

It's the rule

Breaking the law

■ Money for nothing

In August 2002, a building society installed a new computer system in their cash machines in Coventry. It was designed to improve security, particularly for customers from other banks and building societies.

However, it wasn't long before a few customers realised that money they had withdrawn had not been taken from their account and, in effect, they were obtaining the money for free. Word of this began to spread; as long as there was money in the machine, people could return as many times as they wished and take out *any* amount of money, using *any* PIN number. The only limit was the fact that no more than £790 could be released through the slot in the cash dispenser at any one time.

The fault went undetected for five days, and during that time more than £1 million was withdrawn from the society's cash machines in the city. Some customers probably obtained extra cash without realising it, but a number of others did their best to get as much money as they could.

Eventually, arrests were made and twelve of the most serious offenders were charged with conspiracy to steal. Four of these were from one family, who stole £134,410 – spending the money on a brand new car, air tickets, electrical goods and furniture.

? Questions

1. Who was responsible for the building society's loss of more than £1 million?
2. How much blame do you attach to all those people who took money from the cash machines knowing that they were not entitled to it?
3. What kinds of reasons or excuses do you think people might give for taking this money?
4. How should the offenders be punished? Is the offence serious enough for them to be sent to jail?



■ Is it ever right to break the law?

As they learnt of the news of these thefts, many people probably wondered what they would have done in the same situation; and whether they would have been able to resist the temptation to steal. The case also raises questions of whether it is ever acceptable to break the law.

? Questions

5. Read the cases opposite and try to work out why each person claims it is right in their case to break the law:
 - a) How acceptable do you find each argument? Explain why.
 - b) In which, if any, of these cases should the courts show leniency?

Molly is a grandmother and lives in Glasgow. She strongly disagrees with the Government's decision to spend £40 million on a new system of nuclear defence. She believes that it is a criminal waste of resources and that weapons of this kind are immoral. For the past year, Molly and others have tried to prevent the nuclear base from functioning by causing as much disruption as possible. Most of their activities have been against the law.



Ricky, his brother and two sons have been involved in theft and burglary for most of their lives. They have tended to steal from the very rich, taking valuable furniture and works of art, and are believed to have taken millions of pounds' worth of goods. Ricky is now in prison, but before he received his latest sentence he said, 'I will only rob your house if I have to feed my children, and nobody is helping me achieve this. I really feel I have the right to rob the sirs, lords and ladies.'

Lee has been driving for several years, but does not have a driving licence, nor is his car insured. 'Lots of people drive around without tax or insurance,' he says. 'I don't see why I should bother.'



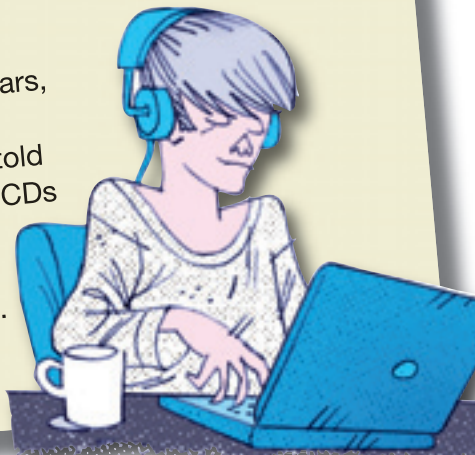
Maya selected three tops, a jacket and a pair of trousers. As she paid the bill at the cash desk, she was surprised that it was not for a larger amount, but said nothing. Outside the store she checked her receipt. The assistant had failed to charge her for the trousers, which cost £35. Maya decided to do nothing; it was the shop's mistake, she thought, and they can certainly afford it.



Ruth always thinks of herself as a law-abiding person, and tells her children how important it is to keep to the law. There are a few laws, however, that she does break. When she believes it's safe to do so, Ruth quite often exceeds the speed limit on the motorway. She also doesn't always declare her full income to the tax authorities. One day her daughter asked her why she did this. 'I have to pay far too much in tax,' she said. 'It's just not fair.'



