

# Year 10 RE & Citizenship – Crime & Punishment

*Game Changer: 'I can interpret and evaluate a range of ideas and assess how they have impacted the world around me.'*

This unit aims to support you in developing your understanding of The Legal System in the UK. You will be able to explore religious teachings related to crime and punishment.



|                    |                                                                                                                       |
|--------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Law</b>         | a rule, usually made by a government that is used to order the way in which a society behaves.                        |
| <b>Justice</b>     | a behaviour or treatment that is morally fair. Different countries can have different opinions about what justice is. |
| <b>Fairness</b>    | treating people equally and according to the circumstances.                                                           |
| <b>Rule of Law</b> | the concept that no one is above the law – it is applied equally and fairly to both the government and citizens.      |

## The UK Legal System

In the UK a person is innocent until proven guilty.

If a person comes before a court it is up to the state to prove they are guilty - beyond all reasonable doubt.

Everyone is treated equally by the law.

## Age of Criminal Responsibility

- **AGE OF CRIMINAL RESPONSIBILITY IN ENGLAND is 10 years old** providing it is proved the child knew what they were doing! This is the lowest age of criminal responsibility in Europe.
- In Northern Ireland and Wales the age of criminal responsibility is also 10 years old.
- In Scotland, they recently raised the age of criminal responsibility from 8 years old to 12 years old.

## The Golden Rule

The golden rule is a philosophy for leading one's life that suggests that other people should be treated fairly and with respect. Essentially, people act for the good of others, because they would like to be treated in the same way.

This golden rule can be seen as a teaching in all major religions, all believe that people should treat each other in the same way that they would want to be treated. The wording might differ but the idea remains the same.

You could use this teaching to show why religious believers would be in favour of forgiveness for those who commit crime.

## Local v Global Rights

Different societies/cultures/countries have differing views on some legal issues e.g. the death penalty was abolished in the UK but still legal in other countries, UK has very tight control on gun ownership but in USA it is fairly easy to get a gun and there is a high death rate from gun violence.

Find out more:

Oak Academy:



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| Issue           | Civil Law                                                                                | Criminal Law                                                                                                                                    |
|-----------------|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Case brought by | Individual or group or organisation                                                      | <b>CPS</b> on behalf of the state                                                                                                               |
| Decision        | Defendant found <b>liable</b> in regard to the issue.                                    | <b>Defendant</b> is <b>convicted</b> if found <b>guilty</b> or <b>acquitted</b> if found <b>not guilty</b>                                      |
| Proof required  | Evidence must be provided that supports the claim being made.                            | Beyond reasonable doubt                                                                                                                         |
| Burden of proof | The <b>claimant</b> must give the proof to support their claim.                          | The accused is <b>innocent until proven guilty</b> . The prosecution must prove their case; the accused does not have to prove their innocence. |
| Punishment      | <b>Damages, compensation</b> or an <b>injunction</b> (an order to stop taking an action) | Non-custodial or custodial sentence if found guilty.                                                                                            |
| Appeal          | Either party can appeal a court's decision.                                              | Defendant may appeal against a court's verdict in regard to either the verdict or the sentence.                                                 |

## Crown Prosecution Service

**(CPS):** checks the evidence presented by the police and decides whether a case can be brought to court. Independent from the police and the government.

Find out more:

BBC  
Bitesize:



## Joint Enterprise

The law on joint enterprise means that if a persons' presence, actions or knowledge lead to a murder or assault then they can be charged for murder or assault. This is even if they did not carry out the murder or assault themselves.

## Common Law:

Law based on judges rulings in court. Common law develops over time to deal with ever-changing situations in society. Judges create Common Law by giving a written judgement about the case before them.

## Statute Law or Legislation:

Law passed by Parliament. This law is written down in Acts of Parliament. For example, a Road Traffic Act might define speed limits and punishments given for speeding.

