

First, watch 'Darwin Awards: Mid-life Crisis'

<https://www.youtube.com/watch?v=1WizROlojIA>

Then watch, 'JATO Rocket Car - Harvey Whetstone - Darwin Awards'

<https://www.youtube.com/watch?v=KTzPx1mCBTY>

Both men are Darwin Award winners.

THE DARWIN AWARDS



The Darwin Awards commemorate individuals who protect our gene pool by making the ultimate sacrifice of their own lives: by eliminating themselves in an extraordinarily idiotic manner, thereby improving our species' chance of long-term survival. In other words, they are cautionary tales about people who kill themselves in really stupid ways, and in doing so, significantly improve the gene pool by eliminating themselves from the human race.

These individuals carry out disastrous plans that the average child knows are the result of a really bad idea. The single-minded purpose and self-sacrifice of the winners, and the spectacular means by which they snuff themselves out, make them candidates for the honour of winning a Darwin Award. The terrorist who mails a letter bomb with insufficient postage deserves to win a Darwin Award when he blows himself up opening the returned package. As does the fisherman who throws a lit stick of dynamite for his faithful golden retriever to fetch and return to him. As do the surfers who celebrate a hurricane by throwing a beachfront party and getting washed out to sea.

Named in honour of Charles Darwin, the father of evolution, the Darwin Awards represent examples of evolution in action by showing what happens to people who are unable to cope with the basic dangers of the modern world. These ironic tales of fatal misadventure illustrate some of life's most important lessons.

Most of us know that the words "trust me" and "light this fuse" frequently presage disaster. We assume that basic common sense eliminates the need for public service announcements such as, "Warning: Coffee is hot!" and "Superman cape does not enable wearer to fly." But the true stories you will read show that 'common sense' is really not so common. No amount of overzealous caution would have helped the man who used household current to electrocute fish in a pond, then waded in to collect his catch without removing the wire. There are even people who need to be told not to look inside a petrol can or a bag full of fireworks using a cigarette lighter.

So, the Darwin Awards are macabre tales that make us laugh while instructing us in the laws of common sense.

How are the Darwin Awards actually determined? Nominees significantly improve the gene pool by eliminating themselves from the human race in an obviously stupid way. They are self-selected examples of the dangers inherent in a lack of common sense, and all human races, cultures, and socioeconomic groups are eligible to compete. Actual winners must meet the following criteria:

Reproduction: Out of the gene pool, dead or sterile.

Excellence: Astounding misapplication of judgment.

Self-Selection: Cause one's own demise.

Maturity: Capable of sound judgment.

Veracity: The event must be true.

NEGATIVE EMPHASIS

1) Now look at the sentences below.

- a) I didn't know that the train had been delayed.
- b) **Little** **did I know** that the train had been delayed.

- a) I had never been so unhappy in my life.
- b) **Never in my life** **had I been** so unhappy.

- a) No information was given and there was no-one at the venue to ask.
- b) **Not only** **was no information given** **but** there was no-one at the venue to ask.

- a) The police didn't arrive until 9.30.
- b) **Not until** 9.30 **did the police arrive**.

- a) She had never been to Russia before.
- b) **Never before** **had she been** to Russia.

2) Note that negative and/or restrictive adverbials are put at the beginning of the sentence for emphasis. In each case, the subject and the verb are inverted i.e. the question form is used.

e.g. **No sooner** **had he started** the English lesson than somebody's mobile phone rang.

Under no circumstances **must the fire doors be locked**.

Never / seldom **have I seen** such an impressive PowerPoint presentation.

Not only **was the source of his data unclear** **but** his conclusions were suspect too.

On no account **should we underestimate** the seriousness of the situation.

Nowhere else in the world **will you find** such ethnic diversity.

Only in this way **will the economic situation improve**.

So high **was the rate of inflation** **that** Zimbabwe was forced to accept US dollars as legal tender.

Neither do I / Neither was he / Neither have we / Neither can they.

3) Put the words in order to make complete sentences.

- a) loaded / clean / you / firearms / should / under no circumstances

.....

- b) he / thrown away / than / his dog / back / the stick of dynamite / had / brought it / no sooner

.....

- c) too / he / did he/ not only / but / too / blow up / shot / his car / his friend

.....

- d) to get / you / on no account / should / a vending machine / shake / your money back

.....

- e) the engine / so powerful / that / flew / into the air / was / the car

.....

4) Now complete these sentences in a logical way.

a) Under no circumstances

b) Not only but also.

c) No sooner than

d) So that

e) Only in this way

The United Kingdom wins the 2020 Darwin Award



The Darwin Awards are always funny to read about, how some idiot leaned over the edge of a cliff to take a selfie and fell to their doom, or forgot to put the safety catch on while cleaning their gun and shot themselves in the head. But this year's ceremony will feature something a little different.

This year, an award will be presented to an entire country. Specifically, the UK will be receiving a Darwin Award for Brexit. Awards chairman Gordon Bennet had this to say on the matter:

"We couldn't overlook the stupidity of an entire nation democratically voting to deprive itself of all its human rights for possibly generations to come. We thought about making 17.4 million individual awards but that wouldn't work as voting is anonymous and many of the people who voted for Brexit have since died – in some cases as a consequence of their vote, so those ones should really get special mentions."

Brexit meets most of the criteria for the Darwin Awards, namely:

1. It was self-inflicted.
2. It showed astonishingly poor judgement.
3. The population were capable of sound judgement but still went for it.

The only question mark against the award is the injury of innocent bystanders, as many people voted against Brexit or abstained, and they are going to suffer through no fault of their own. However, the scale of the disaster here has persuaded the awards committee to make an exception.