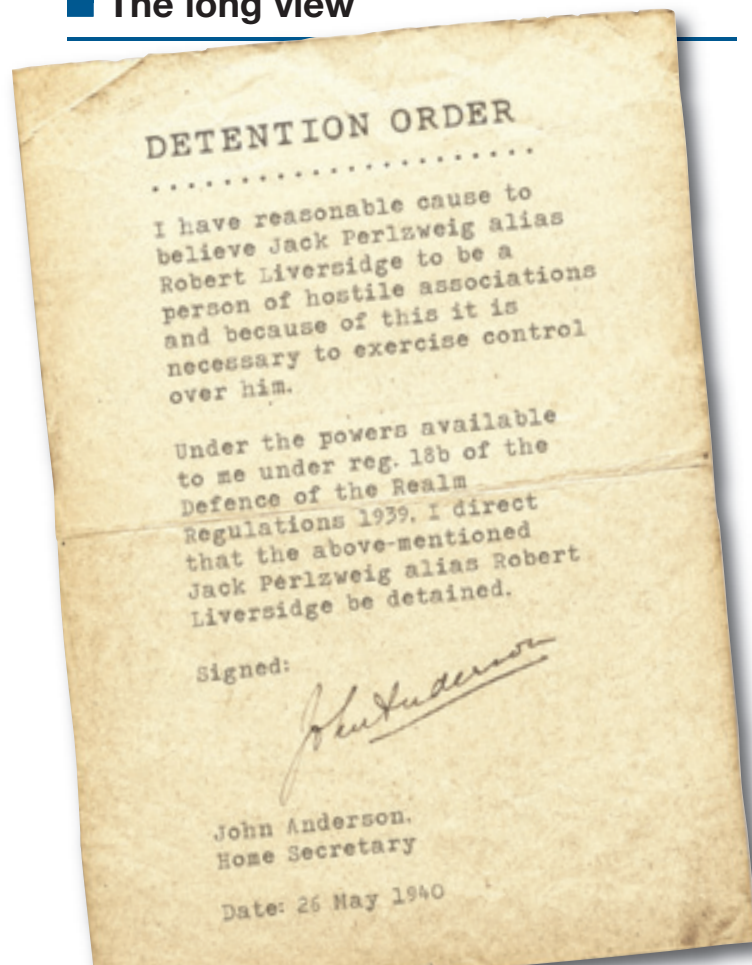
Dan and his friends, for the last few years, have shared most of their music CDs and downloads. One evening in the pub, someone told him that this is against the law, and that it is an offence to copy CDs and download files without the permission of the copyright holder. Dan said that he didn't realise that they were doing anything wrong, but added that he has no intention of stopping. 'The law is crazy,' he said.



Human rights law

Held in detention

The long view



Questions

1. Read through the note above and write down what you can deduce from its contents.
 - a) What was the purpose of the note?
 - b) Under what circumstances do you think it was written?
 - c) What information is missing from the note?

Regulation 18b In September 1939, Britain declared war on Germany after German forces invaded Poland. By the following May, the occupation had extended to Denmark, Norway, the Netherlands, France and Belgium – and there were strong fears in Britain that it would be the next country to fall under German control.

The British Government's anxiety increased further when a group of British Nazi sympathisers was linked to the theft of top-secret documents. Within days of this discovery, the Cabinet amended existing regulations to allow the Home Secretary to lock up anyone indefinitely simply because it was believed that they might be of 'hostile origins or association'.

Robert Liversidge One of about 1,800 people to be detained in this way was a man called Robert Liversidge. Of Russian Jewish origin, he was arrested because of his business links with known Nazi sympathisers, although there is no reason today to suspect that Mr Liversidge shared these views.

After almost a year's detention, Robert Liversidge challenged the Government's right to hold him in this way, and began court action to require the Government to explain exactly why he was being held.

Mr Liversidge lost his case, with four of the five judges ruling that, in these circumstances, there was no requirement for the **Home Secretary** to give reasons for his detention. Eighteen months after his arrest, Robert Liversidge was released. No apology or explanation was ever given.

Questions

2. Was Robert Liversidge's arrest reasonable in the circumstances of the time? Draw up a statement that is either in support of or criticises the Home Secretary's actions.

The law today

The *Defence of the Realm Regulations* were quietly dropped before the end of the war, and all detainees released.

Today a person cannot normally be detained for more than 24 hours without being charged, but if a serious offence is being investigated, this may be extended to 96 hours (four days) with the approval of a magistrates' court.

Terrorist offences Following IRA bombing campaigns in Britain in the early 1970s, the police were given extra time (up to seven days) to hold suspects before they were charged or released.

Police powers in investigating terrorist offences have since been further raised. In 2005, the maximum period that a suspect may be held without charge was raised from 14 days to its current level of 28 days.

If the suspect is from overseas and cannot be deported back to their own country, because of the risk of torture or death, the Home Secretary can order their indefinite detention under the *Anti-Terrorism and Security Act 2001*.

Greater powers?

Early in 2008, the Government announced further anti-terrorism measures, including proposals to extend the time a suspect can be held without charge to 42 days. They said that this power would be used very rarely and would contain safeguards to make sure that it was not abused.

