

Law

Curriculum Principles

By the end of their education, a student of Law at Dixons Broadgreen will:

- Have developed analytical, critical thinking and communication skills, along with empathy and tolerance of a broad range of topical issues.
- Have developed the relevant understanding and knowledge to enable their success as a highly efficient professional
- Been provided with real life legal experiences in order to apply their learning in context
- Have developed a genuine enthusiasm for the law

Our unifying ‘sentence’ is: “The law department at DBA developed students with the ability to practice as highly successful and effective professionals with the ability to think analytically and critically and communicate effectively”

In order to achieve a true understanding of law, topics have been intelligently sequence based on the following rationale:

A true understanding of the legal system requires the delivery of core preliminary information without which a student will be unable to fully understanding the more complex areas. This includes the essential skill of researching and analysing case law.

- The study of law commences with an introduction to the difference between law and morality. Students will consider the difference between the two and developing an understanding that there are examples of “immoral” acts that are actually legal i.e. some people believe that eating meat is immoral. However, it is completely legal.
- Students will then develop an understanding of the civil court structure and learn about the hierarchy of the court structure and the role of the first instance and appellant courts. They will learn how to pursue a claim in the civil courts and consider liability and quantum in a basic case study. Alternative dispute resolution will be considered as well as a study of the personnel within the legal system. Students will then begin a detailed study of the law of negligence and develop the ability to consider a legal test i.e. the Caparo test. They will develop a high-level ability to analyse case law.
- An understanding of how laws are made will be followed by an introduction to aspects of criminal law including important Latin terms i.e. actus reus. A detailed analysis of the offences of murder, manslaughter, theft, robbery, burglary and criminal damage will enable students to understand the legal tests for these offences. Students will then consider police powers under the Police & Criminal Evidence Act 1984 (PACE).

The law curriculum will address social disadvantage by addressing gaps in students’ knowledge and skills:

- When designing our law curriculum consideration has been made to the school context and the needs of students within the school. For this reason, the curriculum will be constantly reviewed to ensure that it meets the needs of current cohorts of students.



- The nature of this subject is overtly inclusive. We explore a vast range of topics, styles and cultures. Students have a high level of autonomy in all lessons. All lessons teach to the top and are scaffolded for students who require additional support. The independence of students is paramount.

We fully believe law can contribute to the personal development of students at DBA:

- We seek to promote the personal development of students at DBA by ensuring that they are provided with opportunities to develop the ability to communicate effectively. This is crucial to the successful study of law. Students will be provided with the opportunity to practice oral communication and advocacy as well as the ability to communicate effectively in writing.
- Students are encouraged to develop a thirst for legal knowledge. As a new subject for all students in KS5 the development of knowledge and understanding is essential for success. This is promoted by the analysis of detailed case law and active discussion of key points. In order to do this successfully the students must be able to use the skill of high-level comprehension.
- Students are encouraged to be reflective, and law provides ample opportunity for reflection. They are encouraged to think about their own performance in a variety of tasks or assignments and consider what went well and not so well whilst striving for continuous improvement.

At KS5 our belief is that homework should be interleaved revision of powerful knowledge that has been modelled and taught in lessons. This knowledge is recalled and applied through a range of low stakes quizzing and practice.

Opportunities are built in to make links to the world of work to enhance the careers, advice and guidance that students are exposed to:

- The opportunity to visit a real court and see the law in practice is essential to a true appreciation of our legal system. Students will be provided with opportunities to attend court and encouraged to visit in their own time.
- Students will be provided with opportunities to meet with real legal professionals and take part in placement through close links with two national law firms, DWF and Weightmans.
- As students' progress into KS5 they are provided with opportunities to meet legal professionals such as lawyers and judges.

A true love of law involves learning about various cultural domains. We teach beyond the specification requirements, but do ensure students are well prepared to be successful in BTEC examinations:

Law at all levels caters for the needs of all our learners and

- An understanding of fundamental British Values (in particular democracy and the rule of law) are developed. This empowers students to think critically and strategically about law, morality and their place in the world.
- Explore the key features of the legal system of England & Wales
- To embed an independent learning ethos which will prepare students for higher education or the world of work.



