function of a jury.....</b>	212
Activity .....	213
<b>Document: The Vicky Pryce's case.....</b>	214
Vicky Pryce jury can reach majority verdict says judge [doc 3].....	214
Activity.....	214
Ten things jurors need to know [doc 4].....	215
<b>Part 3 - Selection of jurors.....</b>	216

Activity.....	217
<b>Documents: Twelve angry men.....</b>	218
Activity.....	218
<b>Part 4 - Advantages and disadvantages of juries.....</b>	220
The McLibel case .....	220
Activity.....	221
<b>Documents: The future of juries.....</b>	222
Prolific criminals 'should lose right to jury trial' [doc 6].....	223
Senior lawyers defend jury system after judge orders Vicky	
Pryce retrial [doc 7].....	223
Activity.....	223
<b>SUMMARY OF UNIT 11.....</b>	224
Legal terms.....	224
<b>REVIEW.....</b>	225
References.....	225

<b>■ UNIT 12 - Legal skills.....</b>	226
Legal skills.....	226
<b>Part 1 - Reading a case report.....</b>	227
Law reports .....	227
Case law .....	228
Law reporting .....	228
A history of law reporting.....	228
The Year Books .....	228
Modern reports .....	229
Law reporters .....	229
Legal periodicals and newspapers.....	229
Activity.....	229
<b>Documents: Hierarchy of law reports.....</b>	230
Law reports reference [doc 1].....	230
Unreported cases [doc 2].....	230
History of a case [doc 3].....	231
Activity.....	231
<b>Part 2 - Structure and layout of a law report.....</b>	232
Abbreviations for the courts.....	232
Title.....	232
Catchwords or phrases.....	232
Headnote.....	233
Notes.....	233
Cases cited.....	233
Names of the counsel.....	233
Argument of the counsel.....	233
The judgment.....	233
Name of the reporter.....	233
Activity .....	233
<b>Documents: Structure of a law report [doc 4].....</b>	234
Activity.....	235
<b>Part 3 - Working with a law report.....</b>	236
Choosing a Law Report .....	236
Citing a Law Reports .....	236
Primary and secondary sources.....	236
Activity.....	237

<i>Documents: Hierarchy of law reports [doc 5].....</i>	238
Activity.....	239
<b>Part 4 - Case citations.....</b>	240
Abbreviations.....	240
Year.....	240
Neutral citation.....	240
Paragraph numbers.....	241
Practice directions.....	241
Brackets.....	241
Activity.....	241
<i>Documents: List of Law reports available [doc 6].....</i>	242
<b>SUMMARY OF UNIT 12.....</b>	246
Legal terms.....	246
<b>REVIEW.....</b>	247
References.....	247
<b>■ UNIT 13 - REVIEW UNITS 7 TO 12.....</b>	248
Unit 7.....	249
Unit 8.....	253
Unit 9.....	256
Unit 10.....	259
Unit 11.....	263
Unit 12.....	266
<b>INDEX.....</b>	268
<b>CASES AND STATUTES.....</b>	273
<b>ABBREVIATIONS.....</b>	274
<b>CORRECTION OF THE EXERCISES.....</b>	275