AS LAW
Unit 1 Law Making and the Legal System

Tuesday 15 May 2018           Afternoon     Time allowed: 1 hour 30 minutes

Materials
For this paper you must have:
• an AQA 12-page answer book.

Instructions
• Use black ink or black ball-point pen.
• Write the information required on the front of your answer book. The Paper Reference is LAW01.
• Choose one topic from Section A, one topic from Section B and a third topic from either Section A or Section B. Answer all questions on the topics you have chosen.
• Do all rough work in the answer book. Cross through any work you do not want to be marked.
• Use continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Information
• The marks for questions are shown in brackets.
• The maximum mark for this paper is 96.
• In Questions 03, 06, 09, 12, 15, 18, 21 and 24 two marks will be awarded for Assessment Objective Three (AO3), and so you will be marked on your ability to:
  – use good English
  – organise information clearly
  – use specialist vocabulary where appropriate.
Choose one topic from Section A, one topic from Section B and a third topic from either Section A or Section B. Answer all questions on the topics you have chosen.

Section A Law Making

Use continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Each topic carries 32 marks.

Topic: Parliamentary Law Making

Answer questions 01, 02 and 03.

01 Describe the law-making procedure in the House of Commons. [10 marks]

02 Describe the influence on Parliamentary law-making of any one of the following:
   • the Law Commission or
   • the media or
   • pressure groups. [10 marks]

03 Briefly discuss advantages and disadvantages of the influence that you have described in Question 02 above. [10 marks + 2 marks for AO3]

Topic: Delegated Legislation

Answer questions 04, 05 and 06.

04 Outline any two types of delegated legislation. [10 marks]

05 Explain parliamentary controls on delegated legislation. [10 marks]

06 Discuss disadvantages of delegated legislation. [10 marks + 2 marks for AO3]
Topic: Statutory Interpretation

Answer questions 0 7, 0 8 and 0 9.

0 7 In relation to statutory interpretation, outline both of the following:

- any one rule of language and
- internal (intrinsic) aids to interpretation. [10 marks]

0 8 Explain the mischief rule and its use by judges. [10 marks]

0 9 Briefly discuss advantages and disadvantages of the use of the mischief rule. [10 marks + 2 marks for AO3]

Topic: Judicial Precedent

Answer questions 1 0, 1 1 and 1 2.

1 0 Outline the main features of the system of judicial precedent. [10 marks]

1 1 Explain how judges can use powers of overruling and distinguishing to avoid following a binding precedent. [10 marks]

1 2 Briefly discuss advantages and disadvantages of the use of judicial precedent. [10 marks + 2 marks for AO3]
Section B  The Legal System

Use continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Each topic carries 32 marks.

Topic: The Civil Courts and other forms of dispute resolution

Answer questions 13, 14 and 15.

13 Outline both of the following:

• the civil courts, including appeal courts, that can hear a claim for compensation
• the process of mediation.

[10 marks]

14 Describe arbitration as a form of alternative dispute resolution.

[10 marks]

15 Briefly discuss advantages and disadvantages of using the civil courts to deal with a negligence claim.

[10 marks + 2 marks for AO3]

Topic: The Criminal Courts and lay people

Answer questions 16, 17 and 18.

16 Describe how lay magistrates are selected and appointed.

[10 marks]

17 Explain how jurors qualify and are selected for jury service.

[10 marks]

18 Briefly discuss advantages and disadvantages of the use of juries in the criminal justice process.

[10 marks + 2 marks for AO3]
Topic: The Legal Profession and other sources of advice and funding
Answer questions 19, 20 and 21.

19 Describe the work of solicitors in serious criminal court cases. [10 marks]

20 Alan has been badly injured in an accident and wishes to sue for damages.
• Briefly explain where Alan could obtain legal advice about a possible claim and
• outline how this advice, and any legal representation, could be paid for. [10 marks]

21 Briefly discuss advantages and disadvantages of the methods of obtaining funding for advice and representation in civil cases. [10 marks + 2 marks for AO3]

Topic: The Judiciary
Answer questions 22, 23 and 24.

22 Describe how judges are trained for their judicial role. [10 marks]

23 Explain how judges can be dismissed from office. [10 marks]

24 Discuss why it should be difficult to dismiss judges from office. [10 marks + 2 marks for AO3]

END OF QUESTIONS
There are no questions printed on this page
There are no questions printed on this page
There are no questions printed on this page