

GCE

LAW: Civil Courts Civil Process

SUGGESTED IDEAS FOR TEACHING/LEARNING



SUGGESTED IDEAS FOR TEACHING AND LEARNING

Teacher /Lecturer:	
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Course:	AS Level Law
Topic:	Civil Courts
Session:	Civil Process

Unit:	Component 1
Ref. to specification:	The Nature of Law and the English Legal System
Suggested time allocation:	2 - 4 hours

Aims & Objectives: At the end of these sessions the student will be able to:

- **Explain** the civil court structure and appellate functions of civil courts.
- **Outline** the problems identified by Lord Woolf prior to the passing of the Civil Procedure Rules 1998.
- **Describe** the changes brought about by the Woolf Reforms, to include: simplification of procedures, judicial case management, pre action protocols and encouragement of ADR.
- **Evaluate** whether the Woolf Reforms have been a success.

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Before embarking on the Civil Process and the Woolf Reforms, it may be worth discussing the **Civil Appeals** Powerpoint to provide a background into the civil courts and appeals process. This will be teacher led and will provide the foundations to go on to talk about the Civil Process.
 - Introduce the topic with reference to the aims and objectives set out above.
This topic benefits from the students being able to see civil forms e.g. a claim form – these are available online at <http://www.hmica.gov.uk/> and to familiarise themselves with statistics e.g. numbers of claims at County Court and High Court.
 - Recap the difference between civil and criminal law and emphasise the difference in terminology.
- Activity – Board work** – You may want to refer back to **Civil Appeals** PowerPoint for basic recap on civil court structure and the differences between civil and criminal law.
- Highlight the main problems identified in the civil justice system by Lord Woolf, and the legal authority that led to the **Civil Procedure Rules 1998**.
 - Explain Lord Woolf's aims in relation to a successful civil justice system, and the fact that he achieved this by making changes around four broad areas: Simplification of Procedures, Judicial Case Management, Pre Action Protocols and Encouragement of ADR.
 - Explain the Woolf Reforms, one broad area at a time using direct questioning throughout.
- Activity – Simplification of Procedures** – learners could be encouraged to access an N1 claim form online in order to familiarize themselves with its accessibility and simplicity.
- Activity – Simplification of Procedures** – following on from a discussion of the new procedure, using the flowchart on the PowerPoint, learners should engage in the **Role Play** scenarios in order to get them used to using the correct terminology and to help them learn the requirements of the three tracks.

- When looking at the Pre Action Protocols, again it is useful for learners to access the Civil Procedure Rules on a multimedia device and look at the sort of evidence required for each category of claim: http://www.justice.gov.uk/courts/procedure-rules/civil/protocol/prot_pic
- When looking at the requirement to encourage ADR, explain the sanctions available to enforce the Civil Procedure Rules – adverse award of costs and order for a case to be struck out – leading case for this is ***Biguzzi v Rank Leisure plc(1999)UCB Halifax (SW) Ltd (1999)***

Activity – Glossary of Terms – following on from a discussion of all four areas of reform, learners should create a glossary of the Key Terms outlined on the PowerPoint. This is important as there is a lot of subject specific terminology in this topic.

- Explain that there was mixed reaction to the introduction of the reforms and two key commentators were central to this: **Michael Zander** and **Tony Allen**.

Activity – Evaluation – looking at the Articles provided, learners should complete the evaluation worksheet: **Critique of the Woolf Reforms**

Feed back on this activity using the slides in the PowerPoint which cover all the key areas of the Woolf Reforms.

Student Activities:

- Group work – discussion of the differences between civil and criminal law.
- Research – look at key civil procedure documents – claim form, court statistics, and pre action protocols.
- Short essay writing on critique of Woolf Reforms.
- Role Play – in pairs, learners assume the roles of legal adviser and client and are to carry out the role plays to help in their knowledge consolidation.

Suggested links / resources:

- PowerPoint presentation
- Teacher Guide
- Worksheet: **Critique of Woolf Reforms**
- Articles:

‘Zander on Woolf’ by Michael Zander, *New Law Journal* 13 March 2009

‘A Few Home Truths’ by Tony Allen, *New Law Journal* 3 April 2009

- Useful links:

Claim Form

<http://www.hmica.gov.uk>

Assessment

During the lesson

Group exercises and direct questioning show how much the students have understood the law relating to the Civil Procedure Rules and the success of the Woolf Reforms.