




<https://www.youtube.com/watch?v=j8OdE4hSyUw>



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"I realised that English is a requirement for success in business, not just a competitive advantage, but a limitation if you don't have it"

Carlos is from Portugal and he is working in Finance in the US, focusing on social and sustainable projects. Achieved B2 First & C1 Advanced


Cambridge
English Qualifications



"I also took C1 Advanced as I always wanted to have a certificate. I already knew I had an intermediate level, but I wanted to have a document to prove these skills, and I took the Cambridge English exam because it is a lifelong document."

Luana is from Brazil and she has worked in communication and customer services roles in the UK. Achieved C1 Advanced

Cambridge
English Qualifications



"Having a deeper understanding of a language is paramount to a successful career, especially for law where the answer often lies in the subtlety of the words used to convince."

Valentin is from France and studied law at Cornell Law School in the USA. Achieved C1 Advanced

Cambridge
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VIDEO-COMPREHENSION: CRIME

Watch video-clips 1, 2 and 3 and put the verbs in brackets into the correct form:

1) <https://www.youtube.com/watch?v=7Lqd-UwZmJ4>



Police Constable Nicholas Angel (join) the Metropolitan Police Service after studying Politics and Sociology at the University of Canterbury. He (attend) Hendon College of Police Training, where he (display) great aptitude in field exercises and (graduate) with distinction. He quickly (establish) a reputation for effectiveness and popularity within the community. He then (improve) his skill base with courses in advanced driving and cycling. In London, he (volunteer) for the SO19 Armed Response Unit, where he received nine special commendations, (achieve) the highest arrest record of any police officer and (sustain) three injuries in the line of duty. The last of these (occur) when a man dressed as Santa Claus (stab) him in the hand.

2) <https://www.youtube.com/watch?v=u5ZbTMEcmx0>

Constable Angel (go) to the village pub, (sit) down, (drink) his cranberry juice and (read) the local newspaper. Then, he (hear) some irritating adolescent laughter and (see) a large number of underage patrons drinking alcohol. He (tell) the pub landlord that their presence (be) illegal but the publican (say) that they (be) harmless. Nevertheless, Constable Angel (throw) them all out of the pub.

Later, he (meet) a drunk driver when he (drive) his car into a wall although he obviously (not mean) to. Constable Angel (lead) him away from the scene of the crash and (bring) him to the police station along with some of the teenage drinkers.

The Desk Sergeant (not can) process all of the delinquents because he (not have got) enough ink in his pen, so Constable Angel

..... (give) him two more biros. The policemen then (take) the offenders' photos and fingerprints. They (hold) them in custody and (keep) them in the cells overnight before they (let) them go.



3) <https://www.youtube.com/watch?v=kLLp1q42lb8>

The next day, a young thief (break) the law in front of numerous witnesses when he (steal) some items from the village supermarket. Constable Angel (run) after him and (cut) through some back gardens in order to apprehend him. Finally, he (throw) a spray-can at the boy so that it (hit) him on the head and he (fall) to the ground.

Constable Angel (catch) the shoplifter, (put) him in handcuffs and (read) him his rights. Apparently, his colleague, Constable Buttermann, (know) the boy well but he (spend) the next few hours in police custody, anyway.



POLICE PROCEDURE

VOCABULARY

NOUNS

Police officers

Constable

Detective Constable

Sergeant

Detective Sergeant

Inspector

Detective Inspector

Chief Inspector

Detective Chief Inspector

Superintendent

Chief Superintendent

Evidence

Pursuit

A crime / an offence

A criminal / an offender / a felon

A victim / a victim of crime

A shoplifter / a thief

Shoplifting / stealing / theft

A suspect

A witness

A mugshot / a police photograph / a booking photograph

VERBS

To shoplift / to steal

To read s.o. their rights

To arrest / arrested / arrested

To handcuff s.o. / to cuff s.o.

To take s.o. into custody / to hold s.o. in custody

To jail s.o. / to lock s.o. up

To press charges / to charge s.o. / to prosecute

To release s.o. / to let s.o. go

To fingerprint s.o. / to take their fingerprints

To question s.o. / to interrogate s.o.

To caution s.o. / to reprimand s.o. formally

To pursue s.o. / to chase s.o.

To make a statement / to take a statement

To resist arrest

The Murdaugh Murders



The Murdaugh family (practise) law in South Carolina since 1910. Three generations of this powerful family(serve) as solicitors, there, for about 90 years, including Alex Murdaugh, a prominent and successful lawyer.

In 2018, the Murdaughs' housekeeper, Gloria Satterfield, (die) after what (purport) to be a trip-and-fall accident at the family's home in Hampton, South Carolina. Medical staff (find) inconsistencies surrounding Satterfield's death but the discrepancies (not report) to the coroner and no autopsy (perform). In September 2021, Satterfield's sons (file) a civil lawsuit against Alex Murdaugh and others, claiming they never (receive) an insurance payout concerning their mother's death. According to the complaint, Alex Murdaugh's insurance company (agree) to a partial settlement of the claims associated with Gloria Satterfield's death of \$505,000 to her sons. However, the money never (pay).