POST 16 - LONG-TERM PLAN

SUBJECT: L3 BTEC National Extended Certificate in Applied Law

YEAR 12	CYCLE 1	CYCLE 2	CYCLE 3
WEEK 1	Unit 1: Dispute Solving in Civil Law Introduction to law - criminal law vs civil law. Legality vs morality	Case study preparation	Explore the various legal personnel involved in a criminal trial The judiciary (role of judges in the criminal courts)
WEEK 2	Features of civil law Structure and jurisdiction of the English civil courts Hierarchy of courts Claims tracks	Case study preparation	Apply the key elements of crime and sentencing Actus reus Voluntary nature of actus reus Omission as actus reus Causation (factual/legal) Intervening acts
WEEK 3	Alternative Dispute Resolution Sources of advice (types of legal personnel) Solicitors Barristers Citizens Advice Bureau Law Centres Insurance companies (BTE/ATE) The internet (importance of accuracy - English law)	Case study preparation	Apply the key elements of crime and sentencing Mens rea Intention Indirect intent (R v Woolin) Recklessness (R v Cunningham) Coincidence of actus reus and mens rea
WEEK 4	Sources of funding Own resources Insurance State funding (legal aid) Conditional fees (no win no fee) Trade union membership Citizens advice Pro bono The cost of taking legal action Court costs Legal representation costs Costs against the unsuccessful party	Unit 1 controlled assessment	Strict liability Justification for strict liability Arguments against strict liability
WEEK 5	Parliamentary legislation	Unit 2: Investigating Aspects of criminal law and the legal system	Non-fatal offences



	<p>The passage of a bill through parliament</p> <p>Creation of bill (classroom parliament)</p>	<p>Explore how statutory rules are made and interpreted</p>	<p>Assault</p> <p>Battery</p>
WEEK 6	<p>How precedent works (stare decisis)</p> <p>Hierarchy of courts (recap)</p> <p>Young v Bristol Aeroplane</p> <p>1966 Practice Statement</p> <p>Meaning of ratio decidendi, obiter dicta</p> <p>Avoiding precedent (distinguishing, overruling, disapproving, reversing)</p> <p>Balfour v Balfour, Merrit v Merrit,</p>	<p>Influences on parliament</p> <p>Pressure groups</p> <p>Law commission</p> <p>Media</p>	
WEEK 7	<p>The law of negligence</p> <p>Duty of care</p> <p>Robinson v Chief Constable of West Yorks Police</p> <p>Caparo 3-stage test (proximity, foreseeability, fair, just and reasonable) including relevant case law:</p> <p>Bourhill v Young [1943]</p> <p>McLoughlin v O'Brien [1983]</p> <p>Kent v Griffiths [2000]</p> <p>Hill v Chief Constable of West Yorkshire Police [1988]</p>	<p>The law-making procedure in parliament</p>	
WEEK 8	<p>The law of negligence</p> <p>Breach of duty</p> <p>Reasonable person test</p> <p>Special characteristics of the defendant (learners, professionals, children)</p> <p>Nettlehip v Western [1971]</p> <p>Bolam v Friern Hospital Management Committee (1957)</p> <p>Roe v Minister of Health [1954]</p> <p>Mullin v Richards [1998]</p> <p>Factors that affect the standard of care required (special characteristics of claimant, risk of harm, social utility, taking precautions)</p> <p>Paris v Stepney [1951]</p> <p>Bolton v Stone [1951]</p> <p>Watt v Hertfordshire County Council {1954}</p> <p>Latimer v AEC [1953]</p>	<p>Statutory interpretation</p> <p>How statutes are interpreted in court (literal rule, golden rule, mischief rule, the purposive approach)</p>	
WEEK 9	<p>The law of negligence</p> <p>Damage (factual and legal causation)</p>	<p>Delegated legislation</p> <p>Statutory instruments</p>	



	<p>Factual causation (but for test)</p> <p>Barnett v Chelsea and Kensington Hospital Management Committee [1969]</p> <p>Khightly v Johns [1982]</p> <p>Remoteness of Damage</p> <p>The Wagon Mound [1961]</p> <p>The type of damage caused</p> <p>Bradford v Robinson Rentals [1967]</p> <p>Thin Skull Rule</p> <p>Smith v Leech Brain [1962]</p> <p>Unknown to science</p> <p>Doughty v Turner [1964]</p> <p>Contributory negligence</p>	<p>By-laws</p> <p>Orders-in-council</p>	
WEEK 10	<p>The law of negligence</p> <p>Damages (general and special)</p> <p>The aim of awarding damages</p> <p>General (non-pecuniary) damages (pain, suffering and loss of amenity, loss of earnings, future medical expenses)</p> <p>Special (pecuniary) damages (loss of earnings up to time of trial, damage to property etc)</p> <p>Damages (lump sum or structured settlement)</p>	<p>The European legislative process</p> <p>Institutions of the European Union</p>	
WEEK 11	<p>The law of negligence</p> <p>Burden of proof and res ipsa loquitur</p> <p>Res ipsa loquitur</p> <p>Scott v London & St. Katherine Docks co [1865]</p> <p>Pearson v North West Gas Board (1968)</p>	<p>The European legislative process</p> <p>European sources of law (primary/secondary)</p>	ASSESSMENT WEEK
WEEK 12	<p>The law of negligence</p> <p>revision</p>	ASSESSMENT WEEK (Coursework)	
WEEK 13	ASSESSMENT WEEK	<p>Explore the various legal personnel involved in a criminal trial</p> <p>Lawyers and lay people (juries/magistrates)</p>	
YEAR 13	CYCLE 1	CYCLE 2	CYCLE 3
WEEK 1	<p>Unit 3: Applying the Law</p> <p>The laws relating to homicide: murder and voluntary manslaughter</p> <p>Murder</p> <p>Definition of murder</p>	ASSESSMENT WEEK - Controlled assessment prep	



