

Eduqas A Level Law - Component 3 - Example 1



1 4

Consent is a common law defence. Consent can defeat the Actus Reus (AR) of a crime, and make an action lawful, as opposed to unlawful. This can be fair because it means that a Defendant (D) cannot be found guilty of a crime if the Victim (V) accepts what happens to them and willingly consents.

Belief in consent is ~~very~~ important for the Mens Rea (MR) of various crimes because the D may have belief in consent, without actually having consent. This means that the MR of a crime can be cancelled out if the D believes that they have consent, therefore making the D not guilty of the crime.

In 'DPP v Morgan' an RAF officer and his 2 friends had sex with the RAF officer's wife, who didn't actually consent and suffered. However, the 2 friends of the RAF officer were told that the wife of the RAF officer would consent, and that the 2 friends of the RAF officer should just go along with it.

This meant that the friends of the RAF officer had belief in consent. It was later stated in the case that the belief in consent doesn't have to be reasonable. This is fair to the D because they may commit an act because they believe that the V is willing and would accept what happens to them. If ~~the~~ a D wasn't able to use belief in consent as a defence, this would be unfair because the D may commit and be guilty of an offence unknowingly.

~~However, this isn't fair to the V of a crime who may have suffered from an offence, such~~
However, this isn't fair to the V of a crime, who may have suffered from an offence, such

as rape, just because the D had belief in consent. Since ~~some~~ belief in consent doesn't have to be reasonable, it means that more D's can use the defence of consent, and more V's may face injustices, with their attackers/rapists not being convicted of an offence.

In order for consent to be effective, the consent has to be positive and genuine. In order for consent to be positive, there can be no submission, ~~the~~ and the V has to willingly

* consent, and the D can't use submission to make the V consent. In 'R v Olugboja' a taxi driver picked up 2 girls who were walking home from a disco, and ~~he~~ forced them into his taxi. He then raped both girls, who didn't scream, cry or refuse out of fear of the D. The D claimed that he had consent from both girls. However, it was stated that 'every consent involves submission, but it by no means follows that a mere submission involves consent'.

This means that rapists won't be able to use the defence of consent if they used submission, which is fair ~~because~~ and effective because it means that more rapist can be convicted.

Genuine consent is where the V comprehends the nature ~~and quality~~ of the act, with consent not being able to be cancelled out through fraud.

In 'Burrell v Hammer' 2 young boys received tattoos, although they were under the legal age. The guy who tattooed the 2 boys was found guilty, because the boys couldn't understand the nature of the act. This is fair because it stops older people taking advantage of ~~a~~ vulnerable people, such as children, being taken advantage of because they don't understand the nature of the act.

Consent cancelled through fraud relates to identity, and nature and quality of the act. In 'R v Richardson' the D was able to use consent, despite being barred as a dentist, because there was no fraud as to the D's identity. This is fair because it ensures transparency in regards to D's using fraud. In 'R v Pica' it was stated that a person can't ~~be~~ consent to being given HIV. This is fair because it ~~reduces~~ reduces the amount of people giving others sexual diseases.

In 'R v Cony' it was stated that a person can't consent to prize fighting. This is fair because it's a matter of public policy, since it reduces people in the public being harmed.

In 'R v Barnes' it was stated that a person can't consent to another acting outside the rules of a sport. This is also fair as a matter of public policy, since it reduces injuries in sports.

In 'R v Wilson' it was stated that a person can consent to consent to cosmetic enhancement.

In this case a husband branded his wife, with it being stated that branding is more akin to tattooing. This is fair because it respects the privacy of individuals.

In 'R v Jones' it was stated that consent is allowed for horseplay. This is fair because it allows individuals to have fun, without being convicted of an offence. However, this may not be effective because horseplay could result in harm, which ~~is~~ should always be reduced.

1 8 The Human Rights Act 1998 (HRA 1998) enforces human rights, by making them a legal obligation.

Section 2 HRA 1998 requires judges to take into account past decisions of the European Court of Human Rights. In 'Leeds City Council v Price' it was stated that UK precedents overrules European Court precedents. In 'Ullah' it was stated that European Court precedent should be followed if there's ~~no~~ no UK precedent.

