

Applied Law

Summer Work 2022

The two units you will study in Year 12 are Civil Law: Dispute Resolution and Criminal Law: Applying The Law. The first unit is assessed through an examination in which you have 1 hour and 30 minutes to complete two tasks.

The first task involves reading a scenario where you have to decide if the claimant has a case for negligence and how the legal rules would be applied.

In the second task you will be advising a client about the different types of damages that can be awarded, which court the case may be heard in, where the client might be able to get advice for their court case, how they might be able to fund their legal costs.

To prepare for the unit, produce a short paragraph answering the question - each paragraph should be about 100 words. The first is done for you as a model - give a definition and if possible a case that created or developed the legal rule where it is appropriate.

Duty of Care: - the legal requirement that we must act or not act in a way that someone who is reasonable would not act or fail to act that would cause harm to someone else. This was established in the case of **Blythe v Birmingham Waterworks Corporation**.

Claimant:-

Defendant:-

Liability:

Negligence:-

Breach of a Duty of Care:-

The three-part Caparo Test:-

The current rule established by the case of Robison v Chief Constable of West Yorkshire Police when establishing a duty of care:-

The special characteristics a defendant might have that increase the level of the duty of care:-

The size of the risk of harm and the obligation on a defendant

The thin skull rule - or the eggshell skull rule (eggshell is usually what it is called in civil law and thin skull is the term you will most frequently encounter in criminal law.

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Remoteness of damage

Contributory Negligence

Volenti non fit injuria

Pecuniary losses

Non pecuniary losses

Special Damages

General Damages

Mitigation of Loss

The following links to resources may be of help and give a general overview of Tort Law.

https://www.biicl.org/files/763_introduction_to_english_tort_law.pdf

<https://www.youtube.com/watch?v=TbGUiuqfYQ8> - feel free to watch through all of the videos in this series if you get inspired or interested.