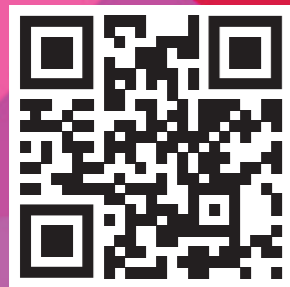


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OCR A-LEVEL LAW

GRADE BOOSTER

2026 Revision Workshop

Student Name:

OCR A-LEVEL LAW GRADE BOOSTER

REVISION WORKSHOP 2026

Welcome to our Law Grade Booster Workshop. This workbook is designed to be used during the Grade Booster cinema workshop session to record your answers and any useful tips / advice provided by the presenters

Inside this workbook you will find a mix of retrieval and exam focused activities, along with examiner tips and guidance. Topic area and exam technique is focused on linear OCR A-Level Law. You will also gain full access to the online Grade Booster digital course with further videos, activities, guidance and exam practice resources. Visit the website to access the free bonus revision and exam practice materials on a wide range of topics as a thank you for attending this course.

This cinema workshop is supported by an online course. Use the QR code on the back page to enrol on the course!

The Key Exam Skills

A01	Demonstrate knowledge and understanding of the English legal system and legal rules and principles
A02	Apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology.
A03	Analyse and evaluate legal rules, principles, concepts and issues.

Session 1 Maximising marks in the 20-mark scenario questions
Topic focus: Negligence

Session 2 Success in Section A: Answering 8 and 12 mark questions
Topic focus: Legal System

Short 15-minute comfort break

Session 3 Effective Evaluation for Section B
Topic focus: Vicarious Liability

60-minute lunch break

Session 4 Enhancing Application Skills
Topic focus: Non-Fatal Offences



SESSION 1

Maximising marks in the 20-mark scenario questions

TOPIC FOCUS: NEGLIGENCE



Exam Reference:

H418/02 – Law making and the law of tort (Paper 2)

The tort of negligence is a substantive topic that appears in paper 2 of the OCR Law A-Level exam series. 60 marks out of 80 are allocated to substantive law topics in this paper. You will be required to accurately explain the principles of negligence (A01) and apply them to scenario based situations (A02) as well as analyse and evaluate the law of negligence (A03).

INTRO – Negligence case activity

Name the case.... Add the case name in the space to the right of the corresponding picture clue.



Exam Gold

- The three elements of negligence (*duty of care, breach of duty and caused damage*) make up the structure of your answer.
- The question can require negligence as a whole or for a specific part of negligence to be discussed e.g., duty of care.
- When discussing duty of care, you should cite *Robinson v CC of WYP (2018)* and explain and apply the principles used to establish a duty:
 - 1 Discuss whether any **existing duties** apply to your scenario
 - 2 Consider if there are any similar duties which could apply by **reason of analogy**
 - 3 If the duty appears completely **novel** – apply the **incremental approach** established in *Caparo v Dickman (1990)*

Activity 1: Establishing existing / analogous duties

	Established / analogous duty	Legal authority
1	Doctors – Patients	
2	Manufacturers – Consumers	
3	Employers – Employees	
4	Chef/Caterer – Consumers	
5	Drivers / Road Users – Pedestrians	
6	Solicitors / Barristers – Clients	
7	Police – Public	
8	Teachers - Students	

Activity 2: A01 Negligence Knowledge Organiser

Area	Definition	Case Authority
Intro	Negligence is a common law tort where the defendant (D) causes damage or injury to a claimant (C). There is a three-part test for negligence to be proven. The D must owe a duty of care to the C; the D must breach their duty and; the breach must cause damage to the C.	
Duty Of Care	<p>Firstly, a duty of care must exist between the D and C. The test for establishing a duty of care was clarified in the case of Robinson v Chief Constable of West Yorkshire Police:</p> <ol style="list-style-type: none"> 1 Duty through existing statutes and precedents 2 Duty by reason of analogy from existing duties 3 In novel situations the court should apply the incremental approach established in Caparo v Dickman taking into account factors such as; whether some harm was reasonably foreseeable from the Ds actions; proximity (though time and space or relationship) between the C and the D and; whether it would be fair just and reasonable to hold the D accountable for the damage. 	
Breach of Duty	<p>Secondly, the D must breach their duty of care, this means failing to reach the expected standard of care.</p> <p>Reasonable Man - D is judged objectively against the reasonable man (RM) carrying out the same task. Breach would occur by the D failing to do something that the RM would do or doing something that the RM wouldn't do.</p> <p>Special characteristics of the D Certain characteristics can be applied to the RM. These include</p> <ul style="list-style-type: none"> • Learners – Where D is a learner or trainee, they are compared to the reasonably competent qualified person carrying out that same task. • Professionals – Where D is a professional, they are compared to a reasonably competent professional carrying out that same task, taking into account common practices of the professional body. • Children – Where D is a child they are compared to a reasonably competent child of that age. 	

