



Course Start

Course Start is independent learning you need to complete as a fundamental part of your introduction to the course. It should take you approximately 5 hours to complete.

Your work can be typed or handwritten but **MUST** be ready for your first law lesson - a grade will be given for it.

Course Name	Applied Law BTEC National Extended Certificate
How this Course Start fits into the first term of the course	You will start the course with UNIT 1 - Dispute Solving in Civil Law
How will my Course Start learning be used in lessons?	You will use your learning from these tasks to complete the first part of the course. You will also learn new legal terminology as well as engage with the practice of legal research.
Course Start learning objectives	• To understand the difference between UK civil and criminal law • To appreciate how the Civil Court system works • To understand basic legal phrases and the court structure • To start to apply your knowledge of criminal and civil cases to legal problems
Study Skills	• Identify sources of law • Note taking • Legal research

Expectations for Applied Law

Our specification is: [BTEC National Extended Certificate in Applied Law](#)

What this course involves...

This BTEC comprises 4 units completed over a two year course of study. 2 units will be externally assessed via exam and 2 units require the submission of typed Assignments. We will use the Pearson BTEC National Applied Law textbook for the 2017 specification which you will have access to digitally once you join the college library.

UNIT 1 - Dispute Solving in Civil Law - External Exam

UNIT 2 - Investigating Aspects of Criminal Law and the Legal System - 2 Assignments

UNIT 3 - Applying the Law; Fatal and Property Offences - External Exam

UNIT 4 - Family Law - 2 Assignments

Completing Independent Study - 5 hours a week, starting with this Course Start work

Engaging in Class Discussion - Showing an interest in current affairs and a willingness to present and support a point of view

Develop Learning and Study Skills - This means a commitment to independent study along with a commitment to improve research skills beyond a simple "Google Search". You are taking the first steps towards becoming proficient legal researchers and this involves an ability to locate and sift for relevant legal cases and statutes.

Developing Problem Solving and Team Working Skills - which will make you more employable and attractive to potential Employers and University Admissions Departments

Day to Day College Work - Members of the Law Team expect all lessons to be prepared for and reviewed; all tasks to be undertaken and completed on time; attendance and concentration to be exemplary and all students to give of their all in the pursuit of academic excellence

Extra Curricular - We organise a number of extra-curricular activities and expect as many students as are able to take part in Mock Trials, Court visits and Open Days

Activity 1

Decide whether the following potential court cases would be a Criminal Case or a Civil Case

Potential Court Cases:	
Murder, Divorce, Bankruptcy, Criminal Damage, Slipping in a supermarket causing a broken leg, Theft, Faulty DVD player, Argument between neighbours over a tree, Battery, Rape	
Criminal	Civil

The differences between Criminal Cases and Civil Cases

Criminal wrongs are regarded in a public light as **wrongs against the State**, the action is so anti-social that it requires punishment by the State. Examples include: murder, theft, rape, criminal damage, assault etc.

Civil cases are a **private matter between individuals** who may decide to go to court and get the matter resolved. Civil law aims to compensate an individual. Examples include: contract, tort (negligence, nuisance, defamation) family law, company law, etc.

Criminal cases are tried in either the **Magistrates' Court** or the **Crown Court** by magistrates or a **judge and jury**.

Civil cases are heard in either the **County Court** or **High Court** (some civil cases are heard in the Magistrates' Court or in tribunal) and are heard by a **judge**.

A **criminal prosecution** is brought by a prosecutor usually through the police and the **Crown Prosecution Service** acting on behalf of the State. The person being prosecuted is called the **defendant** and the case is referred to as R v (against) Smith, for example. (R = Rex or Regina). The defendant is either **found guilty or not guilty**. If the prosecution is successful it results in the conviction of the defendant. After conviction the court will sentence the defendant.

The person starting a **civil case** is called the **claimant** (plaintiff pre 1999) and **will sue** (bring an action against) the **defendant**. The case would be referred to as Murray v (and) Smith, for example. The defendant is either **liable or not liable**. If the claimant is successful this leads to the court entering a **judgment** ordering the defendant to put the matter right as far as possible. This is usually done by an award of money in **compensation**, known as damages. Other possible orders are an injunction or an order for specific performance.

STANDARD OF PROOF

Criminal cases must be proved '**beyond reasonable doubt**'. This is a very high standard of proof.

Civil cases have only to be proved '**on the balance of probabilities**', a lower standard where the judge has to decide who is most likely to be right.

