

**UNIT 1: DISPUTE SOLVING IN CIVIL LAW:- Cornerstones – Catholic – Inclusive – Broad – Knowledge Rich**

Calendar	Big Question/Theme	Small Questions	Assessment Opportunities and Criteria. Teacher Feedback point (TFP)	Homework
Autumn 1	A Civil dispute resolution	<p><b>A1 Features of civil law</b></p> <ul style="list-style-type: none"> <li>• Aim and purpose of civil law.</li> <li>• Standard and burden of proof in civil cases.</li> </ul> <p><b>A2 Structure and jurisdiction of the English civil courts</b></p> <ul style="list-style-type: none"> <li>• Civil court hierarchy:               <ul style="list-style-type: none"> <li>➤ civil courts of first instance</li> <li>➤ civil courts of appeal</li> <li>➤ reasons/permissions/how to appeal.</li> </ul> </li> <li>• Role of judges in civil cases.</li> </ul> <p><b>A3 Alternatives to the courts in civil dispute resolution Situations for use:</b></p> <ul style="list-style-type: none"> <li>• arbitration</li> <li>• conciliation</li> <li>• mediation</li> <li>• negotiation</li> <li>• ombudsman.</li> </ul> <p><b>A4 Legal skills</b></p> <ul style="list-style-type: none"> <li>• Legal sources.</li> <li>• Researching and referencing legal information.</li> <li>• Methods of appropriate professional communication with colleagues, lawyers, clients.</li> </ul>	TFP's Exam Scenario 1. Exam Scenario 2	Follow Homework Book
Autumn 2	B Enforcement of civil law	<p>Methods of appropriate professional communication with colleagues, lawyers, clients.</p> <p><b>B1 Sources of advice</b></p> <ul style="list-style-type: none"> <li>• Solicitors.</li> <li>• Barristers.</li> <li>• Citizens Advice.</li> <li>• Law centres.</li> <li>• Insurance companies.</li> <li>• The internet.</li> </ul>	TFP's Exam Scenario 3. Exam Scenario 4	Follow Homework Book

		<p><b>B2 Sources of funding</b></p> <ul style="list-style-type: none"> <li>• Own resources.</li> <li>• Insurance.</li> <li>• State funding.</li> <li>• Conditional fees.</li> <li>• Trade union membership.</li> <li>• Citizens Advice.</li> <li>• Pro bono.</li> </ul> <p><b>B3 The cost of taking legal action</b></p> <ul style="list-style-type: none"> <li>• Court costs.</li> <li>• Legal representation costs.</li> <li>• Awarding of costs against unsuccessful party.</li> <li>• Hidden costs, loss of reputation, enforcement of award.</li> </ul>		
<b>Spring 1</b>	<b>C</b> How precedent works	<p><b>C1 Precedent</b></p> <ul style="list-style-type: none"> <li>• The doctrine of precedent in the court hierarchy and its role in the development of the law of negligence.</li> <li>• Hierarchy of courts.</li> <li>• Ratio decidendi.</li> <li>• Obiter dicta.</li> <li>• Law reporting of decisions.</li> <li>• Following precedent: <ul style="list-style-type: none"> <li>➤ powers of the appeal courts</li> <li>➤ binding precedents</li> <li>➤ persuasive precedents.</li> </ul> </li> <li>• Avoiding binding precedents: <ul style="list-style-type: none"> <li>➤ distinguishing</li> <li>➤ overruling</li> <li>➤ reversing.</li> </ul> </li> <li>• How to research, find, read and interpret case law.</li> <li>• Advantages and disadvantages of the doctrine of precedent.</li> </ul>	TFP's Exam Scenario 5. Exam Scenario 6	Follow Homework Book
<b>Spring 2</b>	<b>D</b> Application of the law of negligence	<p><b>D1 Duty of care</b></p> <p>Three stage test:</p> <ul style="list-style-type: none"> <li>• proximity</li> <li>• foreseeability</li> <li>• fair, just and reasonable.</li> </ul> <p><b>D2 Breach of duty</b></p> <ul style="list-style-type: none"> <li>• Objective standard.</li> <li>• The reasonable person test: <ul style="list-style-type: none"> <li>➤ special characteristics of defendant</li> </ul> </li> </ul>	TFP's Exam Scenario 7. Exam Scenario 8	Follow Homework Book

		<ul style="list-style-type: none"> <li>➤ professionals</li> <li>➤ learners</li> <li>➤ children.</li> </ul> <ul style="list-style-type: none"> <li>• Special characteristics and risk factors of claimant: <ul style="list-style-type: none"> <li>➤ the risk of harm o social utility o taking of precautions.</li> </ul> </li> </ul> <p>D3 Damage</p> <ul style="list-style-type: none"> <li>• Factual causation: <ul style="list-style-type: none"> <li>➤ the ‘but for’ test.</li> </ul> </li> <li>• Remoteness of damage: <ul style="list-style-type: none"> <li>➤ reasonable foreseeability</li> <li>➤ the type of damage caused</li> <li>➤ the thin skull rule.</li> </ul> </li> </ul> <p><b>D4 Damages</b></p> <ul style="list-style-type: none"> <li>• The aim of awarding damages in negligence.</li> <li>• Special damages: <ul style="list-style-type: none"> <li>➤ pecuniary.</li> </ul> </li> <li>• General damages: <ul style="list-style-type: none"> <li>➤ pain and suffering</li> <li>➤ loss of earnings</li> <li>➤ loss of amenity</li> <li>➤ future medical expenses.</li> </ul> </li> <li>• Mitigation of loss.</li> <li>• Contributory negligence.</li> <li>• Payment: <ul style="list-style-type: none"> <li>➤ lump sum</li> <li>➤ structured settlement.</li> </ul> </li> </ul> <p><b>D5 Burden of proof and res ipsa loquitur</b></p> <ul style="list-style-type: none"> <li>• Burden of proof in negligence cases.</li> <li>• Res ipsa loquitur.</li> </ul>		
--	--	--	--	--