Area	Definition	Case Authority
	<p>Risk Factors - These are particulars of the case that may higher or lower the standards of care further. These include;</p> <ul style="list-style-type: none"> • Size of the risk – dependant upon the size (large or small) reflects the standard of care owed. • Knowledge of the danger – where the D is aware of the danger and risks it posed the standard of care will be higher, where there they are unaware the standard of care will be lower. • Practical precautions – the courts will assess whether it was relatively easy or unreasonable to take any such precautions and reflect the standard of care owed. • Special characteristics of the C – if the C has a characteristic that increases their vulnerability this may increase the standard of care. • Social utility / times of emergency – where the act has societal value, wider benefits to the community or is undertaken in times of emergency this can lower the standard of care owed. 	
Caused Damage	<p>Damage refers to the loss incurred by the C, the injury or damage to property they suffered as a result of Ds breach.</p> <p>Factual causation – It must be established that 'but for the D's actions the C would not have suffered damage.'</p> <p>Legal causation – The D is not responsible for intervening acts which are unforeseeable and break the chain of causation.</p> <p>Remoteness – The harm that C suffers must not be too remote, meaning it must be reasonably foreseeable. Only the type of damage needs to be reasonably foreseeable, not the extent or way in which it was caused. Where the C has a pre-existing condition or unique characteristic the D is still liable as they must take the C as they find them (thin skull rule).</p>	



Examiner Top Tip! For a scenario question that requires a full discussion of negligence you should structure your knowledge to discuss all three parts of negligence, however within each section you can select the relevant knowledge that is required in relation to the scenario facts.

- **Duty of care** – you only need to discuss the duty that applies.
- **Breach of duty** – you only need to discuss the special characteristics of the D and the risk factors that apply.
- **Caused damage** – you only need to discuss the extent of the damage/way in which it occurred or thin skull rule if they apply.

Discussing irrelevant factors will gain you little/no credit.

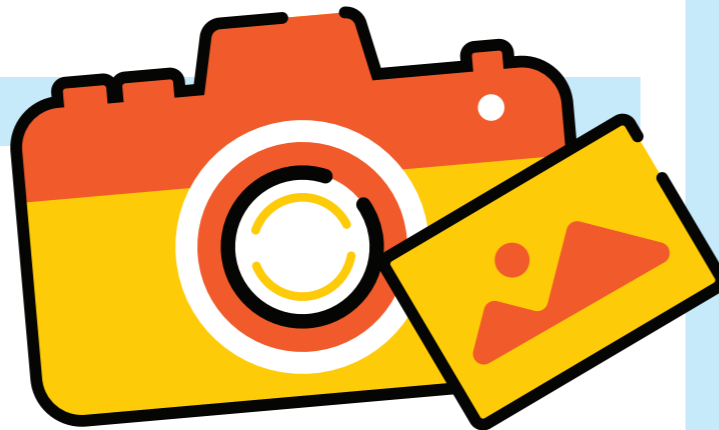
Activity 3: Give me 4 – Exam Tips

Top tips for answering scenario questions

1	
2	
3	
4	

Activity 4: Snapshot Apply

Doctor Brown had been working for 13 hours without a break. He was very tired and forgot to check the medical records of his patient, Alex. Alex was allergic to penicillin. Doctor Brown gave Alex some penicillin and went to see another patient. 1 hour later Alex was covered in a red, itchy rash which caused him painful skin blisters.



Snapshot - Duty of Care

Apply the Robinson test for duty of care:

In this scenario there **is/is not** a duty of care between the D and the C established through _____
because _____

Snapshot - Breach of Duty

Apply the RM test for breach of duty:

The D **has/has not** failed to reach the expected standard of care because _____

The RM would have acted the **same/differently** to the D because _____

Apply breach of duty: D's characteristics and risk factors:

What special characteristics of the D apply here?

What risk factors apply here?

Snapshot - Caused Damage

Apply caused damage:

What is the damage caused?

Apply factual causation –


Are there any intervening acts here?

Apply remoteness -

Conclusion:

Activity 5: A02 Negligence Application Structure

Area	Application
Duty of Care	<p>In this scenario there is/is not a duty of care between the D and the C established through _____ because _____</p> <p><i>If the scenario is a novel situation remember to also discuss the incremental factors from Caparo and how these may apply to the scenario.</i></p>
Breach of Duty	<p>The D has/has not failed to reach the expected standard of care because _____</p> <p>Reasonable man – The RM would have acted the same/differently to the D because _____</p> <p>_____</p> <p>Special characteristics of D's – The D has a special characteristic of _____ this means they are compared to _____ they have/have not reached the expected standard of care because _____</p> <p>Risk Factors – The risk factor of _____ applies because _____ this increases/decreases Ds expected standard of care meaning _____</p> <p><i>Only include the special characteristics and risk factors that apply, if any.</i></p>
Caused Damage	<p>The damage C has suffered includes _____</p> <p>Factual causation – But for the D _____ the C would/would not have suffered damage because _____</p> <p>Legal causation – There are/are not any intervening acts.</p> <p><i>If there are any intervening acts apply these – remember D is only responsible for any foreseeable intervening acts.</i></p> <p>Remoteness – The harm that C suffered of _____ is/is not too remote because _____ This type of damage is foreseeable/unforeseeable. It does not matter the extent or way in which is happened.</p> <p><i>If there are multiple forms of damage, you should apply remoteness to each type of damage. Remember that you only need to apply the thin skull rule if the C has a vulnerability / particular circumstance to consider.</i></p>
Conclusion	<p>In conclusion the D is/is not liable in negligence for the damage C suffered.</p> <p><i>Remember if there is multiple damage caused to the C you should conclude for each type of damage. Also, if there are multiple claimants/defendants you should apply to each separately.</i></p>

 **Examiner Top Tip!** If you struggle with time you can interleave (state and explain an area and then apply it before moving onto the next area). Make sure you time yourself for your questions.