In 2019, Alex Murdaugh's twenty-year-old son, Paul, (charge) in connection with a 2019 boat crash that (leave) a 19-year-old woman dead. After attending a gathering on Parris Island that February, Paul, who allegedly (drink), (get) behind the wheel of a boat with five passengers which (crash) into a bridge at about 2 a.m..

Mallory Beach, 19, (be) a close friend of Paul's then-girlfriend, Morgan Daughy, who (subject) to physical and psychological abuse during her relationship with him. Morgan (claim) that Mallory (try) to warn her about the violent behavior that Paul would exhibit while intoxicated. Shortly afterwards, Mallory (fall) off the boat and her body (find) a week later. Paul Murdaugh (arrest) and (indict) on charges of boating under the influence (BUI), causing death and significant bodily injury. Paul (plead) not guilty. He (release) on a \$50,000 bond.

By June 2021, Alex Murdaugh and his wife, Maggie, (separate) and she (stay) at the family's beach house on Edisto Island, approximately an hour from the family's estate. One night, Alex Murdaugh (contact) her, asking her to meet him at the family's 1,770-acre estate. Alex (tell) her that his 81-year-old father was in failing health and that the old man (need) to see her one last time before the end. She (consent) to meet Alex at the property, planning to follow him to the hospital in her own vehicle. On her way to the house, Maggie (message) a friend, saying that something about her husband's behaviour felt "fishy".

"He's up to something," Maggie allegedly (write) in her final text.

Not long after that, Maggie Murdaugh and her son, Paul (kill). Police (discover) their bodies at the family hunting lodge following a late-night 911 call. The two (survive) by Maggie's husband, Alex Murdaugh and his son Richard, aka Buster.

On the night of the murders, Alex (visit) his mother. According to him, his visit (last) about an hour although his mother's carer said it (be) more like 15-20 minutes.

In September 2021, Alex Murdaugh (shoot) in the head while he (change) a tyre, A helicopter (fly) him to a hospital. Alex (suffer) an entry and exit wound, a skull fracture, and minor brain bleeding in two places. The police (classify) the incident as attempted murder.

Two days later, Alex — whose wounds (be) superficial — released a statement saying he (leave) his job at Peters Murdaugh Parker Eltzroth & Detrick and (enter) an in-patient substance abuse rehabilitation facility.

"The murders of my wife and son have caused an incredibly difficult time in my life," he said in a statement. "I have made a lot of decisions that I truly regret. I'm resigning from my law firm and entering rehab after a long battle that (exacerbate) by these murders."

The South Carolina Supreme Court subsequently (suspend) his law licence after he (accuse) of stealing \$1 million from his law firm.

Further investigations (reveal) that Alex Murdaugh (spend) \$50,000 a week on drugs at the time of the murders. In order to feed his opioid addiction, he (embezzle) millions of dollars in funds from his clients, including the \$505,000 settlement intended for the Satterfield family.

In November 2021, Alex Murdaugh (charge) with 27 counts of financial misconduct, including forgery, money laundering, computer crimes, breach of trust with fraudulent intent, and obtaining a signature or property by false pretences. Apparently, he (steal) more than \$6.2 million from his alleged victims.

According to the prosecution lawyer "Alex Murdaugh clearly knew what he had done was wrong. He was in a massive depression and was in withdrawal from opioids. He wanted to make his

own suicide attempt look like a murder because he wanted his eldest son, Richard, to claim life insurance monies but believed that the \$10 million policy had a suicide exclusion clause. It was an attempt on his part to do something to protect his last remaining child."

Following a trial which (last) until 2 March 2023, Alex Murdaugh (find) guilty of murdering his wife and younger son and (serve) a sentence of life in prison without parole.

DISCUSSION: The above text describes a series of crimes which still make little sense.

i) Speculate as to the possible means, motives and opportunities the killer(s) may have had when committing these crimes and how these tragic events could have been avoided.

Alex Murdaugh	Must have...	Paul Murdaugh	Must have...
	Could have		Could have
	May have		May have
	Might have		Might have
	Can't have		Can't have

Gloria Satterfield	Could have...	Mallory Beach	Could have...
	May have		May have
	Might have		Might have
	Can't have		Can't have

ii) Now talk about how the people below should have behaved and what they should have done:

Alex Murdaugh	Should / shouldn't have...	Paul Murdaugh	Should / shouldn't have
	Would / wouldn't have		Would / wouldn't have

Maggie Murdaugh	Should / shouldn't have...	The police	Should / shouldn't have
	Would / wouldn't have		Would / wouldn't have

Mallory Beach	Should / shouldn't have...	Morgan Daughy	Should / shouldn't have
	Would / wouldn't have		Would / wouldn't have

A Monumental Error?

Read the article and watch the video-clip

<https://www.youtube.com/watch?v=0OdSP0pgPw0>



Four activists, Rhian Graham, 30, Milo Ponsford, 26, Sage Willoughby, 22, and Jake Skuse, 33, were part of an angry crowd that pulled down the statue of Edward Colston during a Black Lives Matter protest in Bristol in June 2020. The 'Colston 4' were captured on CCTV cameras putting ropes around the statue, pulling it off its pedestal and onto the ground, rolling it down the road to the dock and throwing it into the water. As a result, they were arrested and prosecuted for Criminal Damage. They were given the choice of a magistrates' court or trial by jury and opted for the latter.