The presentation of an award to an entire country is not without precedent, the island of Malta was awarded the George Cross in 1942 but of course that was for bravery in the face of the Nazis, and not mass stupidity.

The Darwin Awards Committee had been considering giving the entire United States of America an award in 2017 after the inauguration of Donald Trump, but decided against it on the grounds that it was possible to recover from that brief bout of insanity.

POSITIVE EMPHASIS

1) We can emphasize the important information in a sentence by using a **What** -clause and the verb **'to be'**. As here,

a) Now the world needs more clean water for drinking and irrigation.

b) **What** the world needs now **is** more clean water for drinking and irrigation.

a) I am telling you that the company will fail unless we take action immediately.

b) **What** I am telling you **is** that the company will fail unless we take action immediately.

a) I have said again and again that the government needs to change its energy policy.

b) **What** I have said, again and again, **is** that the government needs to change its energy policy.

a) I would really like know who got us into this mess in the first place.

b) **What** I'd really like to know **is** who got us into this mess in the first place.

a) He really wanted to reorganize the management structure.

b) **What** he really wanted to do **was** reorganize the management structure.

2) Now turn the sentences below into What-clauses.

a) It surprises me that Brexit Britain hasn't been nominated for a Darwin Award before.

What

b) I still don't understand why the UK committed such an obvious act of self-harm.

What

c) I fail to grasp why British people voted for higher prices and fewer job opportunities.

What

d) It struck me at the time that most of the people who voted for Brexit will end up poorer as a result.

What

e) It annoys me no end that their children and grandchildren will suffer most.

What

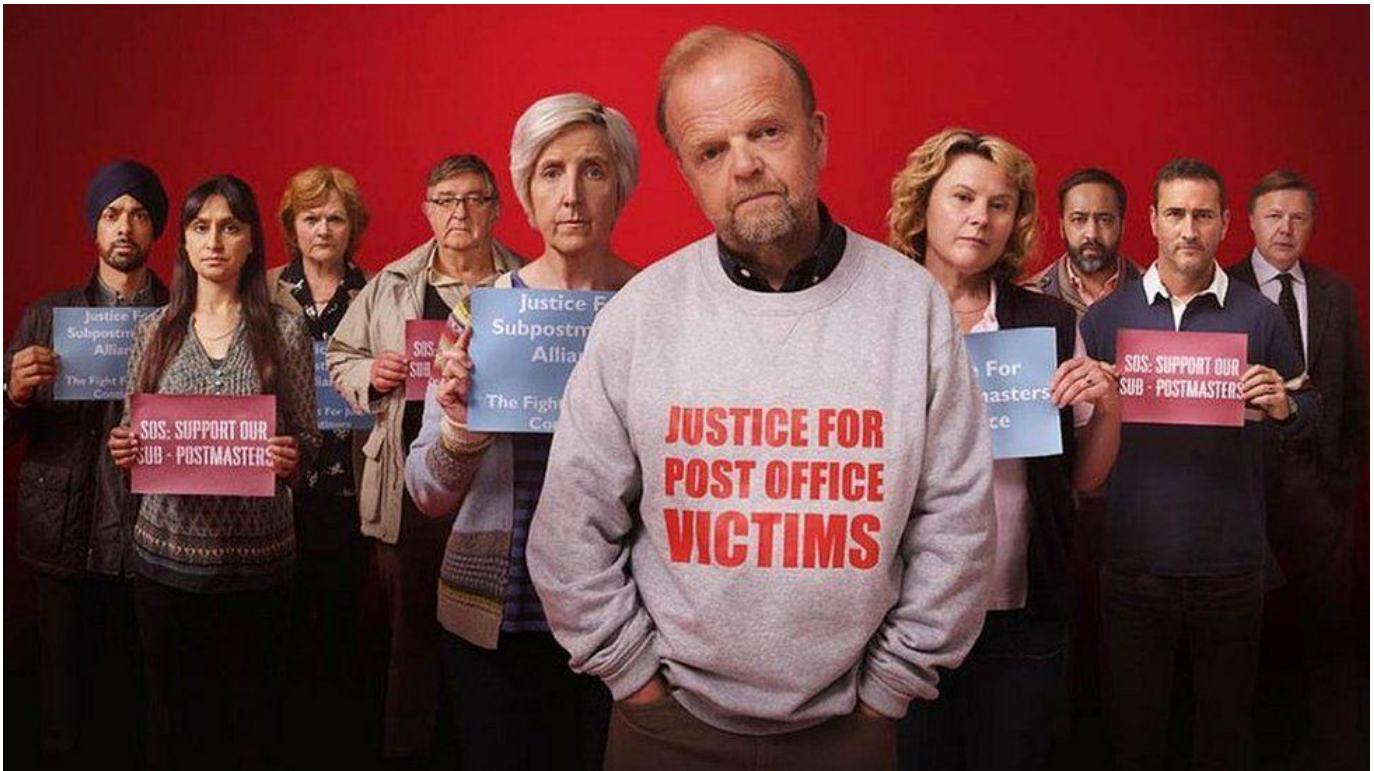
3) DISCUSSION: Find more striking images by googling the term 'Epic Fail' and comment on them.

Look at the <https://darwinawards.com> site, select a ridiculous case and tell your partner about it.

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.

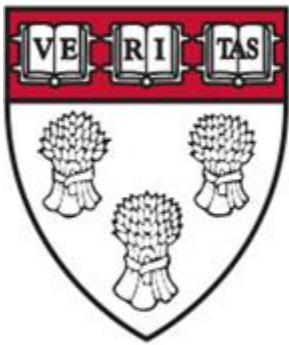
6) WEBQUEST 2:

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.