

Learning about the Law

Overview

This unit is designed to be a simple introduction to thinking about and discussing legal issues. It covers two main areas – laws controlling the ages at which young people gain legal rights and responsibilities; and the difference between civil and criminal law.

Preparation

Ahead of the session you will need to...

Activity 1

Make enough copies of the worksheet "When can you...?" (page 11) so that there is enough for one per student within your group.

Activity 2

Make 3 copies of page 12 and cut out the slips on each copy. Keep each set separate.

Activity 3

Make 2 or 3 copies of pages 13 & 14. Cut out the slips on each copy of page 14 and keep each set separate.

Evaluation

Make enough copies of the evaluation form for each student in your group. Have them complete the forms at the end of the session, collect them in and forward to the coordinator at your organisation.

Activity 1 When can you...?

This activity aims to raise awareness about the ages at which young people acquire certain legal rights and responsibilities. It may also generate discussion about the suitability of these laws and the circumstances in which they should and should not apply.

Introduction

Begin the session by asking the students how old they are (likely 14/15)

Q How significant/important do you think someone's age is?

Q How does your age affect what you can and can't do?

For example, age determines when a person starts and leaves school and, generally, when they begin and end work.

Move on by saying that you are going to look in more detail at the importance of age in law.

Activity

- 1 Give each student a copy of the quiz, "When can you?"
- 2 There are two principal ways in which the quiz can be completed:
 - a read each question in turn, giving students time to write their answers in the appropriate box, or
 - b allow students to complete the quiz in their own time, either working alone, or in two or threes
- 3 Once they have finished, ask the students how well they think they have done or ask how easy or difficult they found answering the questions.

- 4 Now go through each of the questions in turn using the answers (overleaf). Use the 'Consider' question prompts to generate discussion and comment on each.

Conclusion

Briefly, try to gather some key thoughts from these discussions. You might like to ask questions such as:

Q Which of the above laws surprised you the most? Why?

Q Do you think any should be changed? Which? What would you change them to?

Activity 1 What the law says

A Buy cigarettes - 18 years

The minimum legal age for buying tobacco in England and Wales is 18 years. (Until the end of September 2007, it was 16 years of age.) Shopkeepers who sell tobacco or cigarettes to anyone who seems to be under the age of 18 may face heavy fines.

Consider

- Q Is this age appropriate?**
- Q Why do you think it was raised in 2007, from 16 to 18?**
- Q Some people believe the age should be raised further to 21. What do you think?**

B Baby-sit - no minimum age, but a court is likely to decide it should be 16 years

There is no law laying down a minimum age at which a young person may baby-sit; and generally speaking, it is not an area in which the law is closely involved, unless something goes wrong. However, if the child who is being looked after is hurt or placed in some kind of danger, a court may decide that, if the baby-sitter was under 16, the parents were at fault for not arranging for their child to be properly cared for.

Consider

- Q Does it make a difference if the child and baby-sitter are related?**
- Q How important is the age of the child who is being looked after?**
- Q Would it be helpful if there was a set minimum age at which a person could baby-sit?**

C Vote in a local or national election - 18 years

You must be 18 or over on the day of the election, and your name must be on the electoral register.

Since 2006 and 2007, young people on the Isle of Man and the Channel Islands, respectively, have been able to vote in a general election at 16. There are now proposals to lower the voting age in the UK as a whole to 16 years of age.

Consider

- Q Do you think the rest of the UK should follow the Isle of Man and the Channel Islands and lower the voting age?**
- Q Would you like to vote now?**
- Q Will you vote when you get the chance?**
- Q In a small number of countries, such as Australia, Belgium and Greece, people are required to vote by law. Would you support this idea in Britain?**

D Ride a bicycle on the main road - no set minimum age

There is no law setting out the minimum age at which someone may ride a bicycle on a main road. In fact, strictly speaking, under the Highways Act 1835, all bikes (even small tricycles) must be ridden on the road, and never on the pavement.

Consider

- Q Do you think there should be a minimum age for riding a bicycle on a main road?**
- Q What would it be?**

E**Go to the doctor on your own - no set minimum age**

There is no set minimum age at which a young person can seek medical advice or treatment. The key test is that the doctor must be satisfied that the patient fully understands what is being proposed. This allows a 14 or 15-year-old to receive confidential medical advice, without their parents necessarily being informed.

When a young person reaches 16, it is generally assumed that they are competent to take decisions about their own health care.

