

Department of Laws

Level 2 Certificate/Diploma in Legal Studies

*‘Principles of liability’*

**All tasks/assignments must be  
completed as per the dates in the  
ILEX Contract.**

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Only the 'ILEX Moderation Panel' can extend/change assignment submission deadlines (your Laws Tutor/Teacher cannot).

Appeal Process: Any student who is unhappy with their assignment grades (or on any other issue - including being excluded from the 'ILEX Legal Studies Course' for failing to submit a task/assignment in accord with the 'ILEX Legal Studies - Assignment Contract') does have a right to make an appeal to the 'ILEX Moderation Panel'. Appeals should be submitted - in writing - to Dr Peter Jepson (Chair of the 'ILEX Moderation Panel', Strode's College). Please see your Laws Teacher, Personal Tutor, or Learning Support, if you require advice or help with making such an appeal.

# The Department of Laws

## ***ILEX Award/Certificate in Legal Studies***

### **‘ILEX Legal Studies - Assignment Contract’**

(1) **This contract is an agreement between your Laws Teacher and you the student.** It spells out the inspection dates for all assignments/tasks and the final portfolio deadline for submission. No extensions of time are possible. When completed the assignment outcome should be recorded on your Individual Learning Plan (Mr Bunce is responsible for the inspection and/or marking of the assignment tasks).

(2) **Unit 205: Law in the Workplace (Assignment 1)** – five tasks to be completed by Monday the 8th December 2008 (all five tasks need to be handed in together – i.e. in a portfolio, signed and complete - on this date).

**Task 205/1** - to be submitted Monday 29th September 2008 for inspection.

**Task 205/2** - to be submitted Monday 13th October 2008 for inspection.

**Task 205/3** - to be submitted Monday 3rd November 2008 for inspection.

**Task 205/4** - to be submitted Monday 17th November 2008 for inspection.

**Task 205/5** - to be submitted Monday 8th December 2008 for inspection.

(3) **Unit 201: The Legal Environment (Online Multiple Choice Test)** the date of this examination will be determined by your Laws Teacher and is likely to take place in *November/December 2008*. There are no assignments/tasks for this module.

(4) **Unit 202: Principles of Liability (Assignment 2)** There are *six tasks* to be completed: [

**Task 202/1** - to be submitted Monday 19th January 2009 for inspection.

**Task 202/2** - to be submitted Monday 9th February 2009 for inspection.

**Task 202/3** - to be submitted Monday 9<sup>th</sup> March 2009 for inspection.

**Task 202/4** - to be submitted Monday 30<sup>th</sup> March 2009 for inspection.

**Task 202/5** - to be submitted Monday 27<sup>th</sup> April 2009 for inspection.

**Task 202/6** - to be submitted Monday 11<sup>th</sup> May 2009 for inspection.

**Final Submission (Portfolio)<sup>1</sup> Deadline:** Monday 11<sup>th</sup> May 2009.

**I understand this contract** (it has been explained to me) **and I agree that I must complete my written/typed tasks/assignments in accord with the above timetable. I recognise that any failure to complete - as per the timetable – may/will result in my failing the ILEX course** (this may/must mean that you will have to leave the course). I have been advised of a written appeal process via Dr Peter Jepson (Chair of the ILEX Moderation Panel).

Student signature: ..... Laws Teacher .....

Date: .....

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<sup>1</sup> All assignments (tasks) must be submitted in a portfolio (i.e. in a folder, signed and complete) for the final deadline.

# Level 2 Certificate/Diploma in Legal Studies – Principles of liability

## 7462-202

### Outcomes

Task	Evidence	Outcome reference Underpinning Knowledge
1	Notes explaining what is meant by “coincidence of actus reus and mens rea” and what the actus reus and mens rea are for assault and battery and maliciously wounding with intent to do grievous bodily harm.	1 – 1.1 1.2 1.4
2	Draft letter explaining what is meant by an offence of strict liability.	1 – 1.3
3	Briefing notes explaining whether a buyer can insist on buying a product at the incorrect price shown on the price ticket.	2 – 2.4
4	A memorandum explaining the presumptions that apply to agreements and whether they are deemed to establish an intention to create legal relations.	2 – 2.1
5	A set of notes for a presentation which explain the ‘neighbour principle’.	3 – 3.1
6	Draft letter advising whether a cricket club and its players have been negligent concerning damage to someone’s property.	3 – 3.2

# Level 2 Certificate/Diploma in Legal Studies – Principles of liability

## 7462-202

### Assignment 7462-202

You are advised to read all instructions carefully before starting work. Check with your Assessor/Tutor, if necessary, to ensure that you have fully understood the process.

You must, at all times, observe all relevant Health and Safety requirements.