In January 2022, however, they were found not guilty of Criminal Damage after the jury agreed that they had committed no crime. In a trial that was widely reported, the defence team claimed that the presence of the statue of a 17th-century slave merchant in a public place constituted a hate crime. They also claimed that the defendants effectively owned the statue, as it belonged to the people of Bristol, and they could not be convicted for damaging their own property.

After deliberations lasting less than three hours, the jury cleared the defendants of the charges. The Colston 4 declared their acquittal "a victory for anyone who wants to be on the right side of history."

The prosecution had argued that it was irrelevant who Colston was, the defendants were guilty of a crime, and the verdict has led to concerns that other activists will be encouraged to take the law into their own hands. The defendants' supporters, by contrast, maintain that the trial was a waste of public money and should never have gone ahead in the first place. Some legal experts have claimed that the result justifies the role of the jury system. Adam Wagner, a Human Rights lawyer, said that, although the case has not set a legal precedent, it shows that local juries can sometimes act as a kind societal pressure valve by delivering anomalous verdicts that reflect public opinion.

Under current legislation, Criminal Damage can incur a sentence of up to 10 years in jail. But where the damage is less than £5,000, the maximum sentence is three months' imprisonment and a fine of up to £2,500. Given the rising number of similar incidents, Parliament is considering new legislation which would let courts consider the "emotional or wider distress" caused by damage to public property and raise the maximum sentence to 10 years, regardless of the costs involved. The move would extend to flowers or wreaths placed at war memorials, such as the Cenotaph.

A government Minister said, "Britain is not a country where destroying public property can ever be acceptable. We live in a democracy. If you want to see things changed, you do that through the ballot box or by petitioning your local council. You do not do it by causing criminal damage. For juries to think that statues are on trial, not the defendants, would be laughable if its consequences were not so serious."

CRIMINAL TRIAL PROCEDURES

Most criminal trials follow a uniform set of procedures. Here's a step-by-step guide to the process. The legal procedures associated with modern criminal trials have developed over centuries. If the criminal trial is carried out to completion, those procedures include the following:

Judge or Jury Trial. The defence often has the right to decide whether a case will be tried to a **judge** or **jury**, but in some jurisdictions both **the prosecution** and **the defence** have the right to demand a **jury trial**. Juries typically consist of 12 people.

Jury selection. If the **trial** is to be held before a jury, **the defence** and **the prosecution** will select the **jury** through a question-and-answer process.

Evidence issues. The defence and the prosecution request that **the court**, in advance of trial, admit or exclude certain **evidence**.

Opening statements. The prosecution and then the defence make **opening statements** to the **judge** or **jury**. These statements provide an outline of the case that each side expects to prove. The **defence lawyer** may even choose not to give an opening statement, perhaps to emphasize to the jury that it's **the prosecution's** burden to do the convincing.

The prosecution case. The prosecution presents its main case through direct examination of **the defendant** and **prosecution witnesses**.

Cross-examination. The defence may **cross-examine** the **accused** and **prosecution witnesses**.

Prosecution rests its case. The prosecution finishes presenting its case.

Motion to dismiss (optional). The defence may **move** to dismiss the charges if it thinks that the prosecution has failed to produce enough evidence to support a **guilty verdict**.

The defence case. The defence presents its case via direct examination of **defence witnesses**.

Cross-examination. The prosecutor cross-examines the defence witnesses.

The defence rests its case. The defence finishes presenting its case.

Settling on jury instructions. The prosecution, the defence and the judge determine a final set of instructions that the judge will give the jury.

Prosecution closing argument. The prosecution makes its **closing argument**, summarizing the evidence, as the prosecution sees it, and explaining why the jury should **deliver a 'guilty' verdict**.

Defence closing argument. The defence's counterpart to the prosecutor's **closing argument**. The lawyer explains why the jury should **deliver a 'not guilty' verdict** — or at least a guilty verdict on a **lesser charge**.

Jury instructions. The judge instructs the jury about what to do and what law to apply to the case.

Jury deliberations. The jury **deliberates** and tries to **reach a verdict**. Juries must typically be unanimous. If less than the requisite number of **jurors** agrees on a **conviction** or an **acquittal**, the jury is **hung** and the case may be **retried**.

Sentencing. Assuming a **conviction** (a **'guilty' verdict**), the judge sentences **the offender**. Once convicted, dissatisfied **defendants** may then **appeal** to an **appeals court**.

