AS LAW
Unit 1: Law Making and the Legal System
Report on the Examination

2160
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Section A Law Making

Topic: Parliamentary Law Making

Question 01

The question required students to describe the law-making procedure in the House of Commons.

This required a description of each of the readings and the committee stage but did not require coverage of pre-legislative phases (green and white papers), of the procedure in the House of Lords or the Royal Assent. Credit was given for reference to any of:

- the different form of bills (public, private and private members),
- the introduction of the bill at first reading by the minister or other promoter,
- the ‘ping-pong’ procedure in conjunction with House of Lords, and

Most answers provided a good description of the procedure and included one or more other credit-worthy points, especially describing the ‘ping pong’ procedure. A number of answers described non-credit-worthy material in addition to the House of Commons procedure.

Question 02

This question required a description of the influence on Parliamentary law-making of any one of:

- The Law Commission;
- The media;
- Pressure groups.

For the Law Commission the description could have covered:

- who works for the Commission,
- how it works in investigating issues and reviewing the law,
- its role in codifying areas of law,
- its role in consolidating law,
- its role in recommending repeals of old law,
- the reporting of findings to Parliament and the possible implementation of its recommendations.

Students who opted for this influence generally knew the various roles of the Law Commission and were able to describe them accurately, including examples of areas of their work and at least one successful recommendation.

For Pressure groups the description could have covered:

- the meaning of a pressure group,
- what insider pressure groups are and how they can influence Parliament,
- what outsider pressure groups are and how they can influence Parliament,
- what cause groups are and how they can influence Parliament,
- what sectional groups are and how they can influence Parliament.
Credit was awarded for examples of campaigns by pressure groups whether successful or unsuccessful. This was the most popular option and most students who chose this influence tended to accurately describe the different forms of pressure groups and included examples of each. However, they did not often continue to describe how such groups could influence Parliament.

For Media the description could have covered:

- what is meant by media – radio, TV, Press, Internet, Social Media;
- how media can influence Parliament – by campaigns, regular articles, features, follow up articles to events, specific events and the use of media by MPs,
- when they can influence – after an event such as Hillsborough or as part of a regular campaign eg immigration, knife crime, acid attacks;
- the effect of influence by media – either no change in the law or an eventual change in the law such as with the Dangerous Dogs Act 1991 or the Sara Payne campaign to name and shame paedophiles.

This topic tended to be the least well described with brief descriptions of what is meant by media and identification of some campaigns including the campaign to ban handguns following the Dunblane tragedy. Perhaps surprisingly, there was hardly any mention of social media or its influence.

**Question 03**

This question required students to briefly discuss advantages and disadvantages of the influence that had been described in the previous question. All answers seen followed this instruction and did not attempt to evaluate a different influence from that previously described.

For the Law Commission points that could have been made were for advantages:

- that Commissioners have considerable legal expertise and are supported by expert staff;
- their reports are well informed and researched and based on considerable evidence;
- the Law Commission is independent and non-political; and
- draft legislation is presented with the report to Parliament.

For disadvantages points that could have been made were:

- that only a small percentage of reports (about 30%) are accepted and then acted on by Parliament;
- there is no obligation on government to consult the Law Commission before any new law is introduced;
- the Law Commission’s investigations can be lengthy because of the need to obtain evidence; and
- several areas of law are investigated at one time so investigations may not be completely thorough.

For pressure groups points that could have been made were for advantages:

- they can raise public awareness of an issue and keep Parliament including individual MPs in touch with issues of public concern;
- many groups are non-political and can influence members of all political parties;
- they will have expertise, often detailed and well researched, on their issue;
for some groups, such as the National Trust or TUC, the size of their membership means they can be representative of general public and be more influential as they will have large budgets and be able to afford media campaigns;
• some groups can provide international experience and contacts;
• insider groups are likely to have the ear of decision makers and can be consulted on proposed changes;
• a group is likely to be successful if it has media support.

For disadvantages points that could have been made were:

• they are undemocratic as the leadership is unlikely to be elected by membership;
• they are not likely to be objective will only provide one side of an argument;
• outsider groups can use undesirable or illegal tactics to get publicity and to promote their view;
• some groups may only represent a small number of members and have limited funds available to advertise themselves or carry out any influence;
• outsider groups unlikely to be consulted or influence decision makers;
• they are unlikely to be successful if there is no media support for their issue.