Consider

- Q Do you think parents have a right to know what a doctor says to their child?**
- Q Should a doctor or nurse inform the parents of a 14-year-old that their daughter/son had sought advice or treatment on contraception or termination?**

F**Decide when to go to bed - the law is not involved**

The law does generally not become involved in situations of this kind, unless it is associated with the serious neglect of a child, or the parents are subject to a parenting order and are required to take advice and guidance on supporting and disciplining their child.

G**Get a part-time job - 13 years**

Children under 13 years of age are generally prohibited from any kind of employment. Rules governing the employment of children aged between 13 and the minimum school leaving age are laid down by each local authority - and, as a result, can vary from one part of the country to another. Generally, the law makes no exceptions for children who work for their parents.

H**Drive a car on the road - 17 years**

A young person cannot generally get a licence to drive a car in the road until they reach the age of 17. However, a young person receiving a disability living allowance may drive a car from the age of 16 if it is felt that a car would improve their mobility and travelling by public transport is not an option.

Consider

- Q Should the minimum age be raised to 20 or 21 as cars are much more powerful today than they were in the past?**
- Q Is it right for the law to allow certain people with disabilities to drive a car a year before most other members of the population?**

I**Leave home - 18 years**

The law says that, until they reach the age of 18, a young person is under the care and control of their parents. However, the law does not generally become involved with someone who leaves home earlier than this - at 16 or 17 - unless they are thought to be in some kind of danger. Anyone under the age of 16 who tries to leave home is likely to be sought by the police or social services.

J Buy alcohol - 18 years

A young person must be 18 years-old to be served alcohol in a pub or bar, or to buy alcohol in an off-licence or supermarket.

A young person, aged 16 or 17, is however allowed to drink beer, cider or wine with a table meal in a restaurant, pub or bar, if they are accompanied by someone aged 18 or over, and the alcohol is bought by that person.

It is illegal to give an alcoholic drink to a child under five, except under medical supervision in an emergency.

Consider

- Q Should any of these age limits be changed? If so, do you think they should be raised or lowered?**
- Q There is a proposal to raise the age limit for buying alcohol from an off-licence or supermarket to 21. Would this be a good idea?**

K Have sexual intercourse - 16 years

Both boys and girls must be 16 years old before they can legally agree to have sex.

L Become responsible for your crimes - 10 years

The age at which a young person becomes responsible in law for a crime and can be punished by a court is known as the age of criminal responsibility. In England and Wales today it is 10 years of age; and varies from one country to another. For example, in South Africa and Bangladesh, it is 7; in Scotland it is 8; in Denmark, Norway and Sweden, it is 15; and in Belgium, 18.

Consider

- Q When do you think children understand the difference between right and wrong?**
- Q When do you think they understand the consequences of what they are doing?**
- Q Should the age of criminal responsibility be changed? If so, should it be raised or lowered?**

Activity 2 Sorting out the Law

This is a very simple activity designed to help students understand the distinction between civil and criminal law. Students are asked to match six real law-related incidents with their outcomes - and, with your guidance, are encouraged to draw a distinction between those of a criminal and those of a civil nature.

Introduction

Begin this activity by explaining that you're going to be looking at how the law deals with various events and situations that can arise, matching up what you think the outcome should be to some legal problems.

Activity

- 1 Split your group into pairs or threes and hand each group a set of slips (from page 12).
- 2 Explain that each group has to look at the law-related events (A-F) and match each one with the outcome (1-6) that they think best fits. Each outcome can only be used once.
- 3 As the groups are doing this ask them questions such as:
 - Q Which do you think is the most serious?**
 - Q What impact has the event had on other people? Should that affect the outcome?**
- 4 When the students have had a chance to do this, compare how the groups have differed. Ask the groups to justify why they have made the choices they made and then go through the real life outcomes and how these compare to what they had thought.

The real life pairing are:
A4; B6; C1; D3; E2; F5.

5 Now ask the students if they can see any patterns or groupings in the cases. You could ask questions such as:

- Q Can you split the cases (A-F) into two different categories?**
- Q Which of these involve the police or other kind of official authority?**

If the students are finding this challenging, you could ask them which they think are actual crimes (A, B & C). Ask them to explain the reasoning behind that decision.

6 Whichever way you adopt, try to move towards clarifying the distinction between civil and criminal law. Working definitions could be as follows:

Civil Law provides a way of settling disputes between individuals or groups of people.