The Case of Oscar Pistorius and Reeva Steenkamp

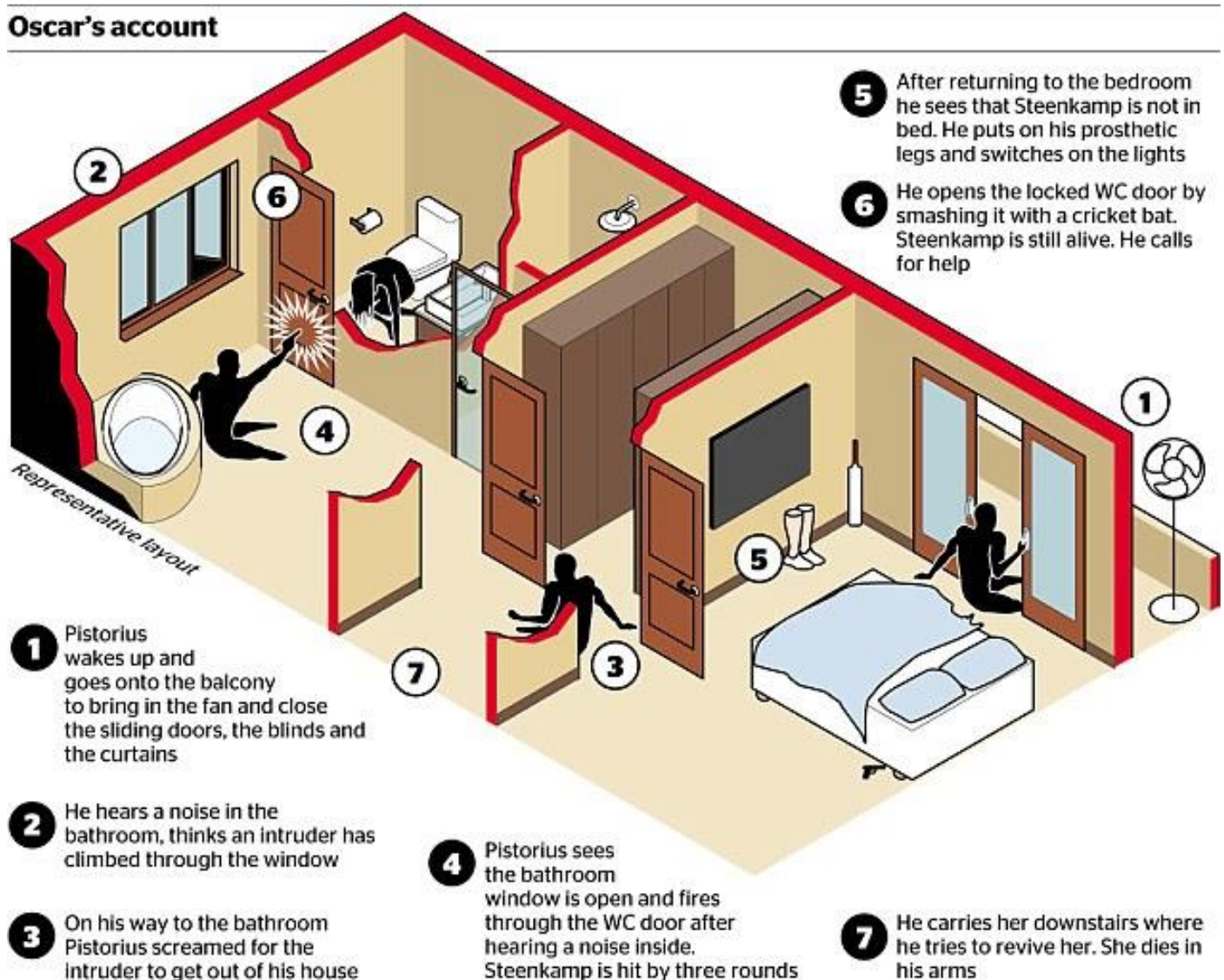
1) First, watch the videoclip: <https://www.youtube.com/watch?v=jTc5UrfEiTg>

2) Now, read the news report and watch the video-clip:

<https://www.nbcnews.com/storyline/pistorius-trial/oscar-pistorius-murder-sentence-more-doubled-after-appeal-n823726>

- a) When did the crime take place?
- b) Who was the victim?
- c) Who was the perpetrator?
- d) What was his defence?
- e) What was the verdict after the first trial?
- f) What was the sentence?
- g) What happened as a result of the appeal?