For media points that could have been made were for advantages:

• it can raise issues of public concern with decision makers in government and parliament;
• it can support pressure group campaigns;
• it can raise and support public awareness of an issue,
• it can generate public support.

For disadvantages points that could have been made were:

• it may represent only a small percentage of the population;
• it may not be able to effectively influence government or parliament;
• the ownership of the media may give it possible bias;
• social media may be immediately reactive to an event.

Most answers were balanced with an equal discussion of advantages and disadvantages. The best answers effectively developed points with supporting evidence and examples.

**Topic: Delegated Legislation**

**Question 04**

This question required students to outline the operation of any two different forms of delegated legislation.

The types of delegated legislation are:

• Statutory Instruments and the outline could have included points such as:
  • it is a form of law made by government ministers;
  • ministers are given delegated powers under the authority of a piece of primary legislation (an enabling Act), within the area of their responsibility;
  • they are used to update an existing law such as the annual increase in the minimum wage or to provide detailed rules within a framework Act;
o they can also be used as commencement orders to bring the whole or part of an Act into force.

- **By-laws**
  o these are made under delegated powers given by, for example the Local Government Act 1972, and approved by a government minister;
  o they can be made by a local authority for the benefit of the local authority area. The most common examples seen of this was dealing with dog fouling or drinking alcohol in certain areas of a town;
  o alternatively, they can be made by public bodies or companies and the most common examples were dealing with smoking on public transport or the imposition of penalty fares.

- **Orders in Council**
  o these are made by the Queen and Privy Council – it was expected that reference to the make-up of the Council would be outlined;
  o they are laws which can be made when Parliament is not sitting or in emergencies and the most common examples seen were the Afghanistan Order and the temporary banning of flights on 9/11;
  o they can also be used to dissolve Parliament before an election or to reorganise responsibility of government departments or as an alternative form of commencement orders to bring an Act into force.

This question was generally well answered with clear and accurate outlines of two forms of delegated legislation. A good range of examples were seen and those students choosing to cover Orders in Council often included a wide range of relevant laws.

**Question 05**

This question required students to explain parliamentary controls on delegated legislation.

These could have included:

- the role of scrutiny committees;
- asking questions of ministers at departmental question time in either House of Parliament;
- the affirmative resolution procedure;
- the negative resolution procedure; and
- a possible repeal of the enabling Act (and therefore any delegated legislation made under it) and the setting of limits in the enabling Act.

The majority of answers accurately explained the role of scrutiny committees and affirmative and negative resolution procedures and the effect of repeal of the enabling Act. Many answers incorrectly referred to pieces of delegated legislation as ‘Acts’ or ‘Bills’ and a few included reference to judicial controls.

**Question 06**

This question required students to discuss disadvantages of delegated legislation.

This could have included points such as:

- it is undemocratic as it may be made by unelected civil servants (acting behind government ministers) or Privy Councillors;
• the numbers of such laws over 3000 statutory instruments are made annually and by-laws may differ from one local authority area to another;
• a lack of publicity – despite the internet, it may be difficult to find a piece of delegated legislation and when it came into force;
• a need for control – whether parliamentary or judicial. In Parliament there is limited scrutiny partly due to the volume of statutory instruments and there is limited scrutiny of orders in council and by-laws;
• many pieces of primary legislation can only work if supported by delegated legislation and these are given limited chance of debate or scrutiny; this is especially so for items in the ‘red book’ giving effect to many detailed rules in the budget
• the length and expense of judicial review – no legal aid is available for this procedure; there is the ‘interest’ test before an action can be launched and government is seeking to reduce availability of this remedy.

It was pleasing to see that most answers did confine themselves to a discussion of disadvantages and often at least three points were covered. The best answers discussed these points in detail; some answers contained description rather than discussion.

**Topic: Statutory Interpretation**

**Question 07**

This question required students to outline both the operation of any one rule of language, and internal aids to interpretation.

An outline of operation of a rule of language could be of:

• the *ejusdem generis* rule where general words in an Act follow at least two specific words. Case examples that could have been referred to are *Powell v Kempton Park Racecourse* 1897 and *Allen v Emerson*.
• the *noscitur* rule where the meaning of a word is to be found from its context. A case example such as *Inland Revenue v Frere* 1964 could have been referred to.
• the *expressio* rule where the expression of one thing implies exclusion of another with a case example such as *Inhabitants of Sedgely* 1831.

The *ejusdem generis* rule was by far the most popular option. Most answers managed to outline a rule with reasonable accuracy but outlines of relevant case examples in support were variable.

