

Question 1

List the 3 elements of the law of negligence

Question 2

What is the principle that establishes a duty of care?

Name the case.

Question 3

Describe the 3 parts of the test for duty of care.

Name the case.

Question 4

Name 3 cases which relate to breach of duty

Question 5

Bullet point the structure for an answer to this question.

Prepare a summary for the file of your client, Bhu.

This summary should include:

- an explanation of the law relating to Bhu's claim
- how the law applies to her case, using appropriate precedents
- how her claim might be challenged
- an evaluation of the likelihood of success in this case, with a justified conclusion.

Question 6

What does the final element of the duty of care test mean?

Give an example of a situation in which a duty would not be established.

Question 7

Who is the reasonable person?

Question 8

What does 'an objective standard' mean?

Question 9

What is the test for causation?

Question 10

What would stop causation being found?

Question 11

What is the difference between damage and damages?

Question 12

Name the tests for damage.

Question 13

Describe the two different types of damages

Question 14

What should the claimant remember when claiming damages?

What are their responsibilities?

Question 15

Describe how damages can be paid.

Question 16

Who has the burden of proof in civil cases?

Question 17

What is the standard of proof in civil cases?

Question 18

What is the doctrine of precedent?

Question 19

Name 3 sources of legal advice

Question 20

Give an advantage and a disadvantage of legal advice from law firms (solicitors)

Question 21

List an advantage and a disadvantage of legal advice from law centres and citizens advice.

Question 22

Give an advantage and a disadvantage of legal advice from books and online sources.

Question 23

List 3 ways of funding legal advice.

Question 24

Give an advantage and a disadvantage of funding advice using conditional fee arrangements

Question 25

Give an advantage and a disadvantage of using trade unions to fund legal advice.

Question 26

List 3 types of costs in taking legal action.

Question 27

Define ADR and list 3 types.

Question 28

Give a scenario in which an Ombudsman could be used.

Question 29

Give an advantage and a disadvantage of conciliation.

Question 30

Give an advantage and a disadvantage of arbitration.

Question 31

Name the track and court that would deal with each of the following claims.

£2500 personal injury claim

£300 general compensation claim

£10,000 loss of earnings and £150 personal injury.

Question 32

Describe the circumstances in which a civil decision can be appealed.