



Who makes the law and where does it come from?

Lesson 1

Does our legal system protect citizens' rights?

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Who makes the law and where does it come from?

Key Stage 4

<p>Context</p>	<p>The lesson is part of a scheme of work that comprises 6 lessons for teaching Key Stage 4 Citizenship in line with the requirements of the Citizenship National Curriculum. The lesson is part of the ACT model Key Stage 4 curriculum which can be used and adapted to fit with your school's provision.</p> <p>Each scheme of work has an enquiry question as the focus which is then organised into smaller questions that provide the learning focus for each lesson.</p>
<p>Overview</p>	<p>This first lesson in this enquiry begins to explore the concepts of justice and law in relation to rights. As the lesson progresses students gain the knowledge and understanding of the development of common law and how laws are made in the UK. In addition, students will be introduced to the idea of the Rule of Law and how law and justice can operate to support the rights of individuals.</p>
<p>Citizenship Skills and Concepts</p>	<p>Rights, Democracy, Justice & Law, Equality & fairness</p>
<p>Essential Teaching Guidance</p>	<p>The lesson allows students to explore concepts which can be challenging due to their abstract nature. It is important that as the teacher you have an understanding of the difference between law and justice. Reading on this topic to support your understanding can be found here: Legal skills and debates in Scotland: Week 1: Introduction - OpenLearn - Open University</p> <p>This lesson contains sensitive topics. It is crucial to understand the students you teach and their individual circumstances as this may be directly related to their personal lives. Be mindful of the viewpoints that might arise and encourage empathy and understanding through discussions with students. Where the issues raised in teaching the lesson may be sensitive or controversial in</p>

	nature, do ensure you are in line with your school policies on such matters. You may also find the ACT guidance on teaching sensitive and controversial issues in Citizenship helpful.
Learning Questions	<ol style="list-style-type: none"> 1. What is law and justice? 2. Why do we need laws? 3. Where do laws come from?
Resources	<ul style="list-style-type: none"> • Starter worksheet • Matching Task worksheet • Blank Flow Diagram worksheet • How laws are made information worksheet
Assessment Opportunities	<p>Throughout this lesson there are various opportunities for assessment of knowledge gained and how well students are developing their understanding of core concepts. For example, the use of mind maps and spider diagrams allows you to determine the knowledge students currently have regarding the topic and also identify any misconceptions they may hold so these can be corrected quickly. Additionally, skillful use of questioning and discussion should be used following tasks to clarify understanding and additionally stretch the understanding of students. Asking students to advocate their points of view, and support their answers with evidence is key to ensuring they operationalise the knowledge they have developed rather than just repeat it.</p>

<p>Do now / Starter /Entry Task</p> <p><i>(5 minutes)</i></p>	<p>QUIZ: Give students a copy of the starter quiz and ask them to state whether the statement is true or false. Ask students to mark their quiz using the answers provided on the PowerPoint (which will appear one at a time when clicked). Share the key questions of the lesson. Share the answers to the questions with the class and begin a short discussion around these. For example ask students if they found any answers surprising, where they got their information from if it were incorrect etc. Law and justice is a topic that students often feel well informed about from the media however this can lead to many misconceptions.</p> <p>ANSWERS:</p> <ol style="list-style-type: none"> 1. FALSE: Courts around the world are different
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	<ol style="list-style-type: none"> 2. TRUE: You have the right to a solicitor / barrister to advise you and spak on your behalf 3. TRUE: This dates back to the Magna Carta and is a human right 4. FALSE: American courts do use juries, but jury selection is very different in the UK 5. FALSE: it is 10 6. TRUE: They need to have a solicitor / barrister qualification and have worked in the legal profession for a minimum of 5 years 7. TRUE: they do, but the Judge can ask to clear the public gallery and some courts like Family courts are private 8. FALSE: they just need a reasonable suspicion that you have a weapon / drugs etc
<p>Task 1 <i>(5 minutes)</i></p>	<p>THINK, PAIR & SHARE: Ask students to discuss with their partner / row / table: what is law and what is justice? Ask for feedback and have a class discussion about what law and justice mean (you could add keywords to the board). There are a range of ways you could invite students to make contributions. For example, going around the room to ask for a contribution from each group, ‘cold calling’ of particular students or having pre-planned to ask certain students based on your knowledge of them. The activity would provide you the opportunity to establish the misconceptions that students have around these concepts. Often the two are conflated and people believe the law is justice without considering other elements of justice and the justice systems or indeed what a law really is or represents. Therefore this discussion is important for students to begin to develop their understanding of these complex concepts.</p> <p>Then ask students to use the discussion, board and definition provided on the PowerPoint to improve their original definitions.</p>
<p>Task 2 <i>(5 minutes)</i></p>	<p>LADY JUSTICE: Ask students what is the significance of lady justice? What stands out on the statue? Use the PowerPoint slide to feedback the importance of the blindfold, scales and sword. Ask students to draw the symbols and explain their significance. This activity helps students to begin to build a concrete understanding of this abstract concept and is an important part of the lesson and the unit as it continues.</p>