Oscar's account



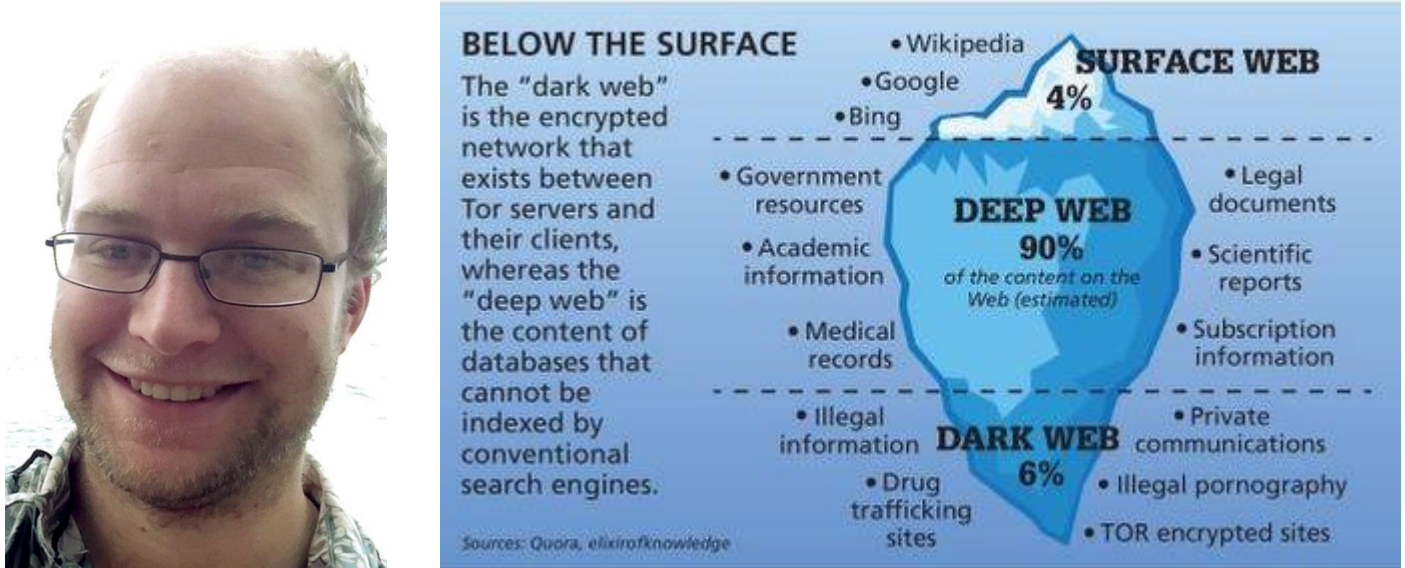
3) WEBQUEST: Use the Internet to discover what will happen now.

5) READING

Cambridge Graduate Gets 32-Year Jail Sentence for Online Blackmail Campaign

Dr Matthew Falder, 29, who obtained a Master's degree and Ph.D from Cambridge University, has been jailed for 32 years for conducting a campaign of appalling web-based abuse against vulnerable victims. He admitted blackmailing scores of men, women and children, into carrying out humiliating and degrading acts, which left three so traumatized that they attempted suicide.

The brilliant geophysicist had been described by a university tutor as one of the finest students he had ever taught. But his descent into the depraved world of 'Hurtcore' - where dark web users take pleasure in witnessing the physical and mental torture of others - caused a judge to brand him an "internet highwayman". After tricking his targets into sending naked images of themselves, Falder then blackmailed them into committing increasingly embarrassing acts which included forcing one girl to eat dog food and making another drink her own urine and eat her own faeces.



Falder, who worked as an academic at Birmingham University, contacted more than 300 potential victims, but by operating on the dark web, he managed to evade capture for eight years. He was eventually apprehended following a concerted international investigation led by the National Crime Agency (NCA), the Department for Homeland Security in America and spies based at GCHQ. Judge Philip Parker QC said Falder had enjoyed every advantage in life, having been brought up by a loving family and benefiting from a world class education.

"Despite never having met any of your victims, you assumed total control over them. Your behaviour was cunning, persistent, manipulative and cruel. No-one who knew you socially had any idea about what you were doing online."

Birmingham Crown Court heard how Falder had initially tricked victims into providing nude images of themselves by posing as a female artist who wanted to use them to create life drawings. Once he had the photographs he used them to blackmail the victims into taking part in increasingly degrading activities. Falder also set up hidden cameras in public toilets, catching his unsuspecting victims on film. He then used the footage to blackmail his victims and trade with other Hurtcore offenders online. He was arrested at the University of Birmingham, where he worked as a geophysics researcher, and will not be eligible for parole until he is 50 years old. Will Kerr, NCA director of vulnerabilities, said police are increasingly concerned about 'Hurtcore' offenders.

"This investigation is a watershed moment for policing for two reasons: firstly, it highlights a previously unknown level of very horrific offending - there were over 300 contact reports from Matthew Falder alone; secondly, it highlights the unprecedented level of resources that law enforcement has to put into these investigations - at one point there were 100 investigators working on this case using the broadest range of new covert capabilities to try and identify and catch him and other offenders who were engaged in similar activities. Falder is not alone - there are many other users of these dark web sites and we are very concerned about it."

Now watch the National Crime Agency report: <https://www.youtube.com/watch?v=z1ae-SYXewk>

6) Now write some sentences about the Matthew Falder case using must have / could have / may have / might have / can't have / should have / ought to have

7) WEBQUEST: Now use the Internet to discover what you can about the legal situation with regard to cyber-bullying in your country. What can parents do if they think their child is a victim of an online predator?

<https://www.lawyersitaly.eu/free-case-evaluation>

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- Bankruptcy Law in Italy
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- How to Purchase Shares of an Italian Company
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- How to Resolve a Shareholder Dispute in Italy
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<https://www.immigration-italy.com/how-to-obtain-permanent-residence-in-italy>

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<https://www.lawyersitaly.eu/eori-registration-in-italy>

1) THE CONVENTIONAL ORDER OF STEPS IN A PHONE-CALL

STEPS 1, 2, 5 and 7 are obligatory. STEPS 3, 4, and 6 are optional.

STEP 1. SALUTATION / IDENTIFICATION:

Person Called

"Hello. John Smith speaking."

"Hello. OMG Legal Services. Can I help you?"