	<p>Actus reus of murder</p> <p>Attorney General's Reference (No 3 of 1994)[1997]</p> <p>Proving causation for murder</p> <p>Factual causation (but for test)</p> <p>R v White (1910)</p> <p>Legal causation inc. thin skull rule</p> <p>Intervening events (breaking the chain of causation)</p> <p>R v Jordan (1956)</p> <p>R v Blaue (1975)</p>	
WEEK 2	<p>The laws relating to homicide: murder and voluntary manslaughter</p> <p>Mens rea of murder</p> <p>Intention (malice aforethought)</p> <p>Express malice aforethought (intention to kill)</p> <p>Implied malice aforethought (intention to commit GBH)</p> <p>R v Vickers (1957)</p> <p>Indirect intent/foresight of consequences</p> <p>R v Woolin (1998) - subjective test</p> <p>Mathews and Alley (2003)</p> <p>Transferred Malice</p> <p>R v Latimer (1886)</p>	IB EXAMS
WEEK 3	<p>The laws relating to homicide: murder and voluntary manslaughter</p> <p>Criticisms of the current law and proposals for reform</p> <p>Law Commission research and class discussion/debate</p> <p>Recommendations of the Law Commission</p>	IB EXAMS
WEEK 4	<p>The laws relating to homicide: murder and voluntary manslaughter</p> <p>Voluntary manslaughter (as a partial defence to murder)</p> <p>Loss of Control (S5: Coroners and Justice Act 2009)</p> <p>Discussion and application of the test</p> <p>DPP v Camplin (1978)</p> <p>R v Ahluwalia (1992)</p> <p>Film: Provoked</p> <p>The burden of proof</p>	IB EXAMS



	R v Clinton (2012)		
WEEK 5	<p>The laws relating to homicide: murder and voluntary manslaughter</p> <p>Diminished Responsibility</p> <p>S52 Coroners and Justice Act 2009</p> <p>Discussion and application of the test</p> <p>Intoxication</p> <p>R v Lloyd (1966)</p> <p>R v Egan (1992)</p> <p>R v Tandy (1989)</p>	Controlled assessment prep	IB EXAMS
WEEK 6	<p>The laws relating to involuntary manslaughter</p> <p>Unlawful Act Manslaughter</p> <p>Discussion and application of the test</p> <p>R v Ball (1989)</p> <p>R v Lamb (1967)</p> <p>R v Meeking (2012)</p> <p>Dangerous Act: R v JM and SM (2012)</p> <p>Causing the death of the victim: R v Cato (1976), R v Kennedy (2007)</p>	Controlled assessment	
WEEK 7	<p>The laws relating to involuntary manslaughter</p> <p>Gross Negligence Manslaughter</p> <p>The test in R v Adomako (1995)</p> <p>Did the defendant owe the victim a duty of care?</p> <p>Did the defendant breach that duty of care?</p> <p>Did the breach of duty cause the death of the victim?</p> <p>Were the actions of the defendant so grossly negligent that they could be classed as criminal?</p> <p>R v Winter (2010)</p> <p>R v Wacker (2003)</p>	<p>Unit 7: Aspects of Tort</p> <p>Objectives of the law of tort (fault, compensation, deterrence, justice, punishment)</p> <p>Duty of care, breach, and damage recap</p> <p>Psychiatric harm</p> <p>Primary victims (inc. rescuers)</p> <p>Secondary victims (not directly involved in accident)</p> <p>The Alcock Criteria</p> <p>Psychiatric harm</p> <p>Aim and calculation of damages (special and general damages)</p>	
WEEK 8	<p>Corporate manslaughter</p> <p>Principle of identification</p> <p>R v Kite and OLL Ltd (1994)</p> <p>The Corporate Manslaughter and Corporate Homicide act 2007</p> <p>R v Cotswold Geotechnical Holdings (2011)</p> <p>R v Lion Steel (2012)</p> <p>R v Pyranha Mouldings Ltd (2015)</p> <p>Penalties under the act</p>	<p>Explore liability for economic loss and negligent misstatement</p> <p>Economic loss</p> <p>Discussion as to why pure economic loss is generally not recoverable</p> <p>Sparton Steel v Martin (1973)</p> <p>Negligent Misstatements</p> <p>The test in Hedley Byrne v Heller and Partners (1964)</p> <p>Caparo Industries v Dickman (1990)</p>	