<p>Task 3 <i>(15 minutes)</i></p>	<p>SPIDER DIAGRAM & MATCHING TASK: Ask students to complete a spider diagram on why we need laws.</p> <p>Suggestions will appear one at a time when you click the slide, you could show the students one or two examples to help scaffold their ideas as they begin to work on their own diagrams and discussion. As you collect feedback add to the diagram and reveal the remaining ideas from the board. Discuss with the students what may happen if a country or community did not have laws. Some students may offer examples from films they have seen for example or video games. Draw into the conversation how without laws an individual could ensure their rights would be protected? You could select particular rights to discuss here for example:</p> <ul style="list-style-type: none"> ● The right to life ● The right to own property ● The right to fair trial <p>The aim here is to help students see that law and justice are connected to fairness and equality and should support the rights of all. This links directly to the Rule of Law.</p> <p>Then give students the Matching Task worksheet and ask them to match the reason why we need laws to the correct example. Arrows will appear one at a time to show the answers when you click the slide. This provides an easy way to assess knowledge at this point. Additionally, here you can extend the activity by questioning students regarding the reasons for the laws. Which of these relate to certain rights that we have? Why do we need a law to protect that right? Through this discussion here you are making a concrete connection for students between rights and laws.</p>
<p>Task 4 <i>(25 Minutes)</i></p>	<p>RULE OF LAW: Now we move into a section of the lesson where students can look at the connection between concepts and explore how law applies to all. One of the key features of democracy is that there is the Rule of Law. Under fundamental British Values there is an expectation that schools will ensure that students understand these ideas.</p> <p>Using this simple video which explains the basics of the term students should be able to gain an understanding of this concept and be ready to apply it to the world around them. As the lesson continues and we examine laws it is important to remind them that under the Rule of Law any law made applies to all in the UK.</p> <p>WHERE DOES OUR LAW COME FROM: This section allows students to explore the development of the law and law making and gain an understanding that our legal system is always evolving to meet the needs of society. After reading the overview of early</p>

legal systems varying from area to area begin a class discussion around the issues this could cause regarding fairness and justice in a country. Some points to draw out could include:

- Inequality in front of the law - Article 7 of the Universal Declaration of Human Rights, which states: 'All are equal before the law and are entitled without any discrimination to equal protection of the law.'
- Confusion should you move from area to area
- Some judges being harsher or more lenient than others

Overall this activity should reinforce the need for a clear legal system that applies to everybody and that everybody understands.

THE CHANGES OF KING HENRY II: The unifying nature of Henry's changes helped to lay the foundations of law today. The words highlighted in the text should help students to understand some of the features that continue to this day. After the class reading this basic overview they should move onto the task. This can be carried out as a written activity in their books which you could choose to assess for knowledge and understanding. Alternatively the class could discuss this in small groups or pairs ready to feedback. The key elements to draw out of this activity are that:


Judges are now more independent therefore this should make trials fairer

By writing down the outcomes of cases and setting precedent it is more likely that people who commit the same crime will be treated in the same way

This use of a jury should increase fairness to the court case.

CLIP & FLOW DIAGRAM: Ask students: 'who makes the law today and where does it come from?'. Use the PowerPoint to explain that there are 2 sources of law: common law / case law which is made by judges to clarify the interpretation of the law that dates back to the system of law from the 1100's and UK legislation made by Parliament. The majority of our laws are the former. Watch the clip to explain how laws are made. Then give students a copy of the blank flow diagram and the information sheet. You could read through them as a class and discuss and clarify key points. Then ask students to use them to summarise the different stages of the law making process.

You could go to <https://bills.parliament.uk/> and look at a current bill to see where it is in the process e.g.

