



Law—Year 13 work to prepare for Sept 2020



This workbook has 3 aims

- To help you to become more familiar with some of the key terms and terminology you are likely to come across during your degree;
- To give you some helpful background for your degree studies;
- To help you to develop and enhance your research skills.

You can work through the information and the tasks in the book in order, or pick those areas that interest you most as your starting point.



RECOMMENDED READING

Have a look at the recommended reading list for your first choice university. You can always e-mail the Law Department or Faculty and ask for their recommendations.

These are my top suggestions:

Nicholas McBride *Letters to a Law Student* (4th edition) - a good introduction to study skills for law students

Glanville Williams: Learning the Law (14th edition) - this is the starting point for most students

The Guardian Law <https://www.theguardian.com/law> — for current legal stories in the news

UK Supreme Court's website <https://www.supremecourt.uk/>





LEGAL JARGON

When you start studying law you will realise there are lots of strange words!

To get started, do some online research and write a good working definition for each of the following words :

- Legislation
- Statute
- The “common law”
- Civil proceedings
- Criminal proceedings
- Public law
- Private law
- Precedent
- The *ratio* of a case
- Claimant
- Prosecutor
- Defendant

“Law is order, and good law is good order.” Aristotle, *Politics*

GO FURTHER

The Supreme Court case of *R (Miller) v The Prime Minister* (September 2019) shows the interaction of the government, executive and courts.

The summary from the Supreme Court sets out the main principles decided

<https://www.supremecourt.uk/cases/docs/uksc-2019-0192-summary.pdf>

HOW IS THE LAW MADE?

There are two ways that law is made in England and Wales; either it is part of the common law or it is made by Act of Parliament.

For example:

- The crime of murder is a common law crime. It is a crime that developed early on in legal history.
- However, theft is a crime defined by the Theft Act 1968.

Task: Using the recommended reading or researching online, answer the following questions:

1. Where does the ‘common law’ come from? Why was it called ‘common law’?
2. How is an Act of Parliament made?
3. What is the difference between a ‘common law’ legal system (e.g. England & Wales or Australia) and a ‘civil law’ legal system (e.g. France or Germany)

Hint: a website that can help your research <https://www.parliament.uk/about/how/laws/>



CASE LAW AND COURTS

In 2009 the Supreme Court was established. Have a look at this Stacey Dooley documentary on YouTube:

“What is the Supreme Court?” <https://www.youtube.com/watch?v=wTHrynZIsBo>

Task: Draw your own diagram to show the hierarchy of the different Courts in England and Wales.

What cases are considered by the Supreme Court?

Is there anything about the Supreme Court that surprises you?

TOP TIPS: CASE CITATIONS

When studying law you will need to find and read cases. Cases are often referred to by a ‘citation’. This is the information to tell you where to find the report of the case. Historically these were in written law reports, which were published and kept in libraries. Now much of the information is online

Have a look at this citation: [1932] AC 562

The year is in square brackets. The letters refer to the law reports—in this example the Appeal Cases law reports. And the number is the page number.

More modern cases have a ‘neutral’ citation—this is not based on written law reports, but the Court and the case number in the year

Example: [2020] UKSC 12

This refers to the 12th case to be decided by the UK Supreme Court in 2020.

AREAS OF LAW



There are many different areas of law that different lawyers and academics specialise in.

Go to your first choice University's website and have a look at the different courses they teach.

Task: Create a mind map showing the different areas of law that are covered.

Use links or colour coding to group the different areas.

For example, there may be topics related to technology and media, human rights, or the philosophy of law.

"The law is the public conscience" Thomas Hobbes

'THE UNITED KINGDOM SHOULD HAVE A WRITTEN CONSTITUTION' DO YOU AGREE?

Research task:

Read Robert Blackburn's article 'Britain's unwritten constitution' <https://www.bl.uk/magna-carta/articles/britains-unwritten-constitution>

Watch this video: 'Why do Constitutions Matter?'

https://www.youtube.com/watch?v=EeWfe2eZ_CI

Note down your own opinion— do you think the United Kingdom should have a written constitution? What are the arguments for and against your point of view?

WHERE WILL LAW GO NEXT?

Have a look at the articles hyperlinked below:

- ⇒ Steven Mirmina ‘Elon Musk’s ‘Starman’: Is it Really Legal for Billionaires to Launch Their Roadsters into Space?’ <https://blog.harvardlawreview.org/elon-musks-starman-is-it-really-legal-for-billionaires-to-launch-their-roadsters-into-space/>
- ⇒ Rafe Jennings ‘The new Environmental Bill: What does it have in store?’ <https://ukhumanrightsblog.com/2020/03/13/the-new-environmental-bill-what-does-it-have-in-store/>

Task: Pick an area of day-to-day life that interests you (e.g. sport, film, music, the environment, computers, the internet).

How might the law need to change in that area over the next 5 years?

“We did not come to fear the future. We came here to shape it” Barack Obama

OTHER READING, BOOKS, ENTERTAINMENT

There are various other law-based books, films and TV series to enjoy over the summer.

These are my favourites:

- ⇒ Any John Grisham book—fictional legal thrillers written by an American courtroom lawyer
- ⇒ *The Runaway Jury* (2003) - film version of John Grisham’s book about the manipulation of a jury in a case involving a major gun manufacturer
- ⇒ Rumpole of the Bailey—humorous fictional books written by John Mortimer, also turned in a TV series
- ⇒ *Suits* (2011-2019) —starring Meghan Markle (!) but also gives a surprisingly accurate depiction of life in a corporate law firm in the US
- ⇒ *To Kill a Mockingbird* (1962) - classic film starring Gregory Peck, dealing with prejudice and racism in Depression-era Alabama