Most students were on stronger ground when outlining internal aids to interpretation. Most answers were able to identify that internal aids are found within an Act of Parliament and were able to outline several of the aids which could be any of:

• the long and short titles of an Act,
• any preamble,
• any definitions included in the Act,
• the interpretation section of the Act,
• the detail given in a Schedule to an Act.

Stronger answers were able to support the outline of the aid with an example while weaker answers tended to purely identify the aid. Some answers confused internal with external aids and included references to dictionaries and parliamentary debates.
Question 08

This question required students to explain the mischief rule of statutory interpretation and its use by judges.

An explanation of the mischief rule is that judges are looking at gaps or defects in the law and interpret the law according to the questions posed in Heydon’s case:

- what was the old law?
- what was the defect?
- what was Parliament's intention?

The Act is then interpreted to give effect to that intention;

The use of mischief rule by judges could then be explained by reference to the facts of case(s) such as Smith v Hughes, Elliott v Grey, DPP v Bull, Corkery v Carpenter, or RCN v DHSS.

Most answers used the case of Smith v Hughes though few were able to accurately quote the words of Lord Justice Parker that “everybody knows that this was an Act designed to clean up the streets” from the mischief of prostitutes soliciting for business.

Some answers were able to use the Street Offences Act to explain that the mischief did not extend to male prostitutes as decided in DPP v Bull. Another case that was accurately explained was RCN v DHSS where the mischief of backstreet abortions was identified.

Question 09

This question required students to briefly discuss advantages and disadvantages of the use of the mischief rule.

Points that could be made for advantages were:

- it avoids unjust outcomes as in, for example, Berriman v LNER;
- there is some flexibility in allowing judges to apply law that was really intended by Parliament such as in Smith v Hughes;
- judges can fill in any gaps in legislation to arrive at the “right” or a just result;
- it saves Parliament from having to pass an amending Act when a mischief is identified;
- it allows judges to update law to take account of changing social conditions such as in RCN v DHSS.

Points that could be made for disadvantages were:

- too much power is given to an unelected judiciary and is undemocratic; it could also be said to encourage judicial law making as with Lord Justice Parker in Smith v Hughes;
- it may be difficult to identify the mischief in the previous law and to find parliament’s intention;
- it can lead to unpredictable results;
- it can be said to be outdated and not fit to deal with current issues.

Many answers briefly discussed at least two points for advantages and for disadvantages and there were many stronger answers which were able to support the points with some case authority or example.
Topic: Judicial Precedent

Question 10

This question required students to outline the main features of the system of judicial precedent. This required an outline of:

- the hierarchy of courts either civil and/or criminal, which courts bind others and which courts are bound by others;
- key distinctions between ratio decidendi and obiter dicta in a decision; and
- the need for law reporting including the content of a law report that they are authorised with an example of a form of report.

Answers to this question varied. Stronger answers outlined all the points and were able to support the outline with cases and/or examples. Weaker answers tended to focus on the ratio/obiter point with limited reference to the hierarchy or law reports. Some answers included material that was more relevant to Q11 and which was then repeated in that answer.

Question 11

This question required students to explain how judges can use powers of overruling and distinguishing to avoid following a binding precedent.

An explanation of the use of overruling required coverage of what is overruling in precedent and which courts can overrule. This could then be supported by a case example(s) to show the use of overruling. Examples commonly seen were Hedley Byrne v Heller & Partners which overruled Candler v Crane Christmas and Herrington v BRB overruling Addie v Dumbreck. Reference could also have been made to when the Court of Appeal can overrule using its powers set out in Young v Bristol Aeroplane.

An explanation of use of distinguishing required coverage of what is distinguishing and which courts can distinguish. This could then be supported by case example(s) to show the use of distinguishing. Case examples commonly seen were Merritt v Merritt which distinguished Balfour v Balfour or R v Wilson distinguishing R v Brown.

Answers to this question varied. Stronger answers were able to explain both sets of powers and support the explanation with relevant case examples. Weaker answers failed to explain the power and did not refer to relevant courts and only explained case examples. Some answers were confused about the use of the Practice Statement and which court could use this power.

Question 12

This question required students to briefly discuss advantages and disadvantages of the use of judicial precedent.

