**Summer work for Law – question sheet**

|  |
| --- |
| **Task 1 – research task**  |
| Find the case of Lister v Hesley Hall and answer the questions below. The full judgment of the case is here, but there are lots of other references to it on the internet:  [House of Lords - Lister and Others (AP) v Hesley Hall Limited (parliament.uk)](https://publications.parliament.uk/pa/ld200001/ldjudgmt/jd010503/lister-1.htm) |
| 1(a) | Which court was this hearing held in? |  |
| 1(b) | How many judges decided the appeal? |  |
| 1(c) | Who was Mr Grain? |  |
| 1(d) | What was Hesley Hall Ltd? |  |
| 1(e) | Who was Lister? |  |
| 1(f) | How many judges heard the appeal? |  |
| 1(g) | What legal principle was established by this case? (See paragraph 28) |  |
| **Task 2 – Theft Act** |
| Look up the Theft Act 1968: [Theft Act 1968 (legislation.gov.uk)](https://www.legislation.gov.uk/ukpga/1968/60/contents) Using the definitions in the Act, briefly explain: |
| 2(a) | The differences between theft and robbery |  |
| 2(b) | The differences between theft and burglary |  |
| 2(c)  | The difference between burglary and aggravated burglary |  |
| Look at section 2. Would the following people be found guilty of theft? Give a reason for your answer. |
| 2(d)  | Jane picks up a blue coat at the end of a party, thinking it is hers. It turns out it belongs to Natalie, not Jane. | * Guilty of theft?
* Reason:
 |
| 2(e)  | Jack works in the same office as Joe. They are good friends. Jack takes some of Joe’s coffee from his jar. | * Guilty of theft?
* Reason:
 |
| Look at section 4. Would the following people be found guilty of theft? Give a reason for your answer. |
| 2(f)  | Jim picks some wild orchids and sells them at the market. | * Guilty of theft?
* Reason:
 |
| 2(g)  | Jenny is moving out of her flat rental into a new house. She takes the washing machine with her. | * Guilty of theft?
* Reason:
 |
| **Task 3 - Summary** |
| Summarise this text into 60 – 80 words. Use the example on the Task to help you. |
| **What is the role of the legal advisor in the Magistrates’ Court?**Magistrates are judges who are not qualified in law. As they have no legal training, it is essential that they have ready access to advice from an expert in the court who can tell them what the law says and what the procedure is that they should follow, and who can explain it to the magistrates so that they can understand it. The legal adviser must be a solicitor or a barrister with at least five years of experience, so they are well qualified to give good advice to the magistrates. Their duty is to guide the magistrates on questions of law, practice and procedure, but not to tell them whether they should find the defendant guilty or not guilty. They also should not advise the magistrates on what sentence they should give the defendant. That is for the magistrates to decide independently when they ‘retire’ into the retiring room to make their decisions. This is why, in court, the legal advisor does not normally ‘retire’ with the Magistrates while they come to their decision. If the Magistrates need help from the legal advisor in the retiring room, they can ask them to come in for as long as it takes them to explain whatever the Magistrates need to be explained, but no longer. This is because ‘*justice must not only be done, but must be seen to be done*’. Everyone who is in the court while the Magistrates are coming to their decision (the public, the Defendant and their family/friends, the victim and their family/friends, the court reporter etc.) can therefore see with their own eyes that nobody is influencing the Magistrates and they are coming to an unbiased decision based only on the evidence and their own judgment. This means that the justice system can be seen to be fair, and the Magistrates, who are normal members of the public, can be seen to come to a decision which is not affected by officials or non-magistrates. The legal advisor stays in court, where the other people in court can see them. This helps the defendant, the victim and the public trust that the legal system is fair.  |
| **Write your 60 – 80 word summary here:** |