Before answering an application question, you should annotate the scenario and the question. Once you have read the scenario more than once, write a plan. Note the name/s of the claimant/s and defendant/s referred to in the question and the relevant areas for discussion. If you start discussing aspects not required by the question, although your content may be accurate, it will not gain credit.

SESSION 2

Success in Section A: Answering 8 and 12 mark questions



TOPIC FOCUS: LEGAL SYSTEM AND LAW MAKING

Exam Reference: H418/01 – The Legal System and Criminal Law (Paper 1)
H418/01 – Law Making and Tort Law (Paper 2)

Section A on paper 1 covers the English Legal System and on paper 2 it covers Law Making. These are smaller topics that help to form your foundation for understanding the legal system and different areas of substantive law. There are 20 marks available in total for Section A on each paper. You will answer one 8 mark A01 knowledge question and one 12 mark A03 evaluation question. You will be required to accurately explain the area of the legal system or law making (A01) as well as analyse and evaluate the area of the legal system or law making (A03).

Activity 1: Jury Members

Are the following people eligible for jury service?



Edna is 87, she has been called for jury service

Yes No

Explain



Marco is deaf and requires a British Sign Language interpreter

Yes No

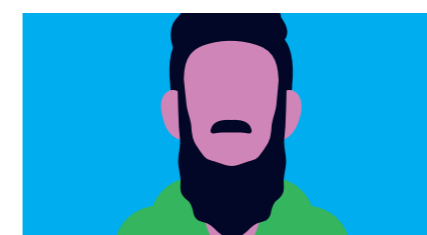
Explain



Amaani is 27 and is a refugee, she has gained citizenship status and has lived in the UK for 4 years

Yes No

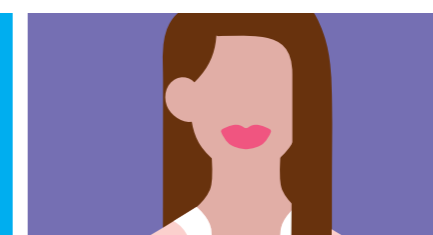
Explain



Collin owns his own business and has told the court that he doesn't want to do jury service

Yes No

Explain



Yvonne has a criminal record for shop lifting, she spent 3 years in prison. She has not broken the law since and is now an upstanding member of society

Yes No

Explain



Xiao is a barrister, he works in Birmingham but lives in London, he has been summonsed to jury service at his local Crown Court

Yes No

Explain



Exam Gold

These topics are often given lower priority in student revision. There is great value in learning these smaller topic areas as they equate to 25% of the overall paper. Remember that Section A is worth a total of 20 marks on each of the exam papers, which is the same as one 20-mark scenario question. Students who learn and answer the questions within Section A well, usually achieve higher marks and grades overall.

List the three qualifications for jury service that are found within the Juries Act 1974 (amended by the Criminal Justice and Courts Act 2015)

1

2

3

Can you list any other requirements for or exclusions from jury service?

Activity 2: Using Acronyms to Remember A01



Exam Gold

There are a lot of smaller topics to remember in the exam, it can be hard to recall the main elements of each of these areas. An examiners top tip is to try to create acronyms to help you recall this information quickly in the exam. An acronym is a word formed by taking the first letters of a group of words to make it easier to remember.

An acronym to recall the 6 key qualities that are needed to become a magistrate in the UK.

G	
U	
M	
S	
S	
C	

Or you could use a mnemonic:

“Good Understanding Supports Magistrates’ Sound Choices”

Activity 3: Making Burger Paragraphs



Exam Gold

Making generic evaluation points that do not address the specific topic and question will score no marks. Answers need to specifically link the evaluation point to the area of law that is detailed in the question. To be evaluative answers must explain how the evaluation point can be evidenced in this area.

Using the ‘PEE paragraph’ structure can help you to form well developed points for 12-mark evaluation questions.

Structuring 12-mark evaluation questions using ‘Burger Paragraphs’ and ‘PEE’

Top Bun	Point	Make a point of evaluation linking it to the specific topic area of the question.
Meat	Explain	Explain why this point can be seen in the specific area. You can use the phrase ‘this is because’ as a sentence starter.
Bottom Bun	Evaluate	Evaluate why this is an advantage or disadvantage. You could use the phrase ‘this is an advantage or disadvantage because...’

You can include relevant evidence or evaluation of cases to write ‘well developed’ responses, this could include a counter argument where it specifically links to the initial point.