Section 3 HRA 1998 requires judges to interpret Acts of Parliament in a way which is compatible with Human Rights. In 'R v A' a judge effectively rewrote a whole subsection to comply with the European Convention on Human Rights (ECHR). In 'Ghaidan v Godin Mendoza' the interpretation of the Rent Act was changed for homosexual couples. Section 4 allows a declaration of incompatibility to be declared. In 'Re W & B' it was stated that if a fundamental part of the law is changed, a declaration of incompatibility can be ~~declared~~ declared. Section 5 HRA 1998 allows

individuals to sue public bodies if they've breached Human Rights. Section 10 HRA 1998 allows ministers to make Orders in Council.

A Bill of Rights would entrench human rights, and protect them more. However, a Bill of Rights (BR) would make these human rights inflexible, and difficult to change.

An advantage of a Bill of Rights is that it provides greater ownership of protected rights by entrenching them. This is beneficial because it means that human rights would be better protected than with the HRA 1998.

However, a disadvantage of a BR is it would ~~make~~ make laws regarding Human Rights (HR's) inflexible, and difficult to change. This means that HR's under a BR wouldn't be harder to

Change in order to adapt to changes in society. Another benefit of a BR is that it would ~~better~~ protect the vulnerable and weak more than the HRA 1998. Vulnerable people includes asylum seekers, older people, adults with disabilities and children. This is beneficial because it means that the weak and vulnerable are protected more under a BR than they'd be ~~under~~ under the HRA 1998.

~~Now~~ On the other hand, a benefit of the HRA 1998 over a ~~BR~~ BR is that the HRA 1998 could incorporate anything it's lacking, with over rights being able to be added into the HRA 1998. ~~to~~ This makes up for what the HRA 1998 is currently lacking. This reduces the need for a BR because it reduces the advantage of being ^{more} able to protect the vulnerable. Since new rights could also be added into the HRA 1998 to better protect the weak and vulnerable.

Another advantage of a BR is that a BR would educate the public by being clearer. This is because a BR would ~~be~~ inform the public more and ~~educate~~ educate them about their human rights. This means that ~~there~~ there isn't any confusion of the public in regards to ^w what their rights are, which there is with the HRA 1998.

On the contrary, a benefit of the HRA 1998 and a disadvantage of ~~a~~ a BR is that the ~~HRA 1998~~ HRA 1998 hasn't been in law for relatively long. This means that the HRA 1998 may not be fully understood by all, meaning that the HRA 1998 may not be

fully implemented yet. This reduces the effectiveness of a ~~BR~~ because ~~once~~ the MRA 1998 has been fully implemented, it may be clearer and better understood than a BR. In conclusion, I think that the MRA 1998 is proving to be a better substitute ~~than~~ for a ~~BR~~ BR. This is because the MRA 1998 is more flexible, with new rights being able to be added in, whilst a BR is inflexible, meaning that it can't be changed to respond to changes in society.

15

Bail is the release of a person until the next stage of a case. Bail can be granted by ~~the~~ the police and the courts. The police can grant bail in 3 situations. ~~Bail before charge~~ Bail before charge can be granted by the police under section 37 ~~Police and Criminal Evidence Act 1984 (PACE 1984)~~. ~~where a person is released~~ This is where a person is released on the condition that they return to the police station at a later date. I think that this doesn't place too much emphasis on protecting the public, and not enough on the presumption of innocence. This is because it allows a person to be free and live freely, whilst it doesn't place a lot of emphasis on protection of the public since a person is able to do acts that can harm the public whilst on bail. Bail after charge can be granted ~~under~~ under section ~~38~~ ³⁸ PACE 1984. This is where a person is released until the ~~Early~~ Early Administrative Hearing (EAH) at the Magistrates Court. This places enough emphasis on the

presumption of innocence. This is because it still allows a person to live freely, and potentially spend more time with family, or use the time to prepare for the case. This places enough emphasis on the presumption of innocence because, if a person was presumed to be guilty, they wouldn't have been released and allowed to live freely until the EAM at the Magistrates Court, since a guilty person may cause harm to the public.

Street bail can be granted by the police for minor offences, under section 4 Criminal Justice Act 2003. This doesn't place too much ~~emphasis~~ emphasis upon protecting the public, because there's always the risk that a person could commit an offence whilst on bail, potentially harming the public.