In favour . . . Those in favour of the change argued that the growing complexity and international nature of terrorist plots meant that the police now needed more time to question suspects and gather evidence. Although they agreed that there had not yet been any cases where more than 28 days was required, they said that it would



be only a matter of time before the need would arise – and it would be a good idea to have a law already available to deal with this.

Against . . . Those disagreeing with the proposal said that it was inhumane and unnecessary and that Britain already has the power to detain suspected terrorists longer than many other comparable countries. Many also argued that it was contrary to a right that people in Britain had enjoyed for hundreds of years – the right to be brought before a court to check the legality of the detention. In October 2008, the Bill to introduce this measure was defeated in the House of Lords, and the Government announced that – for the time being at least – the proposal would be dropped.

Questions

3. Do you think the Government was right to try to be able to detain suspected terrorists for 42 days? How would you have voted in the debate?

Key words

Home Secretary

The Government minister with chief responsibility for the maintenance of law and order in the UK.



Looking for work

Race discrimination

Prejudice

Suzanne Jones, a black English woman, applied for a job as a clerical assistant at a firm of solicitors. She was 19 and well qualified for the post. But, after an interview with Mr Wheeler, the senior partner, she was not offered the job. Six weeks later, Suzanne saw an advertisement for a similar job at the same firm. She phoned to say she was interested, and realised that she was speaking to the same Mr Wheeler whom she had previously met.

Suzanne was again invited for interview, but when she walked into Mr Wheeler's office he recognised her and became very upset. He did not even ask her to sit down, saying that there was no point in going ahead with the interview. He asked Suzanne to leave.

Suzanne believed that she was being rejected because of the colour of her skin. She told Mr Wheeler that she had no wish to work for him, called him a bigot – and left.

Later that day, Mr Wheeler interviewed another applicant, Deborah Cook, who was white. During the course of the interview Mr Wheeler said to Deborah, 'A coloured girl applied for the job – but why would I want to take her on, when English girls are available?'

Deborah was offered the job, but turned it down. Instead she decided to tell someone in the local race relations office what Mr Wheeler had said.

Advice

Suzanne knew that racial discrimination was against the law and went to see a solicitor to seek advice – but not one who worked for Mr Wheeler's firm. The solicitor told Suzanne that she believed that Mr Wheeler had broken the *Race Relations Act* and that Suzanne was entitled to take her case to an employment tribunal. If

the tribunal decided that Mr Wheeler had acted in an unlawful way, Suzanne would be entitled to compensation.



Tribunal

Mr Wheeler told the tribunal that he hadn't unfairly discriminated against Suzanne. She failed to get the job, he said, because she was rude and not sufficiently qualified.

Questions

1. What are the key points of evidence in this case? Does the evidence show that Suzanne suffered race discrimination? Give reasons for your answer.
2. If you believe Suzanne was a victim of race discrimination, how do you think she should be compensated? Should the tribunal take any other action?

Yesterday and today

In the 1950s and 1960s some people feared that those coming from the Caribbean, India and Pakistan posed a threat to their jobs and housing. Although this was a period of full employment, with not enough people to



fill the jobs available, black people still faced considerable discrimination. It was not uncommon to see signs saying Rooms to let – no coloureds.

Racial discrimination of this kind, in employment and housing, became illegal in 1976.

No joke

Trevor McCauley, from Antrim in Northern Ireland, had worked in England for 20 years. During this time he heard more than his fair share of jokes about the Irish. Over the last two years, however, working at a firm in Derbyshire, he was on the receiving end of critical comments almost continuously. 'Every day,' he said, 'they were saying things like "typical thick Paddy" and "what else can you expect from an Irishman?"'

'I decided that I had had enough. When I started to complain, they told me I had an attitude problem.'

'I was harassed every day. You feel absolutely useless. Eventually I got the sack for being a troublemaker.'



An employment tribunal decided that anti-Irish remarks amounted to racial discrimination and that Mr McCauley had been unfairly dismissed from work. He received an award of £6,000 in compensation.

Questions

3. Mr Wheeler rejected Suzanne because of her colour or ethnic background. What possible explanations can you suggest for his prejudice?
4. Is it right to have a law banning racial discrimination at work? Give reasons for your answer.

The law

Under the *Race Relations Act 1976* it is against the law for an employer to treat a person less favourably because of their race, colour, nationality or ethnic origin.

However, race discrimination is not always against the law. It is not unlawful if the employment is in a private household, nor if a person's race is regarded as a genuine occupational requirement. For example, the owner of a Chinese restaurant looking for a new waiter is entitled to advertise for Chinese applicants only and, similarly, a local council seeking someone to work with the Bengali community can insist on applicants coming from a similar background.