**This assignment should take you no longer than six hours to complete, excluding research activities. You are required to work to the time frame and deadlines as set out by your Assessor/Tutor.**

### Introduction

This assignment is broken down into six tasks:

Task 1 requires you to prepare notes explaining what is meant by “coincidence of actus reus and mens rea” and what the actus reus and mens rea are for assault and battery and maliciously wounding with intent to do grievous bodily harm.

Task 2 requires you to draft a letter which explains what is meant by an offence of strict liability.

Task 3 requires you to prepare briefing notes which explain whether a buyer can insist on buying a product at the incorrect price shown on the price ticket.

Task 4 requires you to prepare an internal memorandum explaining the presumptions that apply to agreements and whether they are deemed to establish an intention to create legal relations.

Task 5 requires you to prepare a set of notes for a presentation which explain the ‘neighbour principle’.

Task 6 requires you to draft a letter advising whether a cricket club and its players have been negligent and whether someone can recover compensation for the damage to their property.

### Note

- You will need access to the 7462 Level 2 Legal Studies Assignment guide to enable you to complete this assignment.
- You should read through the instructions for each task carefully before you start.
- Make sure you do **everything** you are asked to do in the instructions and other notes.
- When you have completed all the tasks, re-read the instructions again just before you proof read your work for the last time.
- Ensure your name, your City & Guilds registration number, task number and the date are on all documentation.
- At the conclusion of the task/assignment, hand all paperwork to your Assessor/Tutor.

# **Level 2 Certificate/Diploma in Legal Studies – Principles of liability**

## **7462-202**

### **Scenario**

You are working as a trainee legal assistant in Ingram, Lochee and Exton, a firm of solicitors with various branches in the UK. As part of your training in the various departments, you are asked to complete the following tasks which will be assessed by your line manager to decide your level of knowledge and understanding.

### **Task 1**

You are working in the Criminal Litigation Department. As part of your appraisal the partner (Mrs Nishad Lochee) has asked you to prepare some notes explaining

- a) what is meant by “coincidence of actus reus and mens rea”. You must illustrate your answer by one example of how actus reus and mens rea coincides.
- b) what is the ‘actus reus’ and ‘mens rea’ for the offences of
  - i) assault and battery
  - ii) maliciously wounding with the intent to do some grievous bodily harm.

You must use appropriate cases to support your explanations.

### **Task 2**

You have been asked by Mrs Lochee to draft a letter which can be used to explain to clients what is meant by an offence of strict liability. You must give at least one example and use cases to illustrate your explanation.

### **Task 3**

A local computer shop owner has had a problem regarding a laptop computer that appears to have been displayed for sale with an incorrect price ticket attached. He wishes to know the legal position on this.

Prepare briefing notes for a meeting, identifying appropriate cases, which explain whether a buyer can insist on buying the laptop at the incorrect price shown on the price ticket. Ignore the provisions of the Trade Descriptions Act 1968.

### **Task 4**

A sixth form work experience student in the Civil Litigation Department is unsure about what is meant by “intention to create legal relations” in contract law. You have been asked to prepare a briefing sheet for use by the student explaining the presumptions that apply to agreements and whether they are deemed to establish an intention to create legal relations. You should not extend this to the position of minors. You should use appropriate cases to support your explanation.

# **Level 2 Certificate/Diploma in Legal Studies – Principles of liability**

## **7462-202**

### **Task 5**

As part of your review you have been asked to prepare a presentation on the topic of your choice. You have decided to base your presentation on the 'neighbour principle' as established by Lord Atkin in *Donoghue v Stevenson* (1932). Prepare a set of notes in preparation for the presentation. You should use at least one appropriate example and relevant cases.

### **Task 6**

You have been asked to advise a local cricket club with regard to its possible liability to Mrs Mayhew who lives next to the cricket ground. Each season about six cricket balls are hit out of the ground by players and break the glass in Mrs Mayhew's greenhouse.

Prepare a draft letter to Mr Geoffrey Bayliss, the Cricket Club Secretary, advising whether the cricket club and its players have been negligent so that Mrs Mayhew can recover compensation for the damage to her property. Use appropriate cases to support your advice.

# Level 2 Certificate/Diploma in Legal Studies – Principles of liability

## 7462-202

### Marking & grading criteria

(Not to be shown to candidates)

Assignment number	7462-202
Version	A

<b>Candidate name:</b>	
<b>Enrolment no:</b>	
<b>I confirm that all work submitted is my own</b>	
<b>Signature:</b>	
<b>Date:</b>	<b>Pass / Merit / Distinction / Re-sit</b>

<b>Assessor name:</b>	
<b>Signature:</b>	<b>Date:</b>

Internal Quality sampled by:	
<b>Signature:</b>	<b>Date:</b>