~~In~~ In 'R v Hookway' (2011), it ~~was~~ was stated that ~~the~~ the time a person is being ^{or} questioned is included in the ~~the~~ ~~that~~ total detention period, therefore limiting the time a person can be given bail. This places too much emphasis upon the ~~protection~~ protection of the public, and not enough emphasis on the presumption of innocence. This is because it limits the time a person be given bail for, therefore ~~limiting~~ ~~the~~ their freedom. This places less emphasis on the presumption of innocence, since a person would be given a longer bail time if they were presumed to be innocent. If a person was presumed to

be guilty, ~~they~~ ~~it~~ ~~the~~ ~~is~~ they'd be given less time on bail, in order to limit the ~~harm~~ ~~on~~ ~~the~~ harm they could cause to the public in a specific period of ~~the~~ time. The Police (Bail & Detention) Act 2011 reversed 'R v Mookway', and stated that the police can give bail before ~~the~~ charge, for as long as they want. This means that some people may be given a longer bail time, subsequently increasing their freedom. This places enough emphasis on the presumption of ~~their~~ innocence because it means that people are more free, which they wouldn't be if there was too much emphasis on protection of the public, since time on bail would be reduced for ~~people~~ ~~people~~ ~~people~~ people presumed to be guilty.

The Policing and Crime Act 2017 reversed this, and stated that bail can't exceed 28 days. This places too much emphasis on protecting the public, since bail time is reduced, subsequently limiting a person's freedom. Since the Policing and Crime Act 2017 limited the freedom of people on bail, it presumes that some people are guilty by reducing the time they have to cause harm to the public whilst on bail.

Section 90 Legal Aid, Sentencing and Punishment of Offenders Act 2012 ~~states~~ ~~that~~ includes the 'no real prospects test'. This is where the courts' power to refuse bail is restricted where there is no real prospect of a person receiving a custodial sentence.

This doesn't place too much emphasis on protection of the public. This is because more people may be granted bail, therefore placing emphasis on the presumption of innocence by giving people freedom, and more time until the next stage of a case.

In conclusion, I think that the law relating to bail doesn't place too much emphasis on protection of the public, and not enough emphasis on the presumption of innocence. This is because it has led to more people being given bail, and for a longer time, subsequently presuming their innocence, by giving ~~to~~ them more freedom until the next stage of a case.

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Eduqas A Level Law - Component 3 - Example 2



1 4

Two major defences which are available to a defendant when facing liability are the defences of 'Volenti non fit injuria' (consent) and the defence of contributory negligence. The extent to which these defences are ^{fair and} effective is questionable.

Regarding the defence of ~~volenti~~ consent, this is used when the ~~defendant~~ ^{claimant} in some manner consented to the relevant harm, loss or damage they suffered.

~~An example~~ When using this defence the burden of proof will now lie with a defendant.

It can be argued that the defence is fair initially as a defendant must prove the claimant consented, and if this cannot be done on the balance of probabilities then this helps protect the claimant. This helps protect the claimant.

An example of the defence of consent being used can be shown in a case of Morris v Murray, where this defence was used by a chronic pilot of the plane to state the claimant consented to flying despite knowing he was intoxicated. This ~~case~~ ^{case} supports to a large extent that this defence is fair and effective as within this case it ~~wouldn't~~ ^{evidently} be clear that the claimant consented despite

KNOWING A INTOXICATION OF A PRIOR
~~AND~~ WHICH SHOWS IT IS DEFENDANT IS
FAIR AS A DEFENDANT SHOULD NOT
BE LIABLE TO PAY ALL THE AWARDED
DAMAGES. FURTHER, THIS CASE ALSO SHOWS
THE DEFENCE OF CONSENT IS EFFECTIVE AS
IT HAS BEEN USED SUCCESSFULLY, IN THIS
CASE AND HAS HELPED COME TO A
FAIRER VERDICT.

