

Cardinal Griffin Catholic College Sixth Form

Year 11 – Year 12 Transition Task

Subject: A Level Law

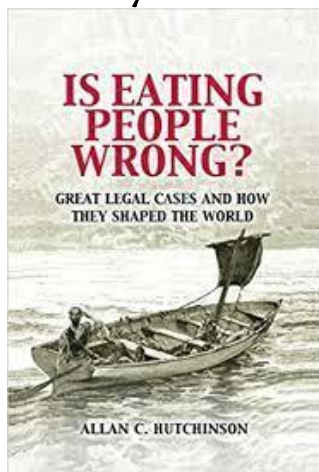
Exam Board: OCR

H018/H418



## A Level Law Introductory Materials

### Activity 1:



Have a quick discussion with two other people about this – try to find people of different ages to compare approaches.

### Activity 2:

Carefully read the case below and answer the following questions:

#### R v Dudley & Stephens (1884)

##### **Facts:**

Four sailors were sailing a yacht from Southampton to Australia to deliver it to its new owner. The yacht capsized and sank during a storm and the four man crew took to a small lifeboat. They had two tins of turnips but no water. They initially survived on the turnips and by eating a turtle they caught. After 15 days at sea, Parker (the cabin boy), was ill from drinking sea water. The other three crew members discussed drawing lots to decide who should be sacrificed and eaten by the others according to the Customs of the Sea (shipwrecked sailors would do this if they were stranded days from land). One of the crew members (Brooks) refused to be involved so Dudley and Stephens killed the unconscious cabin boy, Parker. All three ate him. After 24 days at sea they were rescued by a passing boat. When they reached Cornwall all three men were arrested for murder. The charges were dropped against one of the defendant's Brooks so that he could give evidence for the prosecution. The remaining defendant's Dudley and Stephens argued that there was no case to answer due to the established Custom of the Sea. This was rejected and the Home Secretary and Attorney General decided to prosecute the defendants for murder. They argued that they had to kill Parker under the law of necessity.

## Held:

The defendants were found guilty of murder. The court was not convinced that it was necessary to kill Parker to save themselves. The defendants avoided the death penalty but were granted a pardon and sentenced to six years imprisonment.

1. Is this a criminal or civil case? Highlight / identify the content which supports your answer.
2. Identify the most important facts in this case.
3. What defence did they raise?
4. What was the verdict?
5. As a member of the jury in this case would you have found them guilty or not guilty?
6. What legal rule comes from this case?
7. What would you have done in their situation?
8. In this case which is the **lesser of two evils**: eating the cabin boy or the crew starving to death?

## Activity 3:

Carefully read the case below and answer the following questions. You might need to research some of the answers.

### Donoghue v Stevenson (1932)

**Facts:** Mrs Donoghue went to a café in Paisley with her friend to discuss her upcoming wedding arrangements. The friend bought Donoghue a bottle of ginger beer made by Stevenson's drinks company. Donoghue drank some of the ginger beer not knowing that there was a dead snail inside the opaque bottle. When she saw the snail, she sued Stevenson for negligence, claiming that she was entitled to compensation. Donoghue had been bought the drink by a friend and therefore, she could not make a claim under contract law.

**Outcome:** For the claimant

### **House of Lords held:**

Stevenson had been negligent and he owed a duty of care to Donoghue who was the ultimate consumer of their product.

### **Lord Atkin said:**

*You must take reasonable care to avoid acts or omissions which you can reasonably foresee would be likely to injure your neighbour. Who then, in law, is*

*my neighbour? The answer seems to be persons who are so closely and directly affected by my act/omission that I ought reasonably to have them in contemplation as being so affected when I am directing my mind to the acts or omissions which are called in question.'*

1. Is this a criminal or civil case? Highlight /identify the content which supports your answer.
2. The case went up to the highest appellate court. Since 2009 what is this court now called?
3. Identify the most important facts in this case.
4. Who won the case?
5. What did the claimant want from the defendant?
6. What legal rule comes from this case?
7. How does this law affect you?

#### Activity 4 : Table of terminology – difference between criminal and civil law

1. Which of these legal terms refer to criminal law, civil law or both?
2. Underline/highlight **criminal terminology in one colour** and civil terminology in a different colour.
3. Circle any terms that apply to both criminal and civil law.

Dispute

Private law

Public law

Liability

Punishment

Prosecuted

Compensation

Guilty

Fine

Claimant

Sentence

Sued

County Court

Defendant

High Court

Crown Court

Victim  
Supreme Court  
Court Appeal  
Negligence

Activity 5:

◇ State whether the criminal law, civil law or both, would deal with the following situations.

◇ State what offence, if any, has been committed?

1. James has an argument with John and punches him in the face and breaks his nose.

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2. Sarah plays her music very loud into the night. Her neighbours want to get her to stop.

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2. Simon buys a DVD player from a shop. When he plugs it in he receives an electric shock.

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4. Victoria takes a bottle of wine from the supermarket and does not pay for it.

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5. Natalie is late for work. She drives over the speed limit and knocks a cyclist off their bike.

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## Equipment for the A Level course:

- ✓ OCR AS/A textbook – there is a new version of the textbook in production – it can be pre-ordered but it is not available until 27<sup>th</sup> August 2021. It is currently £35.19 on Amazon. This will cover both years 12 and 13. Link below:

[OCR A Level Law Second Edition: Amazon.co.uk: Wortley, Richard, Price, Nicholas: 9781398326477: Books](https://www.amazon.co.uk/Wortley-Richard-Price-Nicholas-9781398326477/dp/1398326477)

- ✓ Purchase two A4 files with roughly 20 transparent wallets and plenty of lined papers
- ✓ Purchase writing pens (black/red/green) and highlighters

## To get more into what this subject is about at a higher level:

This website has a wide range of relevant and helpful information about the current reforms internationally and nationally – <https://www.lawgazette.co.uk/>

If you fancy listening to a TED talk (<http://www.ted.com/talks>)

– search for Tania Simoncelli, “Should you be able to patent a human gene?”

YouTube clips – <https://www.youtube.com/user/TheLawBank>