Activity 2

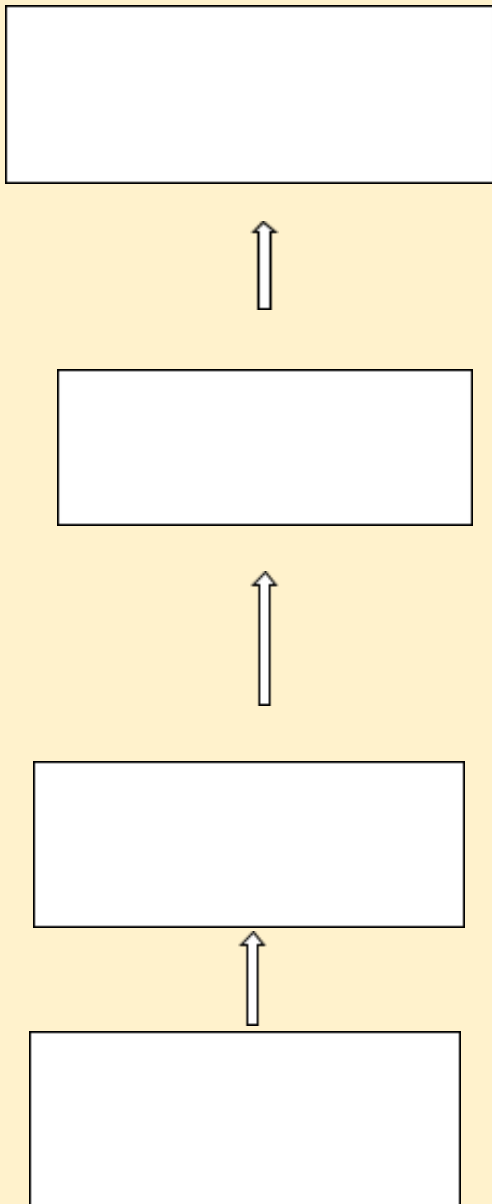
Differences between Civil and Criminal cases

	Civil Cases	Criminal Cases
Purpose of the Law		
Person starting the case		
Legal name for that person		
Courts hearing cases		
Standard of proof		
Person/s making the decision		
Decision		
Powers of the court		

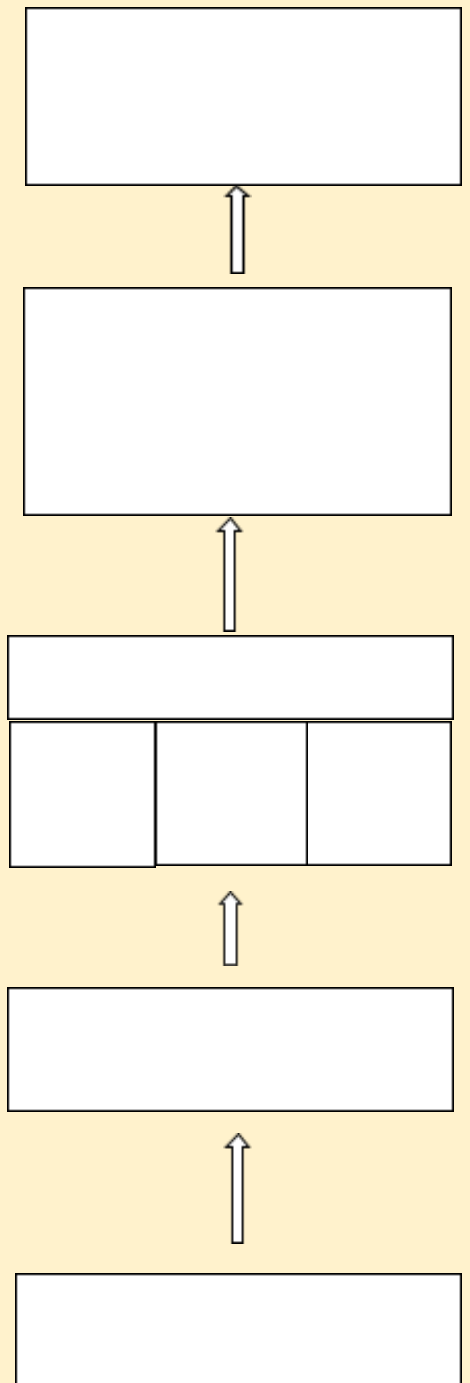
STRUCTURE OF THE ENGLISH COURTS

(fill in the gaps)

CRIMINAL COURTS



CIVIL COURTS



Activity 3

Decide the case, court and remedy...

Legal Issue	Criminal or Civil	Legal Action (the law)	Lawyers involved? Solicitor Barrister Self	Courts	Remedy or sanction
Fred has taken £50.00 from the till where he works and keeps it for himself					
Sid bought a washing machine from a high street store. It stopped working after one week.					
Flo stabbed her husband's girlfriend with a bread knife					
Dotty was injured by a motorist who has since been convicted of dangerous driving. She has had 6 weeks from work and is a single mother.					