HOWEVER, THE DEFENCE OF CONSENT IS
LARGELY NOT ALLOWED TO BE USED
REGARDING ~~NEARLY ANY SITUATION~~
DROGIC ~~AND~~ DRIVING AND DAMAGE
WHICH IS SUFFERED BY A CLAIMANT
THROUGH THIS AS IT IS ARGUED IT
COULD LEAD TO A 'FLOODGATE' ~~PROBLEM~~
USE OF A DEFENCE. THIS HELPS ARGUE
BACK TO A CERTAIN EXTENT THE DEFENCE
OF CONSENT IS NOT EFFECTIVE AS IN
CERTAIN CIRCUMSTANCES IT DOES NOT
PROVIDE A DEFENCE FOR A DEFENDANT.
HOWEVER, IT CAN BE ARGUED IT IS FAIR
AS THIS HELPS PROTECT CLAIMANTS AND
MEANS THEY CAN CLAIM SUCCESSFULLY
FOR HARM, LOSS OR DAMAGE SUFFERED
THROUGH A DEFENDANT'S DROGIC DRIVING.
THIS OVERALL, SHOWS THE DEFENCE HELPS
BALANCE THE RIGHTS OF A CLAIMANT AND
A DEFENDANT. MOREOVER, A DEFENCE
OF CONSENT IS ~~NOW~~ CANNOT BE USED FOR
TORTS WHICH ARE ACTIONABLE PER SE
SUCH AS TRESPASS AS THERE DOES NOT
NEED TO BE HARM LOSS OR DAMAGE SHOWN,
WHICH HELPS SHOW A DEFENDANT IS FAIR ~~AND~~

in ~~managing~~ ~~negotiating~~ ~~claimant~~ protecting a claimant and moves a defendant liable when ~~unjustly~~ correctly should be.

Furthermore, a defence of consent can be used by defendants who injury a claimant through sporting activities. This shows that a defence is fair as a defendant should not be liable for injuries suffered within the rules of a game. Moreover, this defence can also apply to defendants who are facing liability for a claimant's injuries suffered as a spectator. An example can be shown in a case of *Woodridge v Summer*, where she suffered injury from a horse shoe at a horse race. But eventually consented to this risk. This helps show the law is fair as it protects a defendant from unjust liability, but also this case shows it is effective in its use.

Regarding a defence of contributory negligence it is contained under a contributory negligence Act 1945 and is a defence which reduces damages payable by a defendant to the extent by which a claimant's carelessness contributed to their injuries suffered. This initially suggests this defence is fair as it would be unjust for a defendant to be fully liable if a

CLAIMANT CONTRIBUTED IN SOME WAY TO THE INJURIES MY SUFFERED.
An example of a defence of contributory negligence being used can be shown in a case of *Badger v Ministry of Defence* where the claimants ~~claimed their claim was~~ representative claimed their claim was caused due to the conditions within a factory. However, a long case developed was also partly due to a defendant's ~~slipping~~ ^{slipping}. This case helps show how defence can be effectively used to reduce the damages payable by a defendant, as it was used successfully by a claimant, but it further shows it is a fair defence as it would have been wrong to impose ~~full~~ full liability upon a defendant.

Finally, when using a defence of contributory negligence a case of *Froom v Butcher* should be considered when using a defence. This helps a defence be fair as it doesn't help not overawards the defendant and also helps protect a claimant from ~~the~~ being awarded little damages when it may not be fair to do so. Further, it helps make sure damages are reduced according to a ~~own~~ carelessness contributory.

TO CONCLUDE, IT CAN BE ARGUED TO A SIGNIFICANT EXTENT ~~IT~~ DEFENDS OF CONSENT AND CONTRIBUTORY NEGLIGENCE ARE FAIR AND EFFECTIVE AS THEY HELP PROTECT DEFENDANTS FROM UNJUST LIABILITY AND CAN BE SHOWN TO BE EFFECTIVELY USED IN CASES SHOWN.

1 5

BAIL IS A RELEASE OF A PERSON FROM DETENTION UNTIL A NEXT STAGE OF THEIR CASE. UNDER S.4 OF A BAIL ACT 1976 THERE EXISTS A GENERAL PRESUMPTION THAT ALL INDIVIDUALS HAVE A RIGHT TO BAIL, WHICH IS FUNDAMENTAL IN MAINTAINING ARTICLE 5 OF A EUROPEAN CONVENTION OF HUMAN RIGHTS (A RIGHT TO LIBERTY). HOWEVER, UNDER SCHEDULE 1 OF A BAIL ACT 1976 THERE ARE SOME EXCEPTIONS TO THIS RIGHT SUCH AS IF THERE IS REASONABLE SUSPICION A DEFENDANT MAY COMMIT AN OFFENCE WHILE ON BAIL. THE EXTENT TO WHICH THE LAW RELATING TO BAIL PLACES TOO MUCH EMPHASIS ON PROTECTING A PUBLIC AND NOT ENOUGH EMPHASIS ON A PRESUMPTION OF INNOCENCE IS QUESTIONABLE.

