

# Independent Study Booklet

**Spring/Summer 2020**

Name: \_\_\_\_\_

**Welcome!** If you would like to explore Law either in anticipation of studying Law in Autumn, or just for fun, then this is one place to start...

There are a variety of tasks for you to have a go at and explore some of the key ideas and aspects of law that we will explore during the next couple of years.

You will also find, a suggested ‘watch list’ of documentaries and films which are relevant to law – this is only a few, there are plenty more court room dramas and crime documentaries out there!

Finally, there are textbook recommendations and some key questions that need to be researched based on the British Legal System and Law Making in the UK.

<b>Task No.</b>	<b>Outline</b>	<b>Completed</b> Please date	<b>Comment on your response</b>	<b>R</b>	<b>A</b>	<b>G</b>
1	<b>Reflection</b> on current sentencing practice					
2	<b>Operation</b> of the Supreme Court					
3	<b>Case study</b> on the operation of the Criminal Justice System & Young Offenders					
4	<b>Evaluation</b> of the Appeals Process					
5	<b>Changing</b> the Law: Double Jeopardy					
6	<b>Case Study:</b> You be the Judge (Sentencing)					

**Task One: Reflection on Sentencing**

**[Why do prisoners only serve half their term?](https://www.bbc.co.uk/news/health-45411111)** (bbc.co.uk – open hyperlink in title)

Using a range of the information on in the source (linked in the title), produce a summary of the current operation of sentencing in England and Wales in the space below. You may present the information in any format you like, but it must cover the questions below and must not simply be copy and paste.

<b>What</b> influences the sentence the judge hands down?	<b>What</b> type of sentences may a judge hand down?	<b>Why</b> do most offences offer a range of options?	<b>How</b> does a judge decide which tariff to hand down for murder?	<b>When</b> are most offenders released and what happens to them?
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**Challenge:** Why do you think that people are often upset or confused by the sentences handed to offenders?

**Task Two: Supreme Court**

**What is the UK Supreme Court?** (bbc.co.uk – hyperlink in title)

and watch this documentary available on [youtube](#):

Using a range of the information on in the source, complete each of the information boxes below. Remember to include relevant legal terminology accurately used.

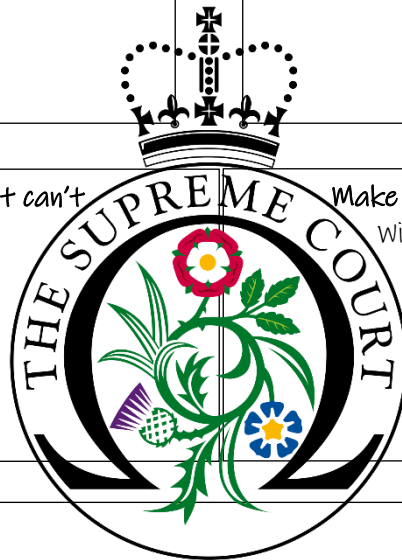
<https://www.youtube.com/watch?v=PZtYENfNa7k> – this is an hour's documentary on the Supreme Court

Name and Location:

Sum up the kind of cases and decisions that it has made over the last years:

What powers does it have (and what can't it do?):

Make up of the court: What issues do you see with who is on the court (pros and cons)?



Exploring a Case:

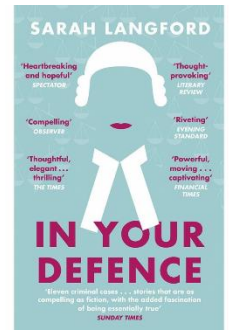
Pick one of the cases which the article or documentary highlights. Summarise the facts, question and decision by the court. End with a critical comment on your view of the case and decision:

Critical Response:

**Task Three: Operation of the Legal System**

# Sarah Langford: In Your Defence

Langford is a practising defence barrister and wrote this book to highlight some of the key issues within the law that she saw. It is very readable, and uses 11 cases to illustrate different issues within the law. Each chapter begins with the 'action' of the case, and then switches to the case and her role and perception of the issues within it.



You are going to read **Case 1: Dominic**.

<https://books.google.co.uk/books?id=TPgvDwAAQBAJ&pg=PT7&lpg=PT7&dq=Sarah+Langford:+In+Your+Defence+case+1+dominic&source=bl&ots=c58Y1mdf5Y&sig=ACfU3U1DxFnlQ4m2jYNWBSISnl13pVd2og&hl=en&sa=X&ved=2ahUKEwjS5bfn67joAhUNEcAKHYUnCIMQ6AEwBnoECAoQAQ#v=onepage&q=Sarah%20Langford%3A%20In%20Your%20Defence%20case%201%20dominic&f=false> - Available on Google Books Chapter 1

Particulars of the first offence (what happened):	Prior Offending history:	
What concerns did Langford have about representing him in the Magistrates Court?	View of the police:	
What was the judgement of the court on the first offence and why?	<i>Critical Response:</i> how far do you agree with Langford on the outcome for this first offence?	
Particulars of the second offence (what happened):	What issues surrounding sentencing and remand are raised in this section?	
What sentence was handed down to Dominic for this first case and why did that cause issues for both Sarah and Dominic?		

