

How to write a response to a legal question: the I.D.E.A.L. principle.

I = identify the offence

D = define the offence

E = explain

A = apply to scenario

L = link to question

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Scenario: Adam is walking on the street. He sees Ben, who had threatened him before, on the same side of the road. Adam is afraid and rushes to the other side of the road but gets hit by a car and dies. Does Ben have criminal liability?

Don't use affirmative, solid language until your complete provenance. After all, a person is not guilty until the opposite has been proved. Use deductive language, e.g. 'may', 'might', 'could' until the conclusive part of your answer.

Answer using the I.D.E.A.L. model:

I	Ben <u>may</u> have caused Adam's injuries.
D	It must be shown that there was a continuous chain of events from D's conduct to the consequence.
E	This is proved through both factual and legal causation. Factual causation is shown using the 'but for' test [R v Pagett (1983)]. Here, but for D using his pregnant girlfriend as a human shield she wouldn't have died. Legal causation is where D is the operative and substantial cause of harm with o new intervenient act to break the chain of events [R v Jordan (1956)].
A	But for Ben having threatened Adam in the past, Adam would not have run onto the road and would not have been hit by a car [R v Pagett (1983)]. Ben may be the operative and substantial cause of Adam's injuries. However, Adam may break the chain of events as his actions could be regarded as unreasonable and unforeseeable [R v Williams (1992)]. Nonetheless, because Adam had been threatened his actions were reasonable [R v Roberts (1972)].
L	Therefore, <u>Ben is liable</u> for Adam's injuries.

Use more affirmative language in your conclusion. After all, you've proved your point and shall confirm it.