



The
Appleton
School

KS5 LAW

[OCR](#)

PERSONAL LEARNING CHECKLISTS

2022

Law

RAG Rate each section in the first column

Red = Not at all confident – needs major revision focus, Amber = requires more revision until confident. Green = Confident.

Use remaining columns to colour code when you have revised and tested your knowledge and understanding over several weeks.

Key Idea	RAG					
County Court and High Court: jurisdictions, pre-trial procedures, the three tracks						
Appeals and appellate courts						
Employment tribunals and Alternative Dispute Resolution						
Advantages and disadvantages of using the civil courts and Alternative Dispute Resolution to resolve disputes						
Criminal process: jurisdiction of the Magistrates' Court and the Crown Court, including classification of offences and pre-trial procedures						
Appeals and appellate courts						
Sentencing and court powers: aims, factors and types of sentences for adults						
Lay magistrates and juries: qualifications, selection, appointment and their role in criminal cases						
The advantages and disadvantages of using juries in criminal cases						
Barristers, solicitors and legal executives: role and the regulation of legal professions						
The judiciary: types and role in civil and criminal courts ♦ The separation of powers and the independence of the judiciary						
Evaluation of the judiciary, including the advantages of judicial independence						
Government funding for civil and criminal cases						
Private funding, conditional fees, other advice agencies						
Evaluation of access to justice						
Rules of criminal law						

Actus reus: conduct and consequence crimes; voluntary acts and omissions; involuntariness; causation						
Mens rea: fault; intention and subjective recklessness; negligence and strict liability; transferred malice; coincidence of actus reus and mens rea						
Murder: actus reus and mens rea						
Voluntary manslaughter: defences of loss of control and diminished responsibility under Coroners and Justice Act 2009						
Involuntary manslaughter: unlawful act manslaughter and gross negligence manslaughter						
Common assault: assault and battery under s39 Criminal Justice Act 1988						
Assault occasioning actual bodily harm, wounding and grievous bodily harm under s47, s20, s18 Offences Against the Person Act 1861						
Theft under s1 Theft Act 1968						
Robbery under s8 Theft Act 1968						
Burglary under s9(1)(a) and s9(1)(b) Theft Act 1968						
Insanity						
Automatism						
Intoxication						
Self-defence, duress by threats, duress of circumstances and necessity						
Consent						
Attempts: the actus reus and mens rea; impossibility						
Critical evaluation of:						
Non-fatal offences against the person						

Defences: intoxication, self-defence and consent						
Ideas for reform						
Legislative process – Green and White Papers, different types of Bill, legislative stages in the House of Commons and the House of Lords, and the role of the Crown						
Advantages and disadvantages of the legislative process						
Types of delegated legislation: Orders in Council, Statutory Instruments and By-laws						
Controls on delegated legislation by Parliament and the courts, and their effectiveness						
Reasons for the use of delegated legislation						
Advantages and disadvantages of delegated legislation						
Rules of statutory interpretation: the literal rule, the golden rule and the mischief rule						
The purposive approach						
Intrinsic and extrinsic aids to interpretation						
Impact of European Union Law and the Human Rights Act 1998 on statutory interpretation						
Advantages and disadvantages of the different rules and approaches to statutory interpretation						
The Doctrine of Precedent including stare decisis, ratio decidendi and obiter dicta						
The hierarchy of the courts including the Supreme Court						
Binding, persuasive and original precedent; overruling; reversing; distinguishing						
Advantages and disadvantages of precedent						
Influences on Parliament: political, public opinion, media, pressure groups and lobbyists including the Law Commission						
Law reform by the Law Commission						
Advantages and disadvantages of influences on law making						
Institutions of the European Union						
Sources of European Union law						
Impact of European Union law on the law of England and Wales						
An outline of the rules of the law of tort						

An overview of the theory of the law of tort						
Liability in negligence for injury to people and damage to property						
The duty of care: Donoghue v Stevenson (1932) and the neighbour principle, the Caparo test and Robinson v Chief Constable of West Yorkshire (2018)						
Breach of duty: the objective standard of care and the reasonable man; risk factors						
Damage: factual causation; legal causation						
Liability in respect of lawful visitors (Occupiers' Liability Act 1957)						
Liability in respect of trespassers (Occupiers' Liability Act 1984)						
Private nuisance						
Rylands v Fletcher						
Nature and purpose of vicarious liability						
Liability for employees, including traditional tests of employment status, 'akin to employment' tests, liability for torts committed in or not in the course of employment						
Liability for torts 'closely connected' to employment						
Contributory negligence						
Volenti non fit injuria						
Defences specific to claims connected to private nuisance and Rylands v Fletcher						
Compensatory damages						
Mitigation of loss						
Injunctions						
Critical evaluation of:						
liability in negligence						
occupiers' liability						
vicarious liability						
Nature of Law:						
Law and rules: the difference between enforceable legal rules and principles and other rules and norms of behaviour						
The connections between law, morality and justice						
The differences between civil and criminal law						

An overview of the development of English Law: custom, common law, statute law						
The rule of law: definition and importance						
Law and Morality:						
The distinction between law and morals						
The diversity of moral views in a pluralist society						
The relationship between law and morals and its importance						
The legal enforcement of moral values						
Law and Justice:						
The meaning of justice						
Theories of justice						
The extent to which the law achieves justice						
Law and Society:						
The role law plays in society						
The law as a social control mechanism						
The way in which the law creates and deals with consensus and conflict						
The realist approach to law making						
HR Law:						
An outline of the rules of human rights law						
An overview of the theory of human rights law						
The history of the European Convention on Human Rights and the European Court of Human Rights						
The impact of the Human Rights Act 1998						
The entrenched nature of the Human Rights Act 1998 in the devolution settlements of Scotland, Wales and Northern Ireland						
Key provisions – European Convention on Human Rights:						
Article 5: the right to liberty and security						
Article 6: the right to a fair trial						
Article 8: the right to respect for family and private life						

Article 10: the right to freedom of expression						
Article 11: freedom of assembly						
Restrictions permitted by the European Convention on Human Rights						
Human Rights and English Law:						
Public order offences						
Police powers						
Interception of communications						
Duty of confidentiality						
Obscenity						
Torts of defamation and trespass						
Harassment						
Enforcement of HR Law:						
Role of domestic courts						
The process of judicial review						
The role of the European Court of Human Rights						
Critical evaluation of human rights protection in the UK:						
Articles 5, 6, 8, 10 and 11 of the European Convention on Human Rights						
the Human Rights Act 1998						
ideas for reform						