STEP 2. INTRODUCTION; ASKING FOR / CONFIRMING IDENTIFICATION:

Person Calling

"Hello. This is Andrew Patterson. Could I speak to the Office Manager, please?"

"Hello. This is Andrew Patterson. Who is speaking, please?"

"Hello. Is that the Mergers and Acquisitions department?"

"Oh, I'm sorry. I've got the wrong number."

STEP 3. GETTING THROUGH TO THE RIGHT PERSON:

Person Called

"If you hold on, I'll put you through to Mr X."

"I'm afraid the line's engaged. Could you hold on, please?"

"I'm sorry, the line's busy. Will you hold?"

"Hold on, I'm putting you through."

"OK. You're through now. Go ahead."

"I'm afraid Mr X is away / isn't in. Can I take message?"

"I'm afraid Mr X is busy. Shall I get him to call you back?"

"I'm afraid Mr X is busy. Could you call back later, please?"

"I'm afraid you've got the wrong number."

STEP 4. EXPOSITION: (State the main facts and all relevant information such as sources of information etc.)

Person Calling

"Hello? It's about an apartment of mine which I rented out last year. I'm afraid there's a problem with the tenant."

"It's about..." "I'm calling about..." "I'm calling to ask you..." "I'm calling to let you know that..."

"I'm afraid there's been a mix up / a slip up / a misunderstanding." "I'm afraid there's a problem with..."

STEP 5. REQUIREMENTS: (Explain what you want the addressee to do).

Person Calling

"I was wondering if you could tell me..." "Would it be possible to...?" "Could you possibly...?"

"If possible, I would like..." "I would like ..." "Would you..." "Could I/you..." "Can I/you..."

"If you do not ...x.... within ...y... days, I will be forced to...z...." "Well, unless you...x..., I will ...y...."

STEP 6. CONFIRMATION: (Summarise what has been agreed)

Person Calling / Person Called

"So, you will call me again at this number when you have found the relevant documents."

"So, we shall meet in your office at 11 a.m. on Friday."

"OK, then. I shall send you the contract on the 14th of March, as we agreed."

"Right, I will call you back as soon as I have spoken to..."

STEP 7. CONVENTIONAL ENDING:

Person Called

"Thank you very much, Mr Baxter. Goodbye."

"Thank you for calling, Mrs Jones."

"Goodbye, then."

"Bye, Andy."

Person Calling

"Goodbye."

"Not at all, Mr Smith. Goodbye."

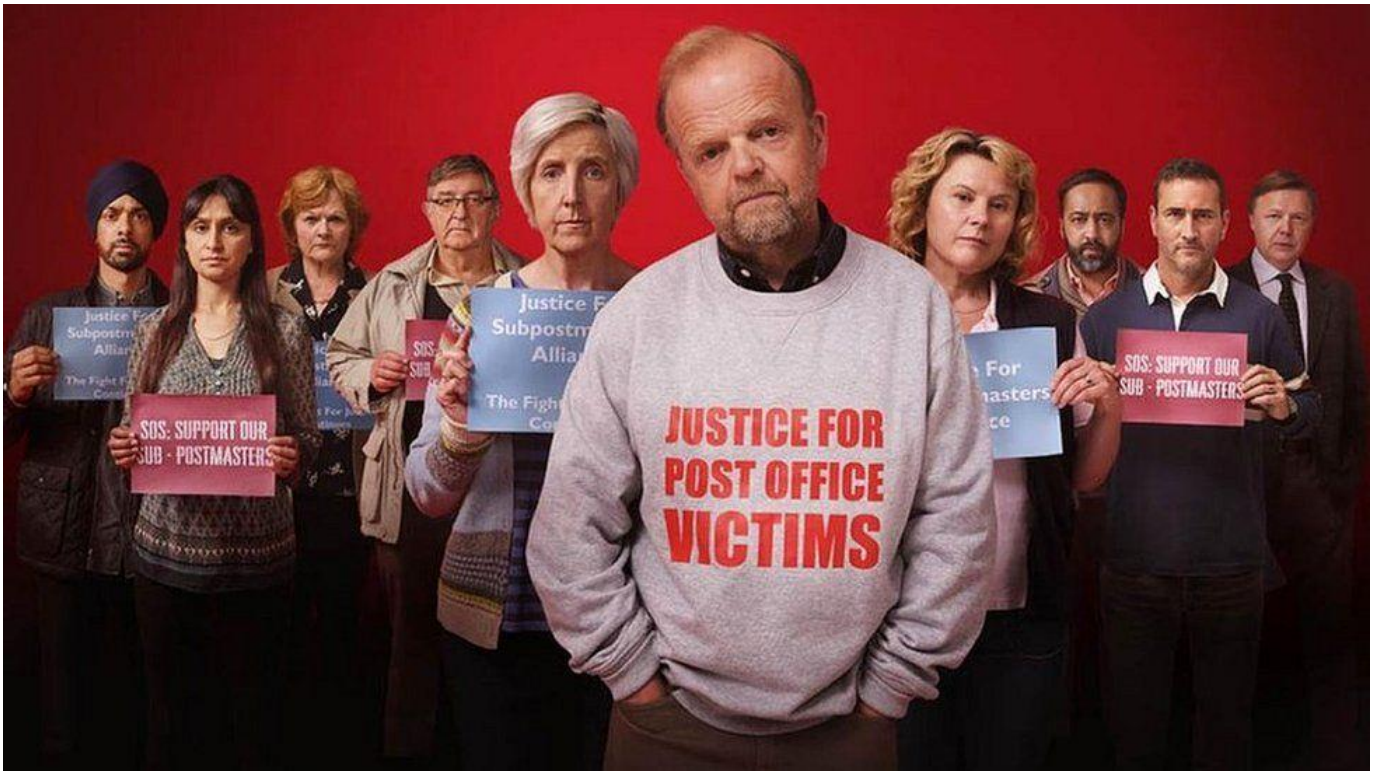
"Goodbye."