<p>WEEK 9</p>	<p>An introduction to offences against property: theft, robbery, burglary, fraud, and criminal damage</p> <p>Theft: Sections 1-6 of the Theft Act 1968</p> <p>Actus reus of theft (appropriation, property, belonging to another)</p> <p>R v Morris (1983)</p> <p>R v Gomez (1993)</p> <p>R v Turner (1971)</p> <p>Mens rea of theft (dishonesty, intention to permanently deprive)</p> <p>R v Lavender (1994)</p> <p>R v Marshall (1999)</p>	<p>Learning Aim, A/B coursework</p>	<p>Explore Liability for Private Nuisance and Rylands v Fletcher</p> <p>Private Nuisance</p> <p>Factors of reasonableness (locality, duration, time of day, social utility, malice).</p> <p>Defences to a nuisance action (statutory authority, prescription)</p> <p>Miller v Jackson (1977)</p> <p>Robinson v Kilvert (1889)</p> <p>Remedies (injunction/ADR)</p> <p>Coventry v Lawrence (2014)</p>
<p>WEEK 10</p>	<p>An introduction to offences against property: theft, robbery, burglary, fraud, and criminal damage</p> <p>Robbery: Section 8 of the Theft Act 1968</p> <p>Actus reus of robbery (force or the threat of force)</p> <p>R v Clouden (1987)</p> <p>Smith v Desmond (1965)</p> <p>R v Lockley (1995)</p> <p>Mens rea of robbery (intention or recklessness as to the use of force)</p> <p>Burglary: Section 9 of the Theft Act 1968 9(1)(a) and 9(1)(b)</p>	<p>Investigate the law on occupiers' liability and vicarious liability</p> <p>Occupiers' Liability Act 1957</p> <p>Lawful visitors v trespassers (express permission, implied permission, contractual permission, statutory right of entry)</p> <p>Dean and Chapter of Rochester Cathedral v Debell (2016)</p> <p>Taylor v Glasgow Corporation (1923)</p> <p>Phipps v Rochester Corporation (1955)</p> <p>Jolly v Sutton Borough of London (2000)</p> <p>Roles v Nathan (1963)</p> <p>Defences</p>	<p>Explore Liability for Private Nuisance and Rylands v Fletcher</p> <p>Private Nuisance</p> <p>Rylands v Fletcher (1868)</p> <p>Non-natural use of land</p> <p>The nature of escape</p> <p>Foreseeability of damage</p> <p>Defences (act of a stranger, acts of God, statutory authority, consent)</p> <p>Remedies.</p>
<p>WEEK 11</p>	<p>An introduction to offences against property: theft, robbery, burglary, fraud, and criminal damage</p> <p>Fraud by false representation: S2 of the Fraud Act 2006</p> <p>Criminal damage: S1 of the Criminal Damage Act 1971</p>	<p>Investigate the law on occupiers' liability and vicarious liability</p> <p>Occupiers' Liability Act 1984</p> <p>The duty</p> <p>Adult trespassers</p> <p>Ratcliff v McConnell (1999)</p> <p>Donoghue v Folkestone Properties (2003)</p> <p>Tomlinson v Congleton Borough Council (2003)</p> <p>Higgs v Foster (2004)</p> <p>Rhind v Astbury Water Park (2004)</p> <p>Child Trespassers</p> <p>Keown v Coventry Healthcare NHS Trust (2006)</p> <p>Baldacchino v West Wittering Estate plc (2008)</p> <p>Defences and remedies</p>	<p>Learning Aim D coursework</p>



WEEK 12	<p>Introduction to general defences in criminal law</p> <p>Duress</p> <p>Intoxication</p> <p>Self-defence</p> <p>Insanity</p> <p>Automatism</p>	<p>Investigate the law on occupiers' liability and vicarious liability</p> <p>Vicarious Liability</p> <p>Tests to determine employment status (control test, integration test, economic reality test)</p> <p>Acting in the course of employment</p> <p>Limpus v London General (1862)</p> <p>Lister v Hesley Hall (2001)</p> <p>Mohamud v Morrison's Supermarkets (2016)</p> <p>Century Insurance v NI Road Transport Board (1942)</p> <p>Hilton v Thomas Burton (Rhodes) Ltd (1961)</p>	
WEEK 13	<p>An overview of police powers</p> <p>Stop and search</p> <p>Arrest (with and without warrant)</p> <p>Detention, interviews, searches, and samples</p> <p>Breaches of PACE</p>	<p>Learning Aim C coursework</p>	