Activity 4

Which Court?

Advise the following people as to where their case/claim will be heard. Give any possible alternatives.

1. Asma did some work for Mr Miah 6 months ago. Mr Miah owed her £2,500 for the artwork that she did, he paid her £1,000 recently but still owes her £1,500.

2. Simon Thomas stole two packets of crisps and a can of drink from a sweet shop, he was arrested and charged with theft contrary to the Theft Act 1968.

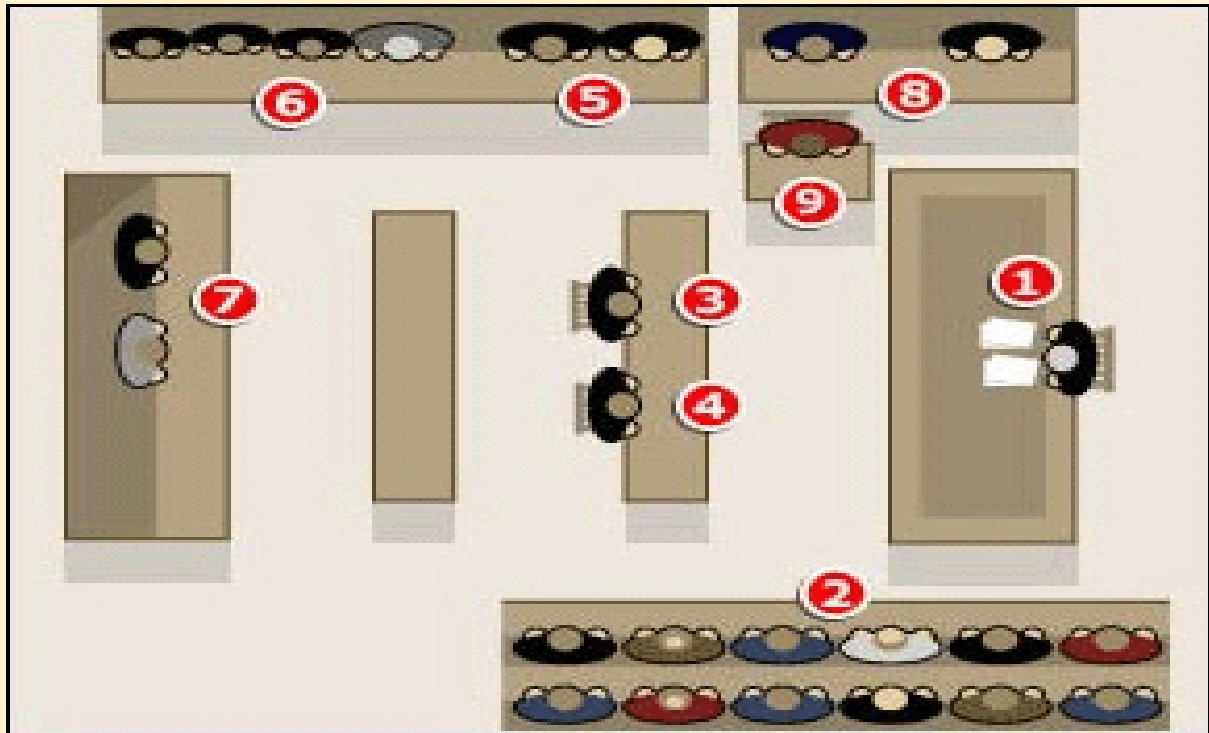
3. Daniel pleaded guilty and was convicted in the magistrates' court of armed robbery. He was sentenced to 15 years imprisonment. Daniel now wishes to appeal.

4. The appellant had been involved in a number of disturbances in which he claimed to have been acting in self-defence. In directing the jury in relation to the charge of threatening behaviour contrary to section 5 of the Public Order Act 1986, the trial judge had omitted to remind them that where a threat of unlawful violence was alleged, they should consider whether or not the violence might have been lawful, ego where it was threatened by way of self-defence. The appellant wants to appeal.

5. The defendants were convicted of rape and appealed on the ground, inter alia, (among other things) that they had honestly believed the woman to have been consenting. Their appeals were dismissed by the Court of Appeal. The defendants wish to appeal.

Activity 5

Match the participants from the list below with the Crown Court diagram.



	Number
Press	
Defence Barrister	
Judge	
Jury	
Defendant	
Usher	
Prosecution Barrister	
Witness	
Public	

Remember to bring your answers to the first Law lesson in September.
For now, take care and best wishes.

Ben, Jo, Summer and Kathryn!