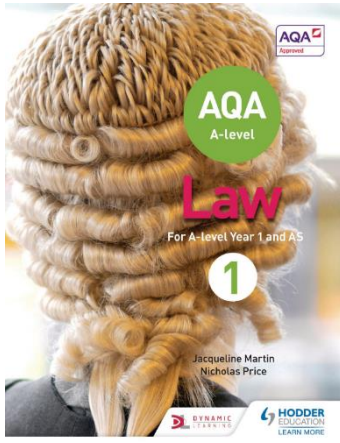


## Y12-Law, Mr Shaw. Summer research



*During the summer you are required to do some background work. Please find a list of key terms attached-you **will** be assessed on them the first week back. I would also like you to research each individual key term and produce at least one example of each (where possible).*

*Thanks, Mr Shaw.*

### Key Terms

- Appeal

The process by which a more senior court reviews the decision of a lower court.

- Civil law

The system of law concerned with private interactions between members of a community; rather than criminal law.

- Common law

The law developed mainly from judicial decisions based on precedent as opposed to statute; synonymous with case law.

- Consideration

A necessary element of any binding contract; conferring a benefit to the other party, or suffering some detriment or forbearance, in order to legally secure the agreement.

- Damages  
Monetary compensation awarded by a court.
- Doctrine  
A legal rule or principle.
- Express term  
A rule within a contract made explicit; either written or verbal.
- Green papers  
Used to gain views about proposed legislation from interested bodies; an initial consultation document, responses to which may or may not be acted upon.
- Guilty  
A court's verdict that the person charged with a crime is legally responsible for that crime.
- Implied term  
A rule within a contract which is not explicit but is read into the contract either by the courts, to reflect the true intentions of the parties to the contract, or by statute.
- Oblique intention  
The defendant foresees that the consequence of their actions is virtually certain.
- Jurisdiction  
The territory in which a court can operate and the power it has to deal with particular cases.
- Juror  
A member of a jury.
- Jury

A group of people selected to reach a verdict in a legal case, based upon the evidence presented and instructions on the relevant law.

- Lay people

Individuals involved with the legal process but without legal qualifications, eg magistrates and jurors.

- Magistrate

A Justice of the Peace who presides over cases in the magistrates' court.

- Obiter Dicta

‘Other things said’; comments and remarks not part of the legal rule.

- Offence

An act or omission which contravenes the criminal law.

- Omission

Failure to perform an act; inaction.

- Parliamentary supremacy

Parliament creates the highest form of law, which must be applied by the courts; Parliament can legislate on any matter and is not bound by its predecessors.

- Precedent

A judicial decision which binds equal or lower courts in its jurisdiction and which can be persuasive to higher courts in cases with similar facts.

- Remedy

Remedy is the means by which the contravention of a legal right is prevented, put right or compensated.

- Ratio Decidendi

The legal reason for a decision; the rule established by the decision, binding on equal or lower courts.

- Stare Decisis

Latin: 'to stand by things decided'. In legal practice: the principle that precedent should determine legal decision making in cases involving similar facts.

- Statute

A binding piece of legislation, synonymous with Act.

- Statutory interpretation

The process by which courts interpret and apply legislation.

- Subjective recklessness

The defendant is aware of a risk but proceeds regardless.

- Tort law

Rights, obligations and remedies applied by civil courts to provide relief to individuals harmed by the unlawful conduct of others.

- Transferred malice

When the mens rea of one offence can be transferred to another offence.

- White papers

Used to make clear Government's preferred approach to a future piece of legislation.