	<p>Bill passage</p>  <p>Use this as an opportunity to explain that although some laws have been in place for many years, others are new to react to our changing societies. You could ask students to suggest examples of new laws they may be aware of ideas could include:</p> <ul style="list-style-type: none"> ● Smoking ban inside public places ● Having to wear a seat belt ● Not using your mobile phone while driving ● Laws on social media etc <p>It is important that students think of the law as developing as society does rather than fixed and immovable.</p>
<p>Plenary / Reflection <i>(5 Minutes)</i></p>	<p>IF YOU COULD MAKE ONE LAW, WHAT WOULD IT BE: Use the PowerPoint to share what makes a good law and then ask pupils: ‘if you could make one law, what would it be?’. You could give them post-it notes and ask them to write their law proposal on that and put it on the board or just ask for feedback.</p>
<p>Takeaway Task</p>	<p>Do some research and find the names of 3 Bills currently being debated in Parliament. CHALLENGE: Do you think they would make good laws? Why or why not?</p>

**Additional Teacher
Links & Resources**

- Rule of Law
<https://binghamcentre.biicl.org/categories/citizenship>
- Information on Lady Justice
<https://heatherandlittle.com/blog/restoration/the-meaning-behind-the-lady-of-justice-statue/>
- Information about Common Law:
<https://www.courtroomadvice.co.uk/common-law-england.html#:~:text=Common%20law%20is%20an%20invention,about%20the%20cases%20before%20them>
- GOV.UK Website - Legislative process: taking a bill through Parliament
<https://www.gov.uk/guidance/legislative-process-taking-a-bill-through-parliament#:~:text=Once%20a%20bill%20has%20been,introduced%20into%20Parliament%20by%20ministers>
- UK Parliament Website - Parliamentary Bills page
<https://bills.parliament.uk/>

Starter: true or false?

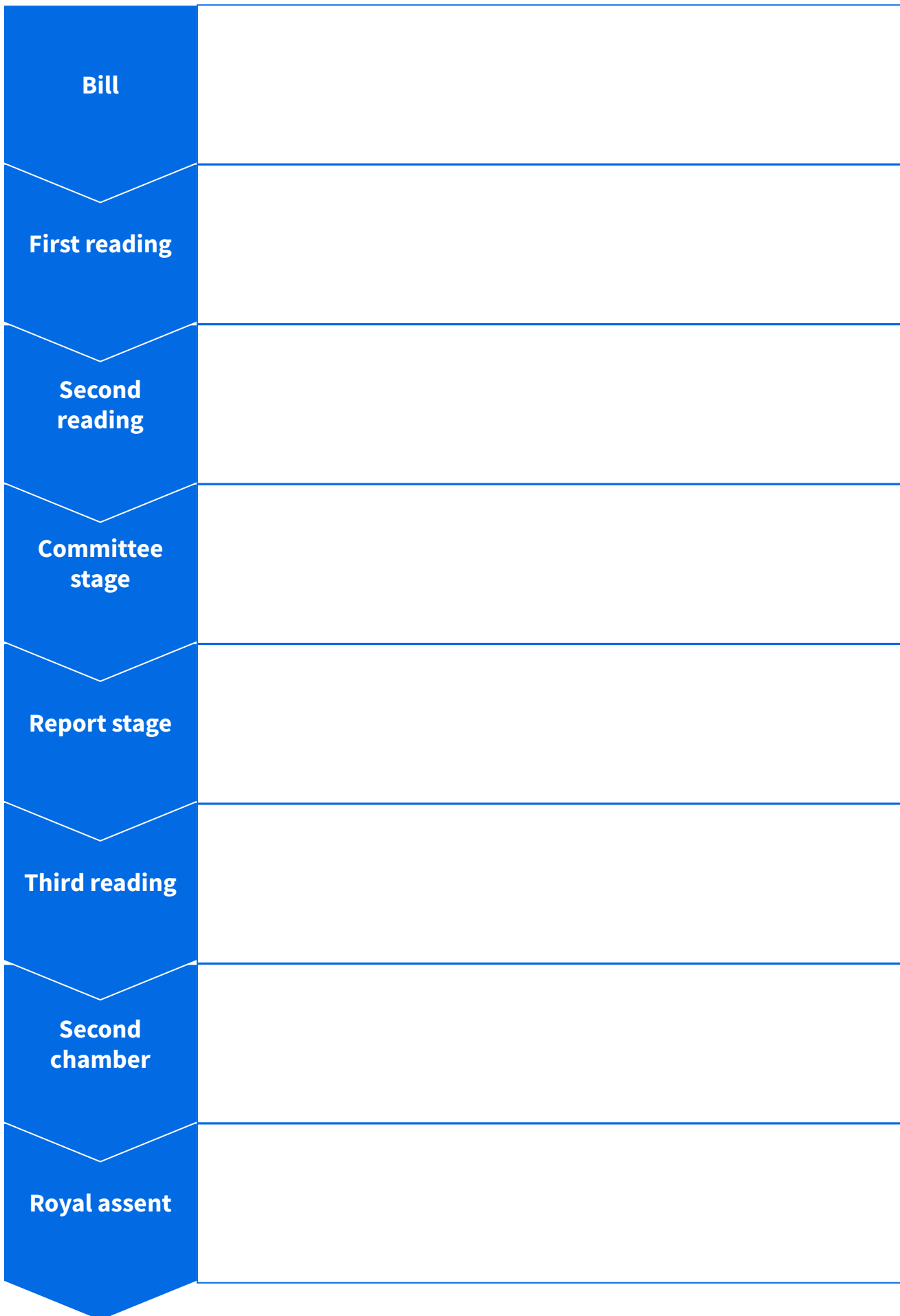
Statement	True	False
1. Courts in every country are the same		
2. Everyone in the UK has the right to legal representation		
3. In the UK you are innocent until proven guilty		
4. American courts do not use juries		
5. The age of criminal responsibility in England is 16		
6. Judges need a legal qualification		
7. Courts in the UK have a public gallery		
8. A Police Officer needs a warrant to search you		