REGARDING FIRSTLY POLICE BAIL THERE ARE 3 MAIN TYPES OF POLICE BAIL WHICH EXIST. FIRSTLY UNDER S.4 OF A CRIMINAL JUSTICE ACT 2003 (CJA) THERE IS STREET BAIL FOR MINOR OFFENCES. IT CAN BE ARGUED THIS HELPS PROTECT A PUBLIC FROM FURTHER DANGER

to an extent but also helps presume a person is fairly innocent and has just made a minor mistake which arrest is not required. Moreover, under S.37 of the Police and Criminal Evidence Act 1984 (PACE) there exists Bail before charge. This ~~only~~ limits the extent to which a statement made as this form of Police Bail presumes a person is innocent if not enough evidence exists. Finally, under S.38 of PACE 1984 Bail after charge exists. This again limits the extent to which the statement given is agreeable as this form of Bail presumes a person is innocent until they are found guilty within a court of law, and that they have the right to be free until then.

Moreover, a leading case regarding Police Bail is a case of R v Hoodway, where the police within their 96hr period were unable to gain enough evidence against ~~Ruben~~ Paul Hoodway for murder, leading to the passing of the Police, Bail and Detention Act 2011 ^(emergency legislation) allowing Bail for an unlimited period of time. This case potentially limits a statement made as it shows a ~~conviction~~ executive understanding someone should still be free until enough evidence is gathered and that they should be presumed innocent. However, ~~that belongs to the police and not the courts~~ ~~is wrong~~ However, following this emergency

legislation passed it lead to issues regarding Bail such as Christopher Jefferies in a Joanna Yates case who was left on Bail for 3 months after a real killer was captured. This again limits the extent to which a statement is agreeable as it shows a person certain members of a public are not protected against a stigma of being on Bail. However, his argument is invalid as the Police and Crime Act 2017 was passed only now allowing Bail for a 28 day period which helps solve the issue mentioned prior.

Regarding Court Bail it can be argued to a large extent it focuses on protecting a public and not enough on a presumption of innocence. Firstly following a case of Gary Weddell under S.115 of a Coroners and Justice Act 2009 it now only allows a Crown Court to grant Bail in murder cases as in a Gary Weddell case a Magistrate granted Bail and he killed himself and is now in law. This shows the courts largely focus on protecting a public as they have reduced the possibility of a murderer being granted Bail and do not presume enough that a defendant may be innocent of murder. Moreover, following the case of John Norman Bass under a Legal Aid Sentencing and Punishment of Offenders Act (LASPO) 2012 it has been held a prosecution can

Challenge a granting of Bail. In a Johnstone case he was granted bail despite a prosecution stating he would murder his girlfriend. When he later went on to do so, winst on bail. This reform shows ~~in case~~ bail does place emphasis on protecting a public and may not presume innocence as a prosecution would want to try and make a defendant seem guilty.

Further, under s.19 of CJA 2003 if an offence is involving class A drugs and a suspect tests positive for class A drugs then bail cannot be granted. This shows there is a focus on protecting a public from drug offenders but also suggest a correct amount of emphasis is focused on presumption of innocence as it is highly very a defendant who tests positive for class A drugs is involved in an offence. Moreover, under s.14 of CJA 2003 if a defendant commits an offence on bail they will not be granted if moving forward. This again suggests that there is a correct amount of emphasis. Upon public protection and innocence as this helps protect a public from greater charges but also gives a chance to a defendant to prove their innocence by not committing an offence whilst on bail.

Finally, it can be argued until reforms a courts are did not place much emphasis on a presumption of ~~that~~ innocence. This

can be shown as a courts officer refused Bail until under S.90 LASPO 2011 a 'no real prospect' test was passed. meaning if we is not real prospect of a conviction Bail should be granted. This shows that however in modern times emphasis is placed on a presumption of innocence

To conclude, it can be argued regarding police Bail to a large extent there is a correct amount of emphasis upon a presumption of innocence and a protection of a public. However, under court it can be deemed to a certain extent a statement is correct about a law on Bail as ~~consequently~~ major reforms have been introduced to protect a public but which have limited a person's choice of Bail and ultimately their presumption of innocence

1 8

The Human Rights Act was introduced in 1998 under a Labour Government and it incorporated a European Convention on Human Rights (ECHR) into UK binding law. Before this the ECHR was only seen as a moral obligation. The Bill of Rights is another document which is used by ~~countries~~^{over} prominent countries such as France (1789) and America (1791) it lays down a basic Human Right of an

individuals within a country.