Criminal law covers behaviour that the state has decided must be discouraged or prevented by some kind of punishment.

Conclusion

You might like to draw the activity to a close by talking about the idea that everyone is more familiar with criminal law because of images of court, prison and the police from TV and media but civil law is a very important area of the law and covers a huge range of topics that impact on everyone's life almost every day. Finish off by stating that you're now going on to an activity that will look at some of these areas.

Activity 3 Civil or criminal?

In this final activity, students apply their understanding of civil and criminal law to a wider number of cases. The session concludes with a general discussion of how each category of case tends to be dealt with.

Facilitator's Notes

There are two main ways to run this activity - as a whole group or in pairs/threes

Whole Group - this might be a good idea if you are running out of time

Smaller Group - this might be a good idea if some voices are dominating the discussion

Introduction

Your conclusion from Activity 2 should lead you straight into Activity 3.

Activity

- 1 Give each group a set of slips (from page 14) and a civil/criminal law grid (page 13)
- 2 Reminding the group (if necessary) of the distinction between civil and criminal law, ask them to place each case in the appropriate section of the grid. (If you are doing this as a whole group have all the students guide you into which section each statement should be placed.)
- 3 Once the students have done this, go through the answers (overleaf) with them. As you do so try to explain/point out the following key points:

Q Where are crimes tried?

Crimes are usually dealt with through Crown or Magistrates' Courts with the offender normally being punished with a prison or community sentence or a fine.

Q How are you 'punished' in civil law?

Civil law deals with disputes between individuals, businesses and organisations. The cases result, not in a fine or sentence, but in an order for one side to pay the other financial compensation or to behave (or not behave) in a particular way.

Q Is it the victim in a criminal case that brings the case to court?

Crimes lead to an accused being prosecuted by (almost always) the state rather than the victim of the crime or their family.

*In **civil Law** a claimant brings the action against the defendant rather than the state.*

Q How much proof must there be for someone to be found guilty of a crime?

*With **criminal law** the prosecution must prove the guilt "beyond reasonable doubt" while in **civil law** the claimant must prove their case "on the balance of probabilities".*

Conclusion

Ask the students if they can come up with their own suggestions for examples of civil and criminal law.

Extention Activity

If you feel that students have grasped the key differences between civil and criminal law, you may like to explain that because of the different **standards of proof** required, the result of a criminal and civil action for the same thing may differ. An example of this is the case of O J Simpson who was tried for the murder of his wife in a criminal court and found not guilty but was later found liable for the killing in a civil court and ordered to pay millions of dollars in compensation.

Activity 3 What the law says

A **Someone deliberately takes something from a shop without paying for it**

Criminal law - theft is an offence.

B **A bus shelter is smashed and covered in graffiti**

Criminal law - criminal damage is an offence.

C **You buy an MP3 player that stops working after two weeks**

Civil law - consumers generally have the right to a refund if they purchase something that is not of satisfactory quality.

D **You download a lot of music from the internet without paying**

Criminal and civil law - breach of copyright is a criminal offence. It also becomes a civil matter if the owner of the copyright tries to obtain compensation for the losses that they have suffered.

E **Your neighbours play loud music at night, which stops you from sleeping**

Criminal and civil law - noise abatement is a civil matter and can lead to claims for compensation. It can also be a criminal offence and prosecution can lead to fines or forfeiture of the noise-making equipment.

F **Someone in your class is carrying drugs**

Criminal Law - it is an offence to possess an illegal drug

G **You see a car accident and suspect that one of the drivers may have been drinking alcohol**

Criminal Law - it is an offence to drive a car under the influence of alcohol.

H **You apply for a part-time job, but are turned down. You believe it is because of your ethnicity**

Civil law - unlawful discrimination is a civil matter.

I **A friend carries a knife. He says it's for self-defence, in case he is attacked**

Criminal law - it is an offence to carry something made or adapted to cause injury to someone.

J **You are in a hurry, and take a short cut across what you know is private land**

Civil law - despite notices saying "trespassers will be prosecuted", trespass is invariably not a criminal offence.

K **A 17-year-old buys a drink for herself and her 19-year-old friend in a pub**

Criminal law - it is an offence for someone under 18 to buy (or be sold) alcohol.