Example student paragraph:

Q: Discuss the advantages and disadvantages of judicial precedent. (12 marks)

Student Response	Comments
P- <i>The principle of stare decisis allows for the law to remain certain.</i>	Point – this student has made a clear point of certainty and linked this to the specific aspect of precedent – Stare Decisis
E- <i>This is because stare decisis requires all lower courts in the legal system to follow the precedents that are set by the higher courts. The lower courts do not make or change laws, they simply follow them. Therefore the law remains the same within a case, the law is certain.</i>	Explain – this student has explained how stare decisis and precedent show certainty. They have linked the evaluation point and specific topic area.
E- <i>This is an advantage because the law should be certain. Comparable cases should be decided in the same way. This means that society will know what the law is throughout the case, this upholds the rule of law as the law is accessible to everyone.</i>	Evaluate – this student has explained why this point is an advantage for the legal system, developing their response to show evidence of the positive impact of this.

Activity 4: Forming Evaluation points

In a similar way to revising A01 knowledge-based content for Section A, mnemonics and acronyms can also help you to remember A03 evaluation points.

Example: To help form your evaluation points within the topic of precedent on Paper 2, you can use the acronym 'SSAC', this can help generate specific evaluation points to use when evaluating precedent.

S	
S	
A	
C	

Q: Discuss the advantages and disadvantages of judicial precedent. (12 marks)

Areas of Precedent

Stare Decisis / Court Hierarchy

The principle of stare decisis means to stand by what has been decided. It means that within precedent all of the lower courts within the legal system are bound to follow the precedents that have been set by the higher courts.

Avoiding Precedent / Court of Appeal / Supreme Court



Making SSAC points:

Link this to make an advantage	Evaluation Point	Link this to make a disadvantage
<i>The principle of Stare Decisis means that judges are not changing the law. They apply precedents that have been set. Judges in the lower courts are staying within their constitutional role to apply the law, they do not make or change the law.</i>	Sovereignty Parliament is the supreme law-making body. Only Parliament should make the law. Judge should stay within their constitutional role and apply the law.	<i>When the Supreme Court use Practice Directions 3 and 4, they can change the precedent when it appears right to do so. Here judges are not staying within their constitutional role as they are making not applying the law. Parliament is not supreme; they are not the sole law making body.</i>
	Social Change The law should adapt to the changes within modern society. Legal rules should reflect the changes and developments within modern life. The law should stay up to date with social changes and technological developments.	
	Absurd Results The law should lead to fair and just outcomes in cases. The law should not produce an absurd outcome, this will lead to unfairness and injustice to the parties involved in the case.	
	Certainty The law should be certain, this means that it should remain the same throughout the case. When the law is certain it is accessible to society and lay people, everyone will know what the law, as the law will not change within a case. This upholds the rule of law.	



Examiners Top Tip

SSAC also works for the topic of statutory interpretation.

You can use the SSAC acronym to help you remember and structure key advantages and disadvantages for each of the rules of statutory interpretation.

Takeaway task: create evaluation grids using the same format we have used for judicial precedent for each of the rules of statutory interpretation.

1 Literal rule 2 Golden Rule 3 Mischief Rule 4 Purposive Approach

SESSION 3

Effective Evaluation for Section B



TOPIC FOCUS: VICARIOUS LIABILITY

Exam Reference: H418/02 – Law making and the law of tort (Paper 2)
 The tort of vicarious liability is a substantive topic that appears in paper 2 of the OCR Law A-Level exam series. 60 marks out of 80 are allocated to substantive law topics in this paper. You will be required to accurately explain the principles of vicarious liability (A01) and apply them to scenario-based situations (A02) as well as analyse and evaluate the law of vicarious liability (A03).

Activity 1: Give me 4 – Common Errors or Misconceptions

What are the common errors or misconceptions that result in missed marks for Section B evaluation questions?

1	
2	
3	
4	

Examiner Answers



Exam Gold In a Section B evaluation question you must ensure you detail your knowledge of the law as you would in an application question (A01 – 8 marks out of 20). The simplest way to structure this is to write your knowledge of the law out first and then move on to answering the question and including your evaluation of the law.

For the evaluative part of your answer (A03 - 12 marks out of 20), aim for 4 well developed paragraphs that link back to the question focus. For example if the question asks whether the specific law achieves justice for a claimant, you must tailor your evaluative points to cover both whether the law is just and from the viewpoint of a claimant.

You should cover both sides of the argument and conclude (answer) the question.