*Critical Thinking:* How would you address the issues brought up by this chapter?

## The Courage of Our Convictions: Appeals

The Secret Barrister is a blogger and practicing Criminal law Barrister. Last year, he collated a number of issues into a book: *Stories of the Law and How It's Broken*. It's a great read and very hard hitting – essentially it covers most of what we do in the English Legal System.



If you get the chance read **Chapter 11**. This focuses on appeals, their operation and the consequences of winning an appeal (it's not all roses and happiness!) You need to complete the grid in as much detail as you can.

Impact of prison on offender and their family:	What does he think of the current appeals system and why?
Do you think he is right to say that to most people the Court of Appeal is "everything"?	<b>Case Study: Victor Nealon</b> Impact of maintaining innocence on sentence:  Facts:  Charge:  Grounds of appeals and outcomes:  Outcomes of appeals:  Issues with compensation:
Key facts and figures on appeals in the Court of Appeal (including leave):	
<b>Bridgewater Four:</b> What issues with the operation of appeals are brought out by this case and the enquiries?	What happens to D after a successful appeal?

## Task Five: Changing and reforming the law

### Double Jeopardy

Watch the episode on **BBC iPlayer: Catching Britain's Killers: The Crimes that Changed Us (Episode 2)** Warning: there may be details which are upsetting.

P.S. the other two episodes are excellent as well... take a look!

1. What issue was raised by the case of Donald Hume?
2. What were the facts of the case of Julie Hogg?
3. What evidence was there that Dunlop may have been responsible for it?
4. What did the jury decide at the trial and what impact did this have?
5. What was the aim of the double jeopardy law?
6. What impact did the Stephen Lawrence report (McPherson Inquiry) have on double jeopardy?
7. What further charges did Billy Dunlop face and what was the evidence to support them? What sentence did he receive?
8. How does this case illustrate lobbying by both individuals and MPs/Peers?
9. What other legal principle would be affected by the change to the law on double jeopardy?
10. Why was Julie Hogg's mother still apprehensive following the White Paper?
11. What are the criteria for double jeopardy to be set aside?
12. Explain one of the further cases affected by double jeopardy change.



**Task Six: Case Studies**


# You Be the Judge

**Task:** go to: <http://ybtj.justice.gov.uk/>. You will need sound as you are going to work through two cases, completing the questions below as you go. **Burglary & Harassment**



Please note: there are other cases you can have a look at, but these two you must complete for this task!

**Offender**



**NAME:**  
Alexander Jackson

**AGE:** 26

**PREVIOUS CONVICTIONS:**  
Two for domestic burglary

**OFFENCE:**  
Burglary

**Defendant One:** *Alexander Jackson*

What did he do?

What was the plea?

Which court was it heard in and why?

Who determines sentencing for the defendant?

Relevant information from the police officer:	Relevant information from the Victim:

Will the fact that the victims were at home at the time of the break-in affect your sentence?

**Yes**

**Not sure**

**No**

Judge's response:

Do you think the fact that an item of sentimental value was taken is significant?

**Yes**

**Not sure**

**No**

Judge's response:

Mitigating Factors	Aggravating factors

Would a genuine commitment from Alex to come off drugs affect your sentence?

**Yes**

**Not sure**

**No**

Judge's response:

What other circumstances might be relevant in sentencing:

**Sentence choices:**

- 1. Prison: 2.5 years ( 1/2 in custody + 1/2 monitored in the community )
- 2. Prison: 3.5 years ( 1/2 in custody + 1/2 monitored in the community )
- 3. Prison: 4.5 years ( 1/2 in custody + 1/2 monitored in the community )
- 4. Prison: 6 years ( 1/2 in custody + 1/2 monitored in the community )


I would chose option \_\_\_\_\_ because...

He was actually given option \_\_\_\_\_ because...

What is the **purpose** of sentencing Alex? *Link to the aims of sentencing – which do you think was uppermost in the judge's mind*



**Offender**



**NAME:**  
Chris Williams

**AGE:** 19

**PREVIOUS CONVICTIONS:**  
None

**OFFENCE:**  
Threatening behaviour

**Defendant Two: Chris Williams**

What did he do?

What was the plea?

Which court was it heard in?

What is the relevant evidence from the victim?	Relevant information from the defendant?

Will the fact that Mrs Dixon is elderly influence your sentence?

**Yes**

**Not sure**

**No**

Judge's response:

Do you think the fact that Chris was provoked is significant?

**Yes**

**Not sure**

**No**

Judge's response:

Mitigating Factors	Aggravating factors

Will the fact that Chris pleaded guilty from the start affect your sentence?