"Bye."

CLASS ACTIONS / GROUP LITIGATION: THE POST OFFICE SCANDAL

1) First, watch the trailer for the British television series 'Mr Bates Vs the Post Office'.

<https://www.youtube.com/watch?v=zPkvYXufpAY>



“One of the greatest miscarriages of justice in our nation’s history” – Prime Minister Rishi Sunak

2) Now listen to an explanation of the case following a Public Inquiry and answer the questions

<https://www.youtube.com/watch?v=ROBJjMeINGQ>

- a) What was the Horizon IT system designed to do?
- b) What did it actually do in some cases?
- c) Who was held legally responsible for any financial discrepancies?
- d) What happened to them as a result?
- e) How many of them were falsely prosecuted?
- f) What crimes were they accused of?
- g) When did the High Court quash their convictions?
- h) How much money did the government provide for compensation?
- i) How much did the government agree to pay each individual in interim compensation?
- j) 555 litigants were awarded £57,750,000. How much was deducted for legal fees and costs?
- k) Will the Post Office directors go to jail? If so, what crime(s) did they commit?
- l) So far, how many people have been censured for their role in the scandal?

3) READING: study the timeline of key events

The Post Office Scandal – a timeline of key events



Post Office court case Former post office workers celebrate outside the Royal Courts of Justice, London, after having their convictions overturned by the Court of Appeal in 2021

Here is How the Scandal Emerged

The Post Office Horizon IT scandal became famous following the TV drama 'Mr Bates vs The Post Office'. More than 700 Post Office branch managers were given criminal convictions after faulty Fujitsu accounting software, called Horizon, made it appear that money was going missing from their shops.

– 1999

The Horizon IT system is installed in Post Office branches across the UK.

– 2000

Alan Bates reports problems with the Horizon IT system.

– 2003

Alan Bates has his contract terminated after refusing to accept liability for the shortfalls in the accounts at his Llandudno branch in North Wales.

– 2004

Lee Castleton, from Bridlington, East Yorkshire, was found to have a £25,000 shortfall at his branch. He was made bankrupt after he lost his legal battle with the Post Office.

– 2009

'Computer Weekly' magazine reports the story of seven sub-postmasters beginning their fight for justice.

The Justice for Sub-Postmasters Alliance is established.

– 2010

Pregnant sub-postmaster Seema Misra, who ran a post office in West Byfleet, Surrey, is jailed after being accused of stealing £74,000.

– 2015

Post Office boss Paula Vennells tells Parliament's Business Select Committee that there is no evidence of miscarriages of justice.

The Post Office halts prosecutions of sub-postmasters.

– 2017

Legal action is launched against the Post Office by a group of 555 sub-postmasters.

– 2019

A High Court judge rules that Horizon contained a number of "bugs, errors and defects" and there was a "material risk" that shortfalls in Post Office branch accounts were caused by the system.

The Post Office agreed to pay out £58 million to the 555 sub-postmasters.

Post Office boss Paula Vennells is appointed a CBE.

– 2020

The Post Office does not oppose 44 appeals against convictions of sub-postmasters.

– 2021

A Public Statutory Inquiry looking into the failings of the Horizon system and the wrongful convictions of sub-postmasters begins.

The Court of Appeal quashes 39 wrongful Crown Court convictions.

– 2024

The drama series 'Mr Bates vs The Post Office' is shown on British television.

4) WEBQUEST 1: Use the Internet to find the answers to the following questions

https://www.youtube.com/watch?v=7aw_x1lscRk



a) What happened after the Court of Appeal quashed 39 wrongful Crown Court convictions?

b) What will happen now?

5) READING: Read the following definition of a **class action** or **group litigation**:

A **class action**, also known as a **class-action lawsuit**, **class suit**, or **representative action**, is a type of lawsuit where one of the parties is a group of people who are represented collectively by a member or members of that group. The **class action** originated in the United States and is still predominantly an American phenomenon, but Canada, as well as several European countries with Civil Law, have made changes in recent years to allow consumer organizations to bring claims on behalf of consumers.

The antecedent of the **class action** was what modern observers call **group litigation**, which appears to have been quite common in medieval England from about 1200 onward. These lawsuits involved groups of people either suing or being sued in actions at Common Law. These groups were usually based on existing societal structures like villages, towns, parishes, and guilds.