Activity 2: A01 Vicarious Liability Knowledge Organiser

Area	Definition	Case Authority
Intro	<p>Vicarious liability occurs when the courts find one party (usually an employer) liable for the torts of another party (the 'tortfeasor' - usually their employee). The test for vicarious liability has recently been confirmed in Trustees of the Barry Congregation of Jehovah's Witnesses v BXB (2023) as:</p> <ol style="list-style-type: none"> Whether the D and the tortfeasor have a relationship of employment or akin to employment (relationship test) Whether the wrongful conduct was so closely connected with the acts the tortfeasor was authorised to do that it is fair to regard them within the course of employment (close connection test) 	
Element 1: Relationship Test – Traditional Tests	<ul style="list-style-type: none"> Control Test - This test determines if the employer had the right to control what the employee did and the way it was done. Includes loaned out employees and equipment Integration test - Considers if the tortfeasor's work was fully for the business. If they were only accessory to the business, they are an independent contractor Economic reality (multiple factors) test - Looks at various factors such as equipment, payment, role and autonomy, which may indicate that the tortfeasor is employed or self-employed 	
Element 1: Relationship Test – Akin to Employment Test	<p>Where there is not a clear traditional employment, the court can consider whether the tortfeasor was in a position akin (similar to) a relationship of employment.</p> <p>This test considers the tortfeasor's accountability to the defendant and their integration into the business. Where this is unclear, criteria can be used to consider whether it is fair, just and reasonable to hold the employer accountable:</p> <p>Christian Brothers Case (2012):</p> <ol style="list-style-type: none"> D is more likely to have means of _____ The tort was committed as a result of activity being undertaken on _____ The tortfeasor's activity is likely to be part of the _____ The D has _____ of the tort by employing the tortfeasor The D maintains a _____ over the tortfeasor <p>Employers are not VL for independent contractors</p>	
Element 2: Close Connection Test	<p>The courts consider whether there was a sufficiently close connection between the employees' field of activities and the tort. Previous cases can be used when deciding this.</p> <p>The defendant will only be liable for the actions that are considered closely connected:</p> <p>Closely Connected (in the course of employment)</p> <ul style="list-style-type: none"> • • <p>Not Closely Connected (outside the course of employment)</p> <ul style="list-style-type: none"> • • 	

Activity 3: Planning your VL Evaluation

What could you include for an evaluation of vicarious liability.

Activity 4: Structuring your Evaluation - Burger Paragraphs

Welcome back ... 'Burger Paragraphs'

You can use the same structure we practiced for Section A A03 evaluation paragraphs when structuring your Section B evaluation paragraphs. As the A03 skill is worth 12 marks in both sections, the approach can remain the same.

This time let's make them Double Whopper paragraphs using the 'PEEL' structure...



Top Bun	Point	Make a point of evaluation linking it to the specific topic area of the question.
Meat	Explain	Explain whether this point supports or contradicts the question focus. You can use the phrase 'this is because' as a sentence starter.
Meat	Evaluate	Evaluate why this supports or contradicts the question focus to develop your response. You can include relevant evidence or cases in context to the question. You can 'flip' your point to include a relevant counterargument.
Bottom Bun	Link	Link your point back to answer the question.



Let's make some Burger Paragraphs...

Q: Discuss whether vicarious liability is fair on employers. (20 marks)

H418/02 Summer 2023

Top Bun	Point	Vicarious liability is unfair on employers as it contradicts the key tort law principle of fault by holding an employer liable regardless of their fault.
Meat	Explain	This is unfair for an employer who can be liable where they have no knowledge of the activity and even where they have expressly told the employee not to do a certain action. In the case of <i>Mohamud v Morrisons Supermarkets PLC</i> , it was unfair that Morrisons were liable for the criminal actions of the employee where they would never have authorised that action.
Meat	Evaluate	However, this is fair where the employer has created the risk of the tort being committed by employing the employee and their actions are closely connected to the business activity, employers should train staff effectively.
Bottom Bun	Link	Therefore, no fault liability makes the law unfair on employers who may not have any awareness that the tort would be committed yet are still at fault for the actions of another but does ensure protection of society.



OVER TO YOU...


Top Bun	Point	
Meat	Explain	This is fair because ...
Meat	Evaluate	However...
Bottom Bun	Link	Therefore...



Activity 5: On Balance – Creating well developed points

Can you provide balance to the following arguments...

<p>The tests for establishing a relationship of employment are fair as they cover traditional and modern employment situations and consider a range of factors such as control and integration</p>	
--	--




Can you provide balance to the following arguments...

<p>It is fair that an employer is only liable for torts closely connected to the field of activities and not those outside the scope or frolics to encourage proper supervision</p>	
---	--



Activity 6: A03 Burger Paragraphs Writing Frame

Top Bun	Point	
Meat	Explain	
Meat	Evaluate	
Bottom Bun	Link	
Top Bun	Point	
Meat	Explain	
Meat	Evaluate	
Bottom Bun	Link	



Top Bun **Point**

Meat **Explain**

Meat **Evaluate**

Bottom Bun **Link**



Top Bun **Point**

Meat **Explain**

Meat **Evaluate**

Bottom Bun **Link**

Conclude the Question:

SESSION 4

Enhancing application skills



TOPIC FOCUS: NON-FATAL OFFENCES

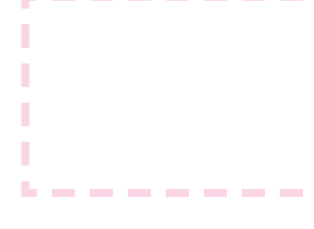
Exam Reference: H418/01 – The legal system and criminal law (Paper 1)
Non-fatal Offences are substantive topics that appear in paper 1 of the OCR Law A-Level exam series. 60 marks out of 80 are allocated to substantive law topics in this paper. You will be required to accurately explain the law on non-fatal offences (A01) and apply them to scenario-based situations (A02) as well as analyse and evaluate the law of non-fatal offences (A03).

