

Law in 101 words

Snippets from The Reduced Law Dictionary by **Roderick Ramage**

Cakes & ale

“The law does not say that there are to be no cakes and ale, but...[none] except such as are required for the benefit of the company...the company might lawfully expend a week’s wages as gratuities for their servants; because... liberal dealing with servants eases the friction between masters and servants, and is, in the end, a benefit to the company. It is not charity sitting at the board of directors, because as it seems to me charity has no business to sit at boards of directors qua charity.” Bowen in *Hutton v West Cork Railway* (1883).

Church concert & gaol

A church concert is a regulated entertainment as defined in Sch 1 of the Licensing Act 2003, a licensable activity (s1) and a permitted temporary activity (s2), of which notice in prescribed form must be given in accordance with s100. Failure to comply with the Act is an offence under s136 punishable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both. A performance of a, say, Bach Mass as part of a church service is not a regulated entertainment, but it would be at a fund raising concert.

Common law & equity

Lord Coke declared the common law “the perfection of human reason”. We then develop a system of equity for, as Mr Justice Blackstone says, “the correction of that wherein the law was deficient”, giving two systems, one being perfect and the other correcting its deficiencies. Lord Selden said of equity that it is “a roguish thing. For Law we have a measure, know what to trust to; Equity is according to the conscience of him that is Chancellor”. The Supreme Court Judicature Act 1873 and subsequent legislation fused the courts, but not the law. Where there is a conflict equity prevails.

Compensation for riot

The private operators of the Yarl’s Wood Immigration Centre had public law responsibilities for order in the centre. Therefore, they were not persons within the scope of the Riot (Damages) Act 1886 and had no claim against the police for loss suffered as a result of riot damage at the centre: *Yarl’s Wood Immigration Centre v Bedfordshire Police* (2008). The 1886 Act is intended to enable local property owners to obtain

lease, must make a formal demand, in or at the main door of the property between the hours of sunrise and sunset: *Wood v Chivers* (1573). Leases should



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compensation. SI 2011/2001 altered the 1921 Regulations under the 1886 Act with effect from 12 August 2011, particularly to extend the period for making claims from fourteen to forty-two days.

Costs on lying

In *Dunedin Canmore Housing Association v Donaldson* (2009), the EAT awarded costs against Mrs Donaldson. Mrs Donaldson had brought a claim against her ex-employer that it was in breach of a compromise agreement between them. The ex-employer discovered that Mrs Donaldson had breached the confidentiality obligations and withheld payment. Her claim was based on the lie that she had not breached the agreement, and she had lied when giving evidence. Nevertheless, the employment tribunal did not award costs against her. The EAT held that the ET’s decision on costs was perverse. Mrs Donaldson had not approached the case honestly and reasonably.

Formally demanded

A landlord, who wishes to re-enter property which he has let and forfeit the

include a forfeiture provision to the effect that: “any money payable by the tenant under this lease is in arrears for (*number*) days whether formally demanded or not”. This requirement is dispensed with if half a year’s rent is due and there is there is not sufficient distress on the premises: Common Law Procedures Act 1852 s210, s210A.

Hanged drawn & quartered

The Treason Act 1351, s1 of which is still in force, codified the law. The penalty for high treason was hanging, drawing and quartering. Colonel Edward Despard, who in 1803 was convicted of organising a revolutionary conspiracy, was sentenced to that fate (probably the last such sentence in England), but it was reduced to hanging and beheading. By s1 of the Treason Act 1814 the sentence against a person convicted was that such person shall “have and suffer such pain of death”, for which, by the Crime and Disorder Act 1998, were substituted the words “be liable to imprisonment for life”. **NLJ**

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