Points that could be made for advantages were:

- it allows judges flexibility when dealing with new situations as they arise, or updating out-of-date rules as in R v R and/or Herrington v British Rail;
- judges are dealing with real, as opposed to theoretical, cases;
- precedent provides detailed rules for later cases which can be time saving;
• the result is a just outcome, as judges are impartial and are basing their decisions on legal rules as opposed to personal opinions;
• decisions are authoritative – especially the decisions of the Supreme Court and the Court of Appeal due to the numbers and experience of judges hearing appeals;
• there is certainty in decision making.

Points that could be made for disadvantages were:

• the undemocratic nature of law making, as a view of a judge’s role can be said to be applying law passed by Parliament rather than making law by their decisions;
• in order to make precedent, there is need for a case to come to court, especially the higher courts, which may be a lottery based on a lawyer’s advice and availability of funding;
• in some cases, each judge may give a different reason for their decision which may result in difficulty for later judges or lawyers identifying the ratio;
• there are a considerable number of precedents that have been made and there could difficulty in finding an authoritative law report;
• there is a certain rigidity about the system and bad decisions by the higher courts are difficult to change;
• in any litigation there is an uncertainty of result until a final decision has been made
• there is a retrospective nature to a decision as with a case such as R v R.

Many answers briefly discussed at least two points for advantages and for disadvantages and there were many stronger answers which were able to support the points with some case authority. Weaker answers made points without supporting case authority.

**Section B The Legal System**

**Topic: The Civil Courts and other forms of dispute resolution**

**Question 13**

This question required students to outline both the civil courts, including appeal courts, that can hear a claim for compensation, and the process of mediation.

An outline of civil courts could include:

• the Small claims court which has an informal procedure, cases are decided by a District Judge and the maximum claim is £1000 in personal injury cases and £10000 in other cases;
• the County Court where cases are decided by a Circuit Judge where the financial limit is generally £50000 and it can hear appeals from the Small Claims Court;
• the High Court QBD where cases are decided by a High Court judge for claims over £50000 but with no maximum limit;
• the Court of Appeal which consists of a panel of three judges and hears appeals from the County Court and QBD on amounts of compensation and issues of law. It can confirm or vary the original decision;
• the Supreme Court which consists of a panel of five justices and hears appeals from Court of Appeal decisions if the case involves a point of law of public importance. It can confirm or vary the previous decision.

An outline of mediation could include:
• a qualified mediator carries out the mediation,
• it deals with cases involving family, neighbour or commercial disputes;
• the mediator shuttles between the parties carrying messages until the parties themselves reach a settlement;
• a successful outcome is an enforceable agreement if it is recorded.

Answers to this question could be unbalanced often tending to focus on the courts and then focus on the tracks rather than dealing with the powers of each court. Decisions of appeal courts were rarely mentioned. Answers dealing with mediation could be either accurate, when students knew how the system worked, and the cases dealt with, or outlined in very general terms.

Question 14

This question required students to describe the process of Arbitration.

Points that could have been made were:

• that arbitrators are likely to be qualified and have experience in the area of the dispute;
• it can arise from a Scott v Avery clause in the agreement between the parties;
• the types of cases dealt with can be commercial and/or consumer cases;
• the nature of hearing can be an oral hearing of the evidence and arguments or paper based;
• the outcome is an award, which can be enforced;
• the is limited possibility of an appeal;
• procedures are governed by the Arbitration Acts 1996.

Answers dealing with Arbitration could be either accurate, when students knew how the system worked, and the type of cases dealt with, or described in very general terms.

Question 15

This question required a brief discussion of advantages and disadvantages of using the civil courts to deal with a negligence claim.

Points that could be made for advantages were:

• there will be a resolution by an impartial judge;
• the court has authority which must be respected;
• the judge and lawyers have legal expertise;
• there will be the hearing of all the evidence before a final decision is made;
• in the higher courts there is the possibility of a public hearing meaning that open justice is achieved;
• the court will have to make a decision so there will be a certain outcome;
• both parties have a right of appeal;
• there is an availability of funding options, though state funding is unlikely.

Points that could be made for disadvantages were:

• the cost of taking a case to court and the possible award of costs against the losing party;
• the formality of the process and hearing;
• a possible lack of legal representation due to the lack of state funding and consequent imbalance between the parties if one is represented and the other not;
• the process is likely to be slow and considered by some, inefficient;
• it is likely there will fixed court dates and times which could be inconvenient;
• the court process is considered adversarial; and
• because the courts are open there may be publicity which could be detrimental to one or both of the parties.

Many answers dealt with several points both for advantages and disadvantages