Class actions survived in the United States thanks to the influence of Supreme Court Associate Justice Joseph Story, who imported it into US law through summary discussions in his two equity treatises as well as his opinion in *West v. Randall* (1820).

By aggregating many individualized claims into one representational lawsuit, **class actions** offer a number of advantages:

- i) Aggregation can increase the efficiency of the legal process and lower the costs of litigation.
- ii) A **class action** may overcome "the problem that small recoveries do not provide the incentive for any individual to bring a solo action prosecuting his or her rights".
- iii) **Class-action** cases may be brought to purposely change behaviour of a class of which the defendant is a member.
- iv) In "limited fund" cases, a **class action** ensures that all plaintiffs receive relief and that early-filing plaintiffs do not raid the fund.
- v) A **class action** avoids the situation where different court rulings could create "incompatible standards" of conduct for the defendant to follow.

6) WEBQUEST 2:

a) Search the Internet and find an example of a notorious **class action** or **group litigation**.

e.g. <https://www.classaction.com>

b) Make notes on the following:

i) The Civil Wrong

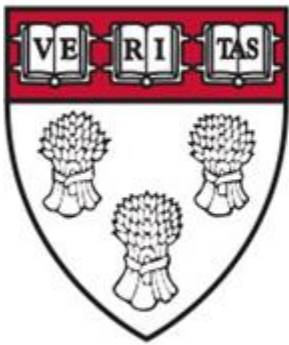
ii) The victims / the litigants / the plaintiffs / the claimants

iii) The defendant

iv) The Civil Trial (which jurisdiction / where / when / how long) / the decision / the judgement)

v) The Court Order

vi) The remedy (restitution / damages / specific performance / settlement out of court)



HARVARD LAW SCHOOL

1) READING COMPREHENSION

A Harvard Law student has filed a lawsuit against the university because tuition prices and fees have remained the same despite classes moving to remote learning due to the Coronavirus pandemic.

"I decided to sue Harvard because while they did make some effort ... the first semester we were online to mitigate things, they just have not lowered tuition fees," Abraham Barkhordar, 23, told ABC News in an exclusive interview.

"They've actually suggested that to mitigate the difficulties of online learning that we rent office space as students," said Barkhordar. "I just felt disrespected and unheard by the administration. And I think, as I've learned this year, the way to get justice in America is through the legal system."

In March, during the height of the pandemic and in the middle of the semester, Barkhordar said he was forced to move out of his on-campus housing with very little notice. He decided to go home, which involved flying across the country and moving back in with his parents in California, where he said disruptions were commonplace since five people were living in one home.

Barkhordar said he felt like he was at a disadvantage. Since law school relies on participation, he said he had to wake up at 5 a.m. for class. And without the student spaces like the library and the study groups that usually come with a Harvard Law School education — in addition to the difficulty of learning online — he began to fall behind in class.

In May, he finished his first year of law school, 3,000 miles away from the library he said he had previously "lived in".

The law school announced that classes will remain virtual while tuition fees will remain at \$65,875 — the same price as last year.

Last spring, most universities and colleges across the nation went remote as the novel Coronavirus swept across the nation. Classes were held over Zoom, many students moved back home and most tuition prices remained unchanged.

But by the end of the semester, more than 50 schools and universities faced legal complaints from students demanding that tuition or fees be refunded. Drexel University in Philadelphia, Columbia University in New York City, Michigan State, Vanderbilt, Brown, Berkley and the University of Colorado are some of the schools facing these legal challenges. In each claim, the plaintiffs — the students — centre their argument around the fact that there was diminished value in an isolated, virtual education.

On Monday, Harvard University joined the list of schools to be sued by its own student, who is a named plaintiff.

The Claims

The lawsuit alleges three claims against Harvard, the first being a **breach of contract**.

“Students signed up at the beginning of the semester, paid their tuition on the understanding that they would receive classes in person for the whole semester,” Barkhordar said. “That agreement wasn’t met. Classes went online halfway through, so that was a breach of contract.”

The second claim of the lawsuit is **unjust enrichment**.

“By exacting the same tuition and fees from these students under these strange circumstances where you’re paying reduced overheads ... ultimately, that unjustly enriches Harvard and other institutions like it because the students are paying for something that they are ultimately not getting,” Barkhordar told ABC News.

The third claim is **conversion**.

“They converted that money that was for tuition into a benefit for themselves without actually giving the benefit to the students,” Barkhordar said.

Barkhordar said he’s bringing the lawsuit against Harvard in the hope it becomes a class action lawsuit, saying he’s fully prepared and ready to represent his fellow classmates, which could be considered an injured class in court.

“Plaintiff and Class Members did not intend to attend an online educational institution, but instead enrolled in Defendant’s institution on an in-person basis,” the class action lawsuit complaint says, referring to Harvard University as the defendant. “The online learning option Defendant offers is subpar in practically every aspect. The remote learning option is in no way the equivalent of the in-person education putative Class Members were promised when they committed to attend Harvard.”

2) WRITING

You are Saul Goodman, Abraham Barkhordar’s lawyer. Write a formal letter to Harvard University making a claim for (i) breach of contract; (ii) unjust enrichment; and (iii) conversion, based on the information and arguments given in the article above.