

2021

# LAW CLUB





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## LAW CLUB OVERVIEW

Law applicants who can demonstrate analytical & logical thinking, communication skills, and an ability to justify reasoning, fare well when applying to Top UK and International Universities for Law. The Law Club convenes weekly to discuss current debates surrounding law, giving you exposure to some key legal questions. If applying for Law in the future, you can use content for personal statements, and to prepare for admissions tests & interviews.

An emphasis is placed on deepening law knowledge and inspiring you in your independent exploration of Law. Come armed with questions, notebooks, a readiness to engage in critical discussion and ensure you keep a file with notes on each session to refer back to when it comes to applications.

- Ability to read excerpts of legislation and analyse them
- Exposure to articles and books about law
- Learn how to think logically, break down components of legislation and justify your reasoning
- Become confident at explaining your view
- Look out for distinctions between scenarios and point them out!

## KEY SKILLS

2021

# LAW CLUB OUTLINE

## JOINT ENTERPRISE: WHAT THEY DESERVE OR CRIMINALLY UNFAIR?

How many people should be punished for one crime? Under the doctrine of joint enterprise, if one member of a group foresees that another is going to commit a crime, they too can be held liable if they fail to take steps to prevent this. As such, as many people as are present could be charged with murder - even if only one pulled the trigger. Is this fair? Which demographics are likely to be most affected by this doctrine, and is this discrepancy itself unjust? Not all jurisdictions use this approach to prosecution, and in those that do it remains hotly contested.



## UBER: INNOVATION OR EXPLOITATION?

Who is responsible for ensuring labour law rights? In the past, this was a relatively straightforward question. Employers were clearly identifiable, whilst those who were self-employed had to accept that this flexibility came with fewer rights. With the rise of the gig economy, however, this line has been blurred. Are Uber drivers employees or self-employed? Is this new form of an employment a flexible opportunity or just another type of exploitation? These are questions labour law must explore if it is to remain relevant.

## CHILDHOOD: A COCOON OR A CAGE?

Should a teenager be able to refuse lifesaving treatment? In medical law, adults benefit from a presumption of competence when it comes to decision making. As such, unless a doctor can prove they are not competent to make such decisions, to perform a medical intervention without their consent would be an offence. For minors, however, the opposite is true. Moreover in many jurisdictions, adolescents cannot refuse lifesaving treatment no matter how competent they may seem. Is it right that the law draws such stark lines based on age rather than ability? Is it wrong to force treatment on a minor, or are there meaningful differences which justify this? This area is particularly interesting as arguments intersect with a range of fields, including philosophy and psychology.



## ARTIFICIAL INTELLIGENCE: FRIEND OR FOE?

Robots taking over the world has been the plot of science fiction for years now. As artificial intelligence becomes more and more advanced, however, the need for a clear legal framework has become increasingly important. Yet this means answering difficult questions: who is accountable when AI fails? How do we ensure it does not jeopardise our human right to privacy and non-discrimination? Do we need to expand our conception of personhood to include it? This is unprecedented territory, but the law needs to act to keep up with scientific developments – and to ensure that the risks do not come to outweigh the benefits.



## PARENTS: NUCLEAR OR NUMEROUS?

Who is the parent of a child? In a nuclear family this is an easy question to answer - a clear mother and father can be identified. This model, however, no longer represents everyone. Where do step-parents fit in? What about gamete donors? Are 'mother' and 'father' appropriate terms when we now have so many same sex parents? Should the law continue to only recognise two adults in situations such as surrogacy or polyamory? What makes a parent raises complex questions of biology and sociology; traditionalism vs modernisation. Perhaps there is no 'right answer', but a question which touches so many lives surely requires deeper consideration and exploration.

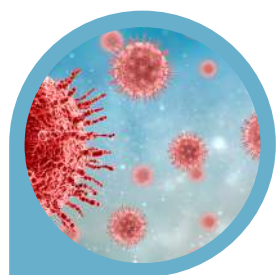
## ADVERSE POSSESSION: REDISTRIBUTION OR THEFT?

Property rights are among the most fiercely protected in many legal systems. Yet what should we do with apparently abandoned land? Adverse possession (often referred to more informally as squatter's rights'), has long been recognised as a means by which people can acquire these highly valuable rights to land simply by living there for enough time without complaint from the legal owner. Yet many jurisdictions are now limiting the extent to which this applies, making it harder to transfer title to land this way. Who should policy makers prioritise - the owner on paper, or the inhabitant in practice?



## SPECIFIC PERFORMANCE: EXCEPTIONAL REMEDY OR EXPECTED PROCEDURE?

Contracts are entered into on the assumption that people can rely on the other party doing what they promised. But what should the remedy be when they refuse to do so? Should it be possible to force people into following through on their agreement, or are damages sufficient? Different jurisdictions have different approaches to this question, which is not as straightforward as it might seem. If it is more economically efficient for a party to breach a contract than to perform it, does this override their moral responsibility to deliver? If we specifically enforce contracts of employment, are we accepting forced labour? Should this argument still stand if they are the only person capable of doing that work? Whether specific performance should be an exceptional remedy asks questions about the heart of contract law and what it should be trying to achieve, but the answers are not clear.



## THE RULE OF LAW IN TIMES OF CRISIS: FUNDAMENTAL OR FORGETTABLE

The Rule of Law is a critical constitutional principle in states around the world.

It stands for various things, including the importance of ensuring that law is clear, easy to follow, and accessible – before the point at which people might be punished if they fail to comply. Covid-19 has seen governments struggle with this; find it difficult to keep the law up to date with constantly evolving scientific advancements. This begs the question: is it legitimate to abandon such a fundamental principle in time of crisis, or is it in such times that it is needed the most? Will citizens still comply with a law that appears arbitrary or unfair? Though the pandemic may be unprecedented, preparation is key to avoid constitutional crises in the future.

## PREPARING FOR LAW ADMISSIONS TESTS

Several universities in the UK, and some beyond, require you to sit the LNAT (Law National Aptitude Test) as part of the application process. This session will explain the format of the test and offer tips and tricks to succeed.



# LAW CALENDAR



Please find the outline for the 9 Law Club classes below! You may receive some light pre-reading before each session and suggestions for further independent exploration (reading, podcasts etc.) post-session where applicable.

## SESSION 1

Joint Enterprise:  
What they Deserve or  
Criminally Unfair?

## SESSION 2

Uber:  
Innovation or  
Exploitation?

## SESSION 3

Childhood: A  
Cocoon or a  
Cage?

## SESSION 4

Artificial  
Intelligence:  
Friend or Foe?

## SESSION 5

Parents:  
Nuclear or  
Numerous?

## SESSION 6

Adverse  
Possession:  
Redistribution  
or Theft?

## SESSION 7

Specific  
Performance:  
Exceptional  
Remedy or  
Expected  
Procedure?

## SESSION 8

The Rule of Law  
in Times of  
Crisis:  
Fundamental or  
Forgettable

## SESSION 9

Preparing For  
Law Admissions  
Tests