L

Two builders carry out some work on a house. They keep their price down by agreeing with the customer not to charge VAT

Criminal law - tax evasion is a criminal offence, with which both the builders and customer could be charged

M

A married couple split up and can't agree who will look after their child

Civil law - in this case, a court would decide on the arrangements that would be in the best interests of the child.

N

A man lets his friend borrow his car - although he knows his friend does not have the correct insurance

Criminal law - it is an offence to drive a car on a public road without valid insurance.

Plenary

If possible, try to leave some time at the end of the session to draw together the discussions that the students have had. If your group have got through the materials more quickly than you had planned use this time to refer back to points or debates that you think the students missed or could elaborate on.

You could mention...

That today's session was about starting to look at the law, how it works and how it affects us.

That we looked at how someone's age affects what they can and can't do, how the law deals with various law-related events and then at the distinction between criminal and civil law.

Mention that over the course of the year you'll be coming back in to look at different areas of law and how it affects young people.

Prompt Questions

Q What surprised you the most from what we've discussed today?

Q Are there any laws that you have particularly disagreed with?

Q Could anyone roughly say what the distinction between civil and criminal law is?

Conclusion/Wrap-up

Mention that over the course of the year you'll be coming back in to look at different areas of law and how it affects young people.

Evaluation

Ask the students to complete the Student Evaluation Form. Collect these back in and forward them to the Volunteer Co-ordinator at your organisation.

Still have time left?

If you still have some time to go why not use it to get to know the students a bit better. You could ask them about their study plans, university choices, career thoughts etc.

They will likely be interested to hear about you and your job, even simple things like what it's like to work in an office.

You could ask the students about their general thoughts on the law and legal system.

Do any of them plan to become lawyers? Barristers? Police Officers? Judges?

Activity 1 When can you...?

Look at the situations below, and try to decide how old you think a person should be to do each situation described. The minimum age for some of these activities is controlled by law - but for others, it is not.

Write your answers in the column headed 'Your Choice'.

	Activity	Your Choice Minimum age	The Law Minimum age
A	Buy cigarettes		
B	Baby-sit		
C	Vote in a local or national election		
D	Ride a bicycle on the main road		
E	Go to the doctor on your own		
F	Decide when to go to bed		
G	Get a part-time job		
H	Drive a car on the road		
I	Leave home		
J	Buy alcohol		
K	Have sexual intercourse		
L	Become responsible for your crimes		

Useful Websites

For more information on the ages at which young people acquire legal rights and responsibilities, see the Connexions direct website:

www.connexions-direct.com/index.cfm?pid=161&cataloguecontentid=176

Activity 2 Sorting out the Law

A A woman is accidentally knocked over and killed when a lorry driver fails to see her as he reverses his vehicle in a narrow street.	4 Fine £2,500 and nine points on the driver's licence
B A mistake by an employee at a chicken factory causes a town's sewage system to be blocked with chicken feathers and other remains. Normal sewage cannot be treated as a result of this, and the town is covered with an awful stench for several hours while the blockage is cleared.	6 Fine £16,000
C A man, high on drugs, attacks several people with a lighted blow torch, trying to scorch their face or clothes	1 Four and a half year's imprisonment
D A woman who works in a bar loses her job after she tells her employer that she is pregnant	3 £8,000 compensation
E A newspaper publishes a number of stories that wrongly blame someone for a little girl's disappearance.	2 £550,000 compensation
F Rachael had a pay-per-view satellite TV account and finds that she is being charged for films that she has not seen.	5 £240 compensation

Activity 3 Criminal or Civil?

Criminal law

Civil Law

Activity 3 Criminal or Civil?

A Someone deliberately takes something from a shop without paying for it	H You apply for a part-time job, but are turned down. You believe it is because of your ethnicity
B A bus shelter is smashed and covered in graffiti	I A friend carries a knife. He says it's for self-defence, in case he is attacked
C You buy an MP3 player that stops working after two weeks	J You are in a hurry, and take a short cut across what you know is private land
D You download a lot of music from the internet without paying for it	K A 17-year-old buys a drink for herself and her 19-year-old friend in a pub
E Your neighbours play loud music at night, which stops you from sleeping	L Two builders carry out some work on a house. They keep their price down by agreeing with the customer not to charge VAT
F Someone in your class is carrying drugs	M A married couple split up and can't agree who will look after their child
G You see a car accident and suspect that one of the drivers may have been drinking alcohol	N A man lets his friend borrow his car - although he knows his friend does not have the correct insurance