



Notre Dame

CATHOLIC SIXTH FORM COLLEGE

A level Law

1. View our courses [here](#)
2. Exam board specification: (Insert URL link here)

<https://www.ocr.org.uk/qualifications/as-and-a-level/law-h015-h415-from-2017/>

3. Suggested reading list, websites, pod casts, films etc.

Reading list

OCR AS/A level Law by Jacqueline Martin and Nicholas Price
To Kill a Mockingbird – Harper Lee
Jeremy Hutchison’s Case Histories – Thomas Grant
Lord Denning – A Life – Iris Freeman
Is Eating People Wrong? Great Legal Cases and how they shaped the world – Allan Hutchinson
Stories of the Law and How it is Broken – The Secret Barrister
The Rule of Law – Tom Bingham
The Paper Chase – John Jay Osborn
The Children Act – Ian McEwan
Anonymous Lawyer – Jeremy Blanchman
Law and Disorder: Funny Moments from the Courts – Charles M Sevilla
Bewigged and Bewildered? A guide to being a barrister – Adam Kramer
Sister, Sister – Sue Fortin
Law and Order – Tim Kevan

Websites

<https://www.e-lawresources.co.uk/>
www.lawteacher.net
www.legalcheek.com
<https://thesecretbarrister.com/>
<http://ukscblog.com/>
<https://ukhumanrightsblog.com/author/adam1cor/>
www.thejusticegap.com



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Podcasts

- I am The Law
 - Thinking Like a Lawyer
 - Law in Action
 - Sword and Scale
 - Up and Vanished
- BBC Sounds has a range of Law based podcasts

Films

- Twelve Angry Men
- 24 Hours in Police Custody (Channel 4)
- To Kill a Mockingbird
- On the Basis of Sex
- The Children Act
- 10 Rillington Place
- In the Name of the Father
- Reversal of Fortune
- Anatomy of a Murder
- The Insider
- Amistad
- Accused
- Denial
- Erin Brocovich
- In the Name of the Father
- Michael Clayton

4. A summer learning activity/task

Few British legal cases in recent years have proved as controversial or emotionally charged as that over the fate of **Charlie Gard** who died after a lengthy battle over his medical treatment.

Charlie had a progressive medical condition which the doctors at Great Ormond Street Hospital thought could not be treated and Charlie should be allowed to die, and that any attempt to give further treatment would not be in Charlie's best interests. The parents wanted to take Charlie to the USA for experimental treatment and had raised enough money through





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crowd funding to be able to do so. As agreement between the hospital and the parents could not be reached, the courts had to decide.

During the many hours of legal debate in the case which began in the High Court and was later heard in the Supreme Court and the Court of Justice of the European Union, Katie Gollop QC, who led Great Ormond Street's legal team, described the case as "sad", but not "exceptional".

She was wrong. The case, which saw Charlie's parents take on the world-renowned hospital in the courts, was one of those rare cases that transcend the cut-and-thrust of legal argument. In doing so, it made us **question the role of the parent, the motives of doctors** and - as always in this digital age - wonder about **the ever-growing influence of the internet**.

The influence of the internet

While Charlie's parents gave television and newspaper interviews and made pleas on social media, Great Ormond Street Hospital was left to rely on media statements and court papers to explain its position. The hospital said it was not possible to give Charlie the non-invasive treatment - a powder that could be added to his food - that his parents felt could help him in his battle with mitochondrial depletion syndrome, a condition which causes progressive muscle weakness and brain damage. Rational, scientific logic was never going to win hearts and minds against the raw emotion of parents trying to do everything they could for the severely ill baby.

It's fair to say this case simply would not have played out the way it did in the pre-internet age. It was with the help of social media and crowd funding that Charlie's parents were able to raise the funds for him to be treated in the US in the first place. And it was via the internet that the parents were able to make a video appeal - just at the moment that it looked like Great Ormond Street would remove life support - to be given longer to say goodbye. Through the internet, in particular social media, the family obtained an enormous following, support from influential persons and vast amounts of funding.

The role of doctors

But the case - and its importance - also comes down to a dilemma that becomes more acute as medicine develops. At what point is it appropriate not to treat patients and allow them to die? Patients coming to the end of life are now routinely encouraged to discuss advanced care plans setting out how much they want doctors to do when they get closer to death. These plans cover everything from when it is appropriate to resuscitate to when treatment should be withdrawn and a patient moved on to palliative care to help them die with dignity. But in Charlie's case, because he was a baby, this was simply not possible. Instead, he was kept alive on a ventilator while his parents and doctors took to the courts.



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The medical profession - bound by the basic principle of medicine "do no harm" - felt it was in his best interests to let him die with dignity rather than have an experimental treatment that they believed would do him no good. In court they argued he had "no quality of life and no real prospect of any quality of life".

But there is also an ethical dimension to this. Are doctors the right people to determine what constitutes "quality of life"? Do we put too much emphasis on their opinion?

Should parents have the final say?

One of the key arguments put forward by Charlie's parents during the hours of legal discussion was the rights of parents to make decisions for their children. They believed it should have been up to them to decide what was best for their son. But this is not what the law says.

The 1989 Children's Act makes it clear that where a child is at risk of harm the state can and should intervene and a framework has been created whereby the state can challenge the view of parents where they believe children's best interests are not being served.

This sees doctors oppose the decision of parents who are Jehovah's Witnesses and refuse blood transfusions for their children. The law is also used by councils to take children they believe are at risk into care.

You will find the answers to these questions in the article:

1. Which courts were involved in the case? [2]
2. Where did Charlie's parents want to take him, and for what reason? [2]
3. How had the parents raised the money to take Charlie overseas? [2]
4. What was the reason of the doctors at GOSH for wanting to let Charlie die? [2]
5. What piece of legislation allows the state to question the decisions made by parents on behalf of their children?



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[2]

The article will help you with the answers to these questions but your general knowledge should also help. Give as much detail as you can:

6. What is the highest court in the domestic legal system of England and Wales?

[2]

7. How do people and organisations involved in court cases present their arguments to the court?

[2]

8. Who actually makes the decision in a court case?

[2]

9. If the doctors had not got the permission of the court to stop treating Charlie, what may have been the legal consequences for them?

[2]

10. This case involved a dispute between the parents and the hospital. Is it a civil case or a criminal case? What do you know about the differences?

[2]

Discuss the advantages and disadvantages of courts being able to resolve disputes such as the Charlie Gard case. Include the benefits of resolving the case in other ways.