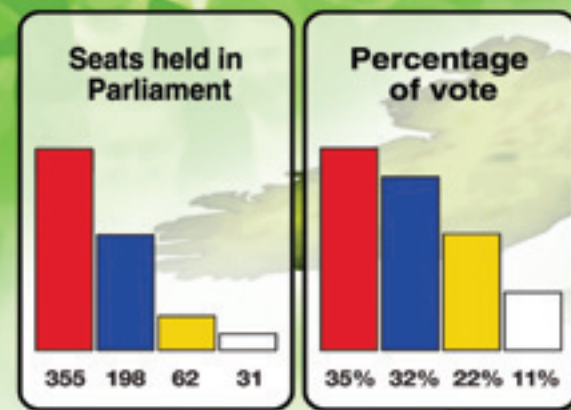
Key words

Prejudice

Disliking people from a particular group or category, based on their race, gender or sexuality etc.

Voting and elections

Election to Parliament



Above are the results of the United Kingdom general election, 2005.

Constituencies

There are 646 MPs in Parliament, representing the whole of the United Kingdom – that is England, Northern Ireland, Scotland and Wales.

Almost all MPs represent a registered political party and each represents a defined area, called a constituency.

Elections

If an MP dies or resigns, a by-election is called to allow people to elect a new MP for their constituency.

At least once every five years, a nationwide election must take place. This is known as a general election and voters in every constituency have the chance to re-elect or change their MP.

At the end of the general election, the party with the greatest number of MPs forms the new government, with the party leader becoming Prime Minister.

Voting

First-past-the-post Votes for general and by-elections in the United Kingdom are counted on a 'first-past-the-post' system. People each cast one vote and the winning candidate is the one with the most votes.

Questions

- Which party won the election in 2005?
- If the 646 seats in Parliament had been allocated according to the percentage of the vote that each party had gained, how many seats would the Conservative, Labour and Liberal Democrat parties have each obtained? Can you see any criticisms that might be made against the first-past-the-post system?

Other voting systems

In recent years people in Britain have had the opportunity to vote for their representatives in the European Parliament, the National Assembly for Wales, the Scottish Parliament, the London Assembly and the Northern Ireland Assembly.

List system In the election of Members of the European Parliament, voters cast one vote – not for individuals, but for a party. When the votes were added up, each party got the number of seats equal to the share of their vote. In this way a party that won 20 per cent of the vote was awarded 20 per cent of the seats.

Additional member system Everyone voting under this system has two votes. The first is cast for the *person* they want to be their constituency representative. The winner in each constituency is simply the person who gets the most votes. The second is used to vote for their favourite *party*. After all these votes have been counted, further seats are awarded to additional representatives in such a way that the overall party representation in each area reflects that party's share of the vote. This system has been used in the elections for the Assemblies for Wales and for London, and also for the Scottish Parliament.

Single transferable vote This system is complicated for election officials to count, but very simple for the voter to use. Each ballot paper indicates the number of seats available in the constituency and the names of all those standing for election. All the voter has to do is to number the candidates in order of preference.

The process of counting the votes is complicated because it uses (or transfers) people's second, third and fourth choices, etc., to decide who are the most popular candidates overall.

In a constituency where four seats are available, the four candidates who come top of the poll become the local representatives. People who favour this system argue that it allows voters the most choice and gives a fair reflection of the popularity of each party.

CANDIDATE	PARTY	YOUR ORDER OF CHOICE
EVANS, Anabel	Labour	
FERGUSON, Robert	Conservative	
KINGSLY, Mica	Liberal Democrat	
JONES, Martin	Plaid Cymru	
RAMBEZ, Joseph	Green Party	
SAMPSON, Emma	Independent Socialist	

Questions

- You can test the different ways of voting for yourself through a mini-election in your classroom.

- Step 1** Select a number of candidates from the class. Choose at least one for each of the three main parties, but ideally include one or two minority parties, such as the Green Party.
- Step 2** Make sure everyone has: a list of the candidates; an outline of their policies; a ballot paper.
- Step 3** Everyone puts a 1 against the candidate of their first choice, and a 2 against the candidate of their second choice.
- Step 4** Collect in the ballot papers and count the first choice votes. This produces the winning candidate (and party) by first-past-the-post.
- Step 5** Now add the second choice votes to the first choice ones, and work out the total number of votes for each candidate. This uses the system of the single transferable vote.

- Compare your results using the two systems. What do you notice?