Some arguments have developed against the effectiveness of the Human Rights Act 1998 (HRA) ^{as a substitute} and have argued for the implementation of a Bill of Rights, suggesting in the view of some members of the public the ~~Human Rights Act~~ HRA 1998 is not an effective substitute for a Bill of Rights. One argument developed is that the HRA 1998 gives too much power to the executive and under a Bill of Rights the power of the executive could be controlled, as instead of issuing a declaration of incompatibility as under the HRA 1998 such as in the Belmarsh case (terrorist suspects detained without charge), instead a judge could refuse to apply the law. Moreover, it has also been argued the HRA 1998 does not help place Human Rights with superiority within the law and is not effective, such as shown by the Public Order Act 1986 which restricts Article 11 of the ECHR, and that a Bill of Rights would help do this, unlike the HRA 1998.

Furthermore, the Justice Secretary has also argued against the effectiveness of the HRA 1998 and suggested a Bill of Rights would be more effective. They have stated the HRA 1998 does not protect currently held rights such as socio-economic rights and argue that the HRA does not protect the cohesion within society. However, a Bill of Rights would do this and should be encouraged. Moreover, the Justice Secretary

also stated a HRA 1998 does not protect ^{or prevent} a violation of rights such as Article 6 of a ECHR (right to fair trial) and under S: 44 of a Criminal Justice Act 2003 a judge can rule by trial alone if there is a risk of jury nobbling, such as in a Heathrow robbery trial. They have suggested a Bill of Rights would help stop this.

Moreover Henry Portman a prominent journalist has also questioned a effectiveness of a HRA 1998 as a substitute for a Bill of Rights. He has stated that under a HRA 1998 Article 8 ECHR (a right to privacy) is heavily protected for example shown by a ~~max~~

Regulation of Investigatory Powers Act 2000 which does allow under S.26-3.48 secret surveillance. Or for example Article 10 (freedom of expression) is limited by a Contempt of Court Act 1981 or a law of Defamation.

Finally, he also stated that a HRA 1998 does not effectively control a power of a police under a Police and Criminal Evidence Act 1984 as for example you can hold a terror suspect for 28 days without charge going against Articles ECHR a right to liberty.

Overall, this shows it is questionable if a HRA 1998 is proving a be an effective substitute for a Bill of Rights.

On the other hand, arguments have also developed in favour of a effectiveness of the HRA 1998 TOM HIGGINS of

Blackstone Chambers has stated that the HRA 1998 is effective and it flaws within it identified by a public are not perceived from realistic due to a lack of legal knowledge. Moreover, it can be argued a HRA 1998 helps maintaining positive relationship with Europe as well shown by J.P Costa head of the ECHR who stated a introduction of a Bill of rights could 'compromise a relationship between the UK and Europe' FNS shows a HRA 1998 is far greater an effective substitute for a Bill of rights as it helps maintain a good European relationship when position appears the aspects of a UK.

Furthermore, it can potentially be argued that a HRA 1998 is an effective substitute as it allows a UK to potentially gain a greater margin of appreciation than for example Germany (who have a Bill of rights) who lose more security over their UK etc. Finally, it can be argued a arguments made against a ~~BLANK~~ effectiveness of a HRA 1998 due to certain rights not being upheld is invalid as ^{if heavily influenced by} legislation for example under political criminal evidence Act 1984 there are strict rules a police must abide by and which helps maintain and protect a right to liberty and also under s.2 of a HRA 1998 it states courts must consider decisions of ECHR and under s.3 HRA 1998 law must comply with ECHR which helps

protected individuals and show a effectiveness of a HRA 1998.

To conclude, it can be argued as shown in some ways a HRA may not be an effective substitute for a Bill of Rights and instead a Bill of Rights should be introduced. However, it is also clear a HRA 1998 is effective and a Bill of Rights would face just as many issues if introduced.

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