# Session 2 – EXERCISES

*You* ***don’t*** *need to prepare complete answers to these exercises in advance of our meeting. We will be workshopping them in our small groups and as a class. However, before the Session 2 Zoom you should:*

* *Re-read the relevant parts of the readings required for each exercise; and*
* *Jot down some points that come to mind so you are ready for discussion in your small group.*

# Exercise One – preparing a case analysis

**Case analysis of *Hart v Rankin***

Break into your small group and read through ‘Exercise 7 > Analysing a case’ in parag 7.6-7.9 of *Laying Down the Law 2021* (your first item of essential reading for Session 2).

This exercise requires doing a case analysis using the ‘less detailed’ of the two methods set out in parag 7.12 of *Laying Down the Law* ie:

1. citation
2. brief statement of material facts
3. grounds of appeal and/or issue(s) to be decided
4. reasons for decision
5. decision

In your small group, discuss the essential points that you think should fall into each of the elements above. We will then workshop the exercise as a class with input from each small group.

**Note** that ordinarily a case analysis would be written out in a more complete form, but for the purposes of this exercise we are just aiming to understand the basic process of analysing a case.

# Exercise Two – identifying *ratio* and *obiter*

**Identifying *ratio* and *obiter* in *Cohen v Sellar***

Break into your small group and recap the case of *Cohen v Sellar* at 7.5 of *Laying Down the Law*.

Discuss and try to agree amongst yourselves what you think the ***ratio***of the case is. Do the same thing with respect to ***obiter****.* We will then share our answers as a class with input from each small group.

**Note** that the exercise based on this case in *Laying Down the Law* (exercise 8) asks for you to do a full case analysis. We won’t do that for the purposes of our exercise – we are just focusing on trying to identify *ratio* and *obiter*.