'Non fatal offences covered on this specification include:

- Assault
- Battery
- S47 ABH
- S20 GBH and Wounding
- S18 GBH and Wounding

Activity 1: Injuries Picture Match

Using your knowledge of the different non-fatal offences, look at the following pictures and identify the correct non-fatal offence for each injury shown.



Activity 2: Case Headlines

Read the case headline clue and decide which non-fatal offence it is describing

Case 1

Case 2

Case 3

Activity 3: Identifying offences in non-fatal offences

Wounding	GBH	ABH
<input type="text"/>	<input type="text"/>	<input type="text"/>
Battery	Assault	
<input type="text"/>	<input type="text"/>	



Activity 4: The Answer Doctor: Achieving High Grade Application

One of the main barriers to achieving high grades in the application section of the exam, is the fact that candidates do not apply in enough detail and often apply by simply restating the law. This will gain some marks for application but will prevent candidates from achieving the higher marks.

Look through the two responses below can you identify which answer would achieve higher marks.

Assault Scenario:

Paige has recently found out that Yara was responsible for a break in at her grandma's nursing home, she wants to teach Yara a lesson. Paige is walking home from work and sees Yara in front of her, she decides to send her a text message that reads 'watch your back, I am coming for you'. Yara reads the message and is worried so runs home as fast as she can.

Student A

Paige has committed an assault when she sends the text message, She has the actus reus for this crime as she causes the victim to apprehend immediate and unlawful violence. It is clear that Paige has the direct intent to commit the assault.

Student B

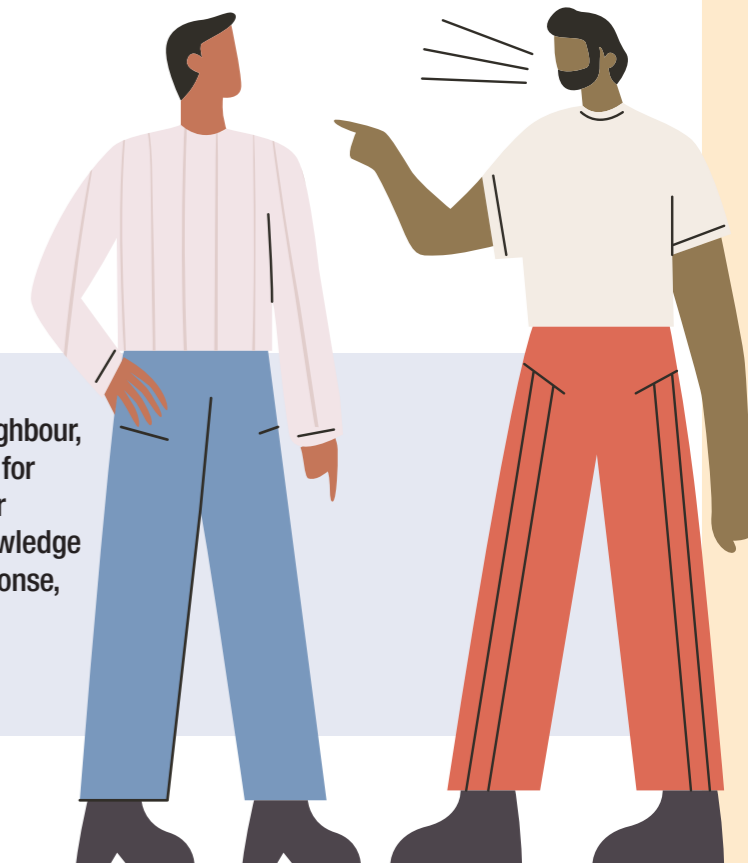
Paige has committed an assault by sending a text message to Yara that says 'watch your back, I am coming for you'. The actus reus of assault is satisfied because Paige causes Yara to apprehend immediate and unlawful violence as she becomes worried, showing that she apprehends violence and she runs home as fast as she can, showing that the victim believes the violence could occur immediately. Paige also has the mens rea for assault because she has the intention to cause the victim to apprehend immediate and unlawful violence due to the fact that she has found out that she broke into her Grandma's nursing home, she wants to teach her a lesson so intends to make her apprehend violence in revenge.

Answer Doctor: Case 1 - Battery

Battery Scenario:

Niko has recently discovered that his next-door neighbour, Amir has been stealing his mail. He has been waiting for an important package and is now convinced that Amir has stolen it. Niko confronts Amir, who denies any knowledge of the missing package. Niko is furious at Amir's response, so he throws his newspaper in Amir's direction, the newspaper hits Amir's coat that he is wearing and then falls to the ground.

Activity continues on the next page



The Answer

Niko has committed a battery by applying unlawful force to Amir. This is an indirect battery. Niko has the mens rea for the offence of battery as he intends to apply force when he throws the news paper at Amir. Niko is guilty of battery as he has the actus reus and mens rea for this crime.

