

### A Level and Applied Law *Activity 1*

#### Criminal Law vs Civil Law

The English Legal System (ELS) is effectively split into halves: criminal law and civil law.

Examine the following glossary to appreciate some of the key principles of each.

	Criminal Law	Civil Law
Purpose of the law	To maintain law and order, to protect society	To uphold the rights of individuals
Person starting the case	Usually the state through the Crown Prosecution Service (CPS)	The individual whose rights have been affected
Legal name for that person	Prosecutor (often based on the Victim's evidence)	Claimant
Courts hearing cases	Magistrates' Court, Crown Court	County Court, High Court
Standard of proof	Beyond reasonable doubt	On the balance of probabilities
Person/s making the decision	Magistrates in the Magistrates' Court; a judge and jury in the Crown Court	A judge
Decision	Guilty (convicted) or not guilty (acquitted)	Liable or not liable
Powers of the court	Prison, community order, fine, driving ban etc	Usually an award of damages (compensation)

On the next page are three newspaper articles. Use the table above to identify whether they involve matters of criminal law or civil law.

### SOURCE A

#### **Nurse Lucy Letby sentenced for murdering seven babies**

Neonatal nurse Lucy Letby has been convicted of murdering seven babies and attempting to murder six others while working at the Countess of Chester Hospital.

Manchester Crown Court heard she targeted 17 babies between June 2015 and June 2016.

After listening to nine months of often harrowing evidence and deliberating for more than 110 hours, the jury of seven women and four men found the 33-year-old guilty of the unthinkable.

She had faced 22 charges - seven of murder and 15 of attempted murder, involving 10 babies.

Letby was accused of several attempts to kill some of the infants, but jurors were unable to agree verdicts on six counts of attempted murder, relating to four babies.

Letby received a whole life order meaning she will never be released. The eleven members of the jury have been discharged from jury service for life.

*BBC News, 21 August 2023*

### SOURCE B

#### **Drunk woman damaged her neighbour's cars**

A woman has been ordered to pay compensation after damaging two of her neighbour's cars while drunk. Chantelle Grant pleaded guilty to criminal damage when she appeared at Huddersfield Magistrates' Court. She caused damage to a white Mercedes and black Nissan Qashqai parked on Main Avenue, Cowlersley, on 22nd July.

A witness saw the 28-year old's drunken antics in the street and called the police.

Her solicitor explained that his client's problems began a year ago when she split from her long-term partner. He said: "my client started to binge drink, and this has been ongoing since the split. Social Services became involved, and she does rise and fall with her drinking depending on whether she's missing her daughter or not."

*Huddersfield Examiner, 29 August 2017*

### SOURCE C

#### **Negligence at Lancashire hospital caused boy permanent brain damage**

An 11-year-old boy suffered permanent brain damage after birth because of negligence by hospital midwives who then fabricated notes, a High Court judge has ruled.

Jayden Astley's challenges in life include deafness, motor impairments, cognitive difficulties and behavioural difficulties, his lawyers said.

After a five-day trial at the High Court in Liverpool, the judge ruled that staff at the Royal Preston hospital were negligent in their treatment of Jayden in 2012.

The brain injury was caused by prolonged umbilical cord compression that resulted in lack of oxygen sustained during the management of the birth, the court found.

The judge said it was agreed that all permanent damage to Jayden's brain would have been avoided if he had been delivered three minutes earlier.

Trevor Ward, the family's solicitor, said it had been a "traumatic and difficult journey" for the family. An award of compensation taking into account Jayden's care needs will be decided upon at a future hearing.

*The Guardian, 2 August 2023*

Explore which side of the ELS the articles fall under, and why.

If you wish to extend this task, try to find news articles yourself from this week. Are they in relation to criminal or civil law, and how do you know this?