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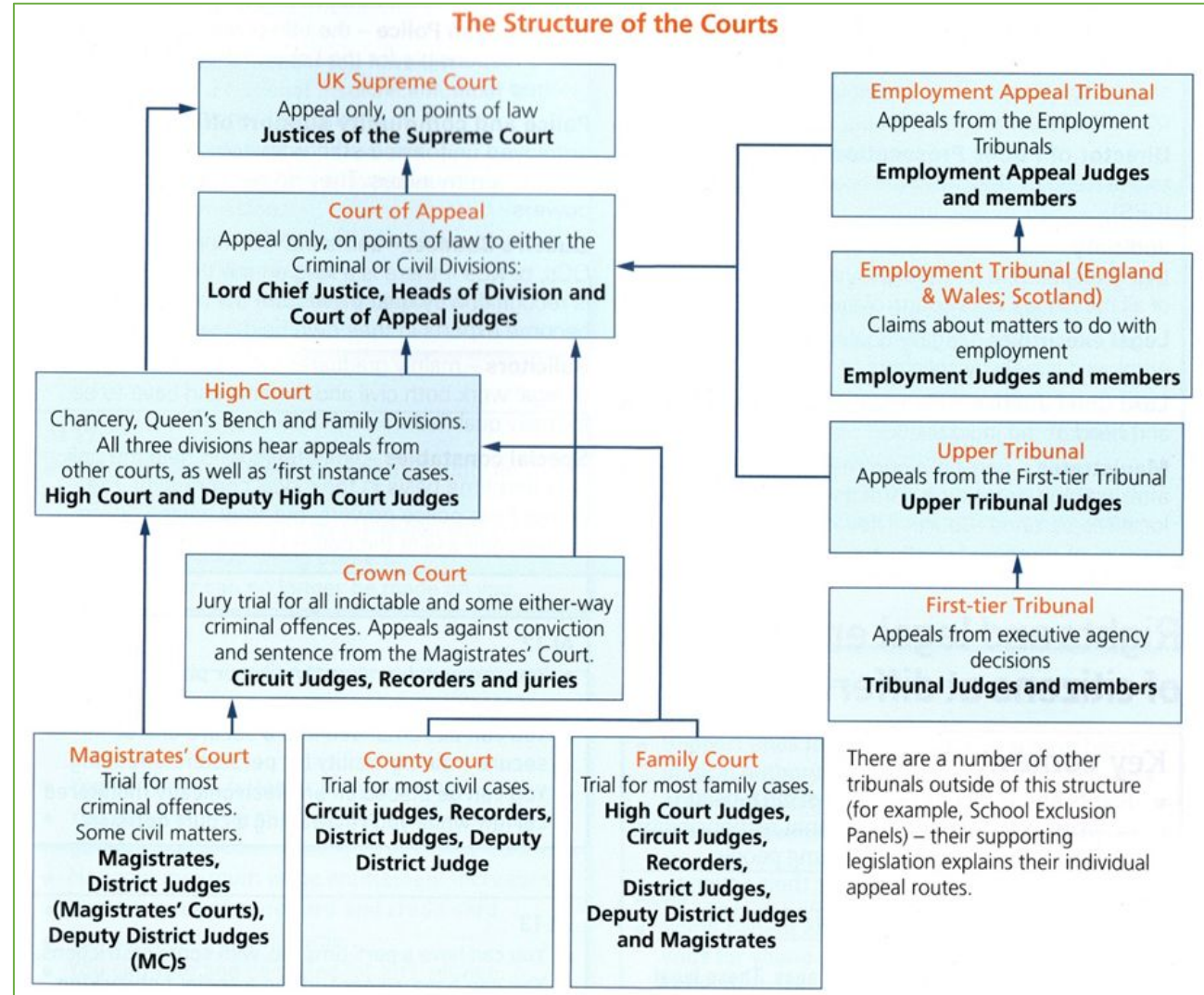
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|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Civil Law</b>    | law that deals with disputes between individuals or groups. There are civil courts which award damages (a money payment) or can make court orders which state that certain actions should be taken (a divorce for example).                                                     |
| <b>Criminal Law</b> | law that deals with individuals who break the law, as determined by the state. Police gather evidence and make arrests. The state prosecutes in a criminal court where juries decide whether an individual is innocent or guilty and judges decide on the sentence to be given. |
| <b>Magistrates</b>  | ordinary citizens who volunteer and receive training to sit in Magistrates' Court and decide the outcome of cases.                                                                                                                                                              |



**This diagram shows the structure of the Court System in England & Wales**

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