**Yes**

**Not sure**

**No**

Judge's response:

**Sentence choices:**

1. Fine: £300
2. Community sentence: 80 hours unpaid work + £100 compensation + £90 costs
3. Community sentence: 200 hours unpaid work + weekly supervision meetings with a probation officer for 2 years
4. Prison: up to 3 months ( ½ in custody + ½ monitored in the community )

I would chose option \_\_\_\_\_ because...

He was actually given option \_\_\_\_\_ because...

What is the **purpose** of sentencing Alex? *Link to the aims of sentencing – which do you think was uppermost in the Magistrates' mind.*

## Below are a range of documentaries and legally linked films...

The original PowerPoint slide you have access to contains all of the links to any open access sources – just click on the **image**.

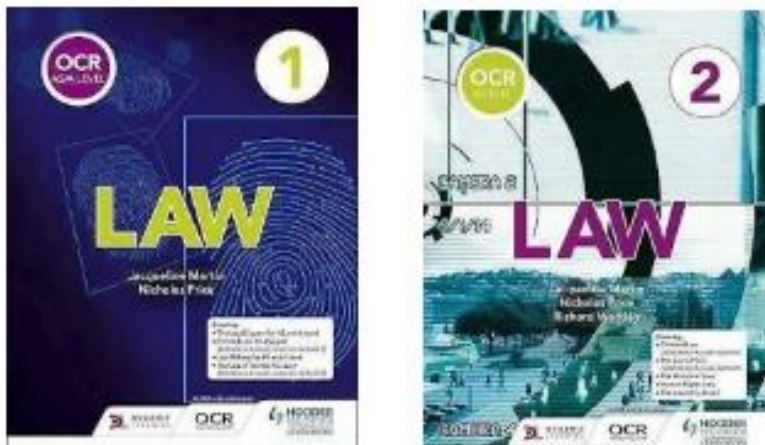
In case you need them, the suggestions and their origins are below.



Title	Origin	Link (if available)
To Catch A Serial Killer With Trevor McDonald 2018	YouTube	<a href="https://www.youtube.com/watch?v=Tdov3OHn4KM">https://www.youtube.com/watch?v=Tdov3OHn4KM</a>
Catching Britain's Killers	iPlayer (BBC)	<a href="https://www.bbc.co.uk/iplayer/episode/m0009dz2/catching-britains-killers-the-crimes-that-changed-us-series-1-2-double-jeopardy">https://www.bbc.co.uk/iplayer/episode/m0009dz2/catching-britains-killers-the-crimes-that-changed-us-series-1-2-double-jeopardy</a>
The Case of Sally Challen	iPlayer (BBC)	<a href="https://www.bbc.co.uk/iplayer/episode/m000c65v/the-case-of-sally-challen">https://www.bbc.co.uk/iplayer/episode/m000c65v/the-case-of-sally-challen</a>
Crime and Punishment (History of the Law)	YouTube	<a href="https://www.youtube.com/watch?v=kn1gdZMLtrk">https://www.youtube.com/watch?v=kn1gdZMLtrk</a>
The Briefs	YouTube	<a href="https://www.youtube.com/watch?v=QWTcg8Ye6fl">https://www.youtube.com/watch?v=QWTcg8Ye6fl</a>
HARDtalk interview with Lady Hale	YouTube	<a href="https://www.youtube.com/watch?v=i1VozJR_jC8&amp;t=414s">https://www.youtube.com/watch?v=i1VozJR_jC8&amp;t=414s</a>
The Bar	YouTube	<a href="https://www.youtube.com/watch?v=6d78ROXCPgl">https://www.youtube.com/watch?v=6d78ROXCPgl</a>
To Kill a Burglar	YouTube	<a href="https://www.youtube.com/watch?v=BemcOAg53eM">https://www.youtube.com/watch?v=BemcOAg53eM</a>
The Trial: Murder in the Family	All4	<a href="https://www.channel4.com/programmes/the-trial-a-murder-in-the-family">https://www.channel4.com/programmes/the-trial-a-murder-in-the-family</a>

**Whilst it is not essential to have your own textbooks it is recommended to have your own copies to support you through your two-year Law course.**

**The textbooks we use are...**



## **Year 12 Law prior research key questions**

### **The English legal system**

1. What is the difference between civil claims and criminal cases?
2. Which courts are used in criminal cases?
3. Which courts are used in Civil?
4. What is an appeal?
5. What are the 5 types of Alternative Dispute Resolution?
6. What are the aims of sentencing in the UK?
7. What types of punishments are used in the UK?
8. Carry out some research on prisons - are they effective? What do the statistics show?
9. Who are lay magistrates? What is their role?
10. What are juries used for? Who can serve on a jury? How are they selected? What is their role?
11. Find out 5 key facts about each other the following three legal personnel - barristers solicitors legal executives.
12. Judiciary

### **Law making - 4 key areas to research**

1. How are laws made in parliament? They go through a number of stages can you find out what these stages are and what happens at each stage.
2. What is delegated legislation? There are three types research and explore them
3. Judicial precedent
4. Statutory interpretation