Match the reason for having a law to the correct example

Reason for law
To protect the public
To settle disputes
To ensure people are treated fairly
To change behaviour
To respond to new scientific situations in society
To respond to new technological situations in society
To respond to changing values in society.

Match to the correct example
Health Act 2006 : includes a ban on smoking in enclosed public places.
The Equality Act 2010 : replaced previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what employers and employees need to do to make their workplaces a fair environment and comply with the law.
Genetically Modified Organisms (Contained Use) Regulations 2014 : gives guidance to what farmers and scientists can and cannot do to organisms.
Counter-Terrorism and Security Act 2015 : contains powers to help the UK respond to the threat of terrorism.
Supreme Court ruled the Government discriminated against disabled people in two cases with the controversial “ bedroom tax ”. 2016.
The 1967 Abortion Act : before that time it was illegal to have an abortion.
The Investigatory Powers Act 2016 (sometimes known as the snoopers charter) allows phone companies to keep data about private phone calls and much more.

How laws are made



How laws are made

Ideas for addressing an issue are considered:

Proposals for addressing particular goals or problems may come from a variety of sources. The political party is one. Recommendations for new laws may also come from public inquiries, civil servants or lobbyist and campaign groups. No matter where a policy idea originates, it normally won't get far without the backing of a government minister. Even a minister's backing, however, isn't enough to guarantee an idea will find its way to Parliament and become a law. Ministers normally - where time allows - shape and inform their proposals by consulting with experts, interest groups and people likely to be affected by the plans. Often, these interested parties are asked to comment on a 'green paper' - an initial outline of an idea. Sometimes a 'white paper' will be produced, which is a firmer statement of the government's intentions.

Proposals are made into 'bills':

After a proposal is consulted on and approved by the cabinet, the minister responsible draws up instructions for what should go into the bill. Highly specialised lawyers - called parliamentary counsel - work to translate the principles outlined in the government's proposal into detailed legislation. All the bills the government intends to introduce in a parliamentary session are announced in the Queen's (or King's) Speech - the main feature of the near-yearly State Opening that opens each new session of Parliament.

Parliament considers and scrutinises bills:

The Houses of Parliament consider proposals, called bills, most of which are introduced by the government. To become law, a bill must be approved by both MPs in the House of Commons and peers in the House of Lords. Bills go through a very similar process in both Houses.

Parliamentary stages

A bill may begin its journey in either the Lords or the Commons chambers. Any bills that relate to taxation begin in the House of Commons.

First reading

The bill's title is simply read out in the chamber. The bill is then made available to all members of Parliament.

Second reading

MPs or peers discuss the main principles of a bill. MPs may vote at the end of this stage, particularly if a bill is controversial. A bill in the House of Lords passes to the next stage without a vote.

Committee stage

A bill is then considered, line by line, by committees of MPs or peers. Changes - called amendments - are proposed and voted on. Commons bill committees normally consist of around 20 MPs. The entire House of Lords often takes part at this stage.

How laws are made

Report stage

The bill, with amendments or changes, is 'reported' to the House. All members can review the amended bill. Those not involved at the previous stage may suggest further changes.

Third reading

MPs debate and vote on the bill in its final form. In the Lords, further amendments may still be introduced.

A bill approved by one chamber is considered by the other

If a bill begins in the House of Commons - and is approved - it is then sent to the House of Lords, where it goes through the same stages. If the Lords were to make changes to the bill, it would return to the Commons for MPs to consider the Lords' amendments. Both the Commons and Lords must agree on the final shape of a bill before it can become law.

The Monarch's 'assent' turns a bill into an Act

With approval from the Lords and the Commons, a bill will also receive formal approval by the monarch - called 'Royal Assent'. The Monarch always gives their approval on the advice of ministers. A bill then becomes law, and is described as an Act of Parliament.