Make the above response better:

The Answer Doctor: Case 2 - Section 47 ABH

Section 47 ABH Scenario:

Sonia and Meena are playing a football match, they are on opposite teams. During the game they have an argument, but the referee stops them from becoming physical and sends Meena off with a red card. After the game, Meena is still upset over the incident so she confronts Sonia outside of the changing rooms. Sonia laughs at Meena and tells her to grow up, this causes Meena to lose her temper and push Sonia against the wall. The force of the push causes Sonia to sprain her arm and she is then unable to play football for the next six months.

The Answer

Meena is guilty of Section 47 ABH for the incident involving Sonia, when she pushes Sonia against a wall, this then causes Sonia to sprain her arm. This would class as an injury under ABH and satisfies the actus reus. Meena also has the mens rea for Section 47 ABH as she intends to cause the injury because she is upset over the football match incident and Sonia laughing in her face.

Make the above response better:



Activity 5: A01 Non-fatal Offences Knowledge Organiser

Assault

Area	Definition	Case Authority
Intro	Assault is a common law offence, but it is charged under Section 39 of the Criminal Justice Act 1988. The maximum sentence for an Assault is 6 months in prison and/or a £5000 fine.	
Assault: Actus Reus	The defendant must cause the victim to apprehend immediate and unlawful violence Key Features of Assault: <ul style="list-style-type: none"> • Words, gestures or silence can constitute an assault but an omission will not be an assault • The victim must apprehend violence • The victim must apprehend immediate violence, this doesn't mean that the violence will happen immediately but at some point in the imminent/near future • Words can negate an assault 	
Assault: Mens Rea	The defendant must intend or be subjectively reckless as to causing the victim to apprehend immediate and unlawful violence.	

Battery

Area	Definition	Case Authority
Intro	Battery is a common law offence, but it is charged under Section 39 of the Criminal Justice Act 1988. The maximum sentence for a Battery is 6 months in prison and/or a £5000 fine.	
Battery: Actus Reus	The defendant unlawfully applies force to the victim. A battery can occur directly or indirectly. Touching a person's clothing can also constitute a battery.	
Battery: Mens Rea	The defendant must intend or be subjectively reckless as to causing the victim to apprehend immediate and unlawful violence.	

Section 47 Actual Bodily Harm

Area	Definition	Case Authority
Intro	Actual Bodily Harm is defined under Section 47 of the Offences Against the Person Act 1861. The maximum sentence for this offence is 5 years in prison.	
Section 47 ABH: Actus Reus	The defendant commits an assault or battery that occasions actual bodily harm. ABH is defined as any hurt or injury that is calculated to interfere with the victim's health and comfort. The courts have decided that the following injuries will class as ABH <ul style="list-style-type: none"> • Psychiatric injuries • Cutting hair • Loss of consciousness 	
Section 47 ABH: Mens Rea	The defendant must intend or be subjectively reckless as to the assault or battery. It doesn't matter if the defendant intended to cause harm/injury to the victim.	

Section 20 Grievous Bodily Harm

Area	Definition	Case Authority
Intro	Grievous Bodily Harm is defined under Section 20 of the Offences Against the Person Act 1861. This is defined as maliciously inflicting GBH or wounding. The maximum sentence for this offence is 5 years in prison.	
Section 20 GBH: Actus Reus	The defendant must inflict GBH or Wounding. Discuss the element that is relevant to the scenario <ul style="list-style-type: none"> • Wounding – this is defined as a break in the continuity of the skin • GBH – this is defined as really serious harm <ul style="list-style-type: none"> • Serious psychiatric injuries can class as GBH • The age and vulnerability of the victim could mean that less severe injuries can constitute GBH • A number of minor injuries can be viewed together to constitute GBH 	
Section 20 GBH: Mens Rea	The mens rea is maliciously inflicting GBH. Maliciously means the defendant intends or foresees that some harm might occur to the victim. This does not have to be serious harm.	

Section 18 Grievous Bodily Harm

Area	Definition	Case Authority
Intro	Grievous Bodily Harm is defined under Section 18 of the Offences Against the Person Act 1861. This is defined as causing GBH or wounding with intent. The maximum sentence for this offence is up to life in prison.	
Section 18 GBH: Actus Reus	The defendant must cause GBH or Wounding. The actus reus is the same as Section 20. Discuss the element that is relevant to the scenario <ul style="list-style-type: none"> • Wounding – this is defined as a break in the continuity of the skin • GBH – this is defined as really serious harm <ul style="list-style-type: none"> • Serious psychiatric injuries can class as GBH • The age and vulnerability of the victim could mean that less severe injuries can constitute GBH • A number of minor injuries can be viewed together to constitute GBH 	
Section 18 GBH: Mens Rea	The mens rea is the direct intention to cause really serious harm. The defendant can have the oblique intention to cause really serious harm.	

Activity 6: A02 Non-fatal Offences Application Structure

Assault

Area	Application
Assault: Actus Reus	The defendant committed an assault because _____ The victim apprehended immediate and unlawful violence because _____ _____ _____ You should explain why the victim is in fear of the assault and why this is an immediate fear. You should also consider if the defendant does anything to indicate that an assault will not occur. If this is the case then there is no assault.
Assault: Mens Rea	The defendant does/doesn't intend to cause the victim to apprehend immediate and unlawful violence because _____ _____ The defendant was / was not reckless as there was a risk that their actions of _____ _____ Could cause the victim to apprehend immediate and unlawful violence.
Conclusion	The defendant is guilty/not guilty of assault.

Battery

Area	Application
Battery: Actus Reus	The defendant unlawfully applies force to the victim by _____ _____ This is a direct/indirect battery because _____ _____ _____
Battery: Mens Rea	The defendant does/doesn't intend to unlawfully apply force to the victim because _____ _____ _____ The defendant was / was not reckless to unlawfully applying force as there is a risk that their actions of _____ _____ could unlawfully apply force to the victim.
Conclusion	The defendant is guilty/not guilty of battery.

Section 47 Actual Bodily Harm

Area	Application
Section 47 ABH: Actus Reus	The defendant commits an assault/battery because _____ _____ _____ This causes the injury of _____ This interferes with the health and comfort of the victim because _____ _____ _____
Section 47 ABH: Mens Rea	The defendant does/does not intend the initial assault/battery because _____ _____ _____ The defendant is/is not reckless as to the initial assault/battery because _____ _____ _____ It does not matter whether the D intended or was reckless as to the actual injury.
Conclusion	The defendant is guilty/not guilty of of ABH.

Section 20 Grievous Bodily Harm

Area	Application
Section 20 GBH: Actus Reus	<i>Apply the element that is relevant to the scenario</i> • Wounding – Here the D has/has not broken the continuity of the skin because _____ _____ • GBH – Here the D has/has not caused really serious harm because _____ _____
Section 20 GBH: Mens Rea	The defendant does/does not intend some harm to occur to the victim because _____ _____ _____ The defendant is/is not reckless as to whether some harm could occur to the victim because _____ _____ _____
Conclusion	The defendant is guilty of/not guilty of s20 GBH.

Section 18 Grievous Bodily Harm

Area	Application
Section 18 GBH: Actus Reus	<i>Apply the element that is relevant to the scenario</i> • Wounding – Here the D has/has not broken the continuity of the skin because _____ _____ • GBH – Here the D has/has not caused really serious harm because _____ _____
Section 18 GBH: Mens Rea	The defendant does/does not have direct intent for wounding/GBH because _____ _____ _____ Wounding/GBH caused by the defendant is / is not a virtually certain consequence of the Ds actions (oblique intent) because _____ _____ _____
Conclusion	The defendant is guilty of/not guilty of s18 GBH.



OCR A-LEVEL LAW REVISION CHECKLIST

Paper 1 – The legal system and criminal law

Section A topics	RAG	Revised?	Practice question/s completed?	Exam ready?
County courts and other forms of dispute resolution				
Criminal courts and lay people				
Legal personnel				
Access to justice				
Section B topics	RAG	Revised?	Practice question/s completed?	Exam ready?
General elements of criminal liability				
Fatal offences against the person				
Non-fatal offences against the person				
Evaluation of NFOATP				
Property offences				
Mental capacity defences				
Evaluation of Intoxication				
General Defences				
Evaluation of Consent				
Evaluation of Self Defence				
Preliminary offences				

Paper 2 – Law making and tort law

Section A topics	RAG	Revised?	Practice question/s completed?	Exam ready?
Parliamentary law making				
Delegated legislation				
Statutory interpretation				
Judicial precedent				
Law reform				
European Union law				
Section B topics	RAG	Revised?	Practice question/s completed?	Exam ready?
Liability in negligence				
Evaluation of Negligence				
Occupiers' liability				
Evaluation of Occupiers Liability				
Torts connected to land: Private nuisance				

Continues on next page

Section B topics	RAG	Revised?	Practice question/s completed?	Exam ready?
Torts connected to land: Rylands v Fletcher				
Vicarious liability				
Evaluation of Vicarious liability				
Defences				
Remedies				

Paper 3 – Nature of law and Human rights OR Contract law

Section A topics	RAG	Revised?	Practice question/s completed?	Exam ready?
Law and morality				
Law and justice				
Law and society				

Section B topics HUMAN RIGHTS	RAG	Revised?	Practice question/s completed?	Exam ready?
Protection of human rights and freedoms in the UK				
Evaluation of the HRA 1998				
Article 5 ECHR				
Article 6 ECHR				
Article 8 ECHR				
Article 10 ECHR				
Article 11 ECHR				
Evaluation of ECHR				
Restrictions permitted by the ECHR				
Human rights and English law				
Enforcement of human rights law				

Section B topics CONTRACT LAW	RAG	Revised?	Practice question/s completed?	Exam ready?
Formation				
Evaluation of Formation				
Terms				
Evaluation of Terms				
Vitiating factors				
Discharge				
Remedies				

A

B

C

D



TRUE



FALSE

