

GCE

LAW:
Civil Courts
Civil Process

SUGGESTED IDEAS FOR
TEACHING/LEARNING



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

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| Unit: | Unit 1 |
| Ref. to specification: | The Nature of Law and the English and Welsh Legal System |
| Suggested time allocation: | |

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, 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 of Learning

During the lesson

Group exercises and direct questioning show how much the students



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have understood the law relating to the Civil Procedure Rules and the success of the Woolf Reforms.

Subsequent to
lesson



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TOPIC:

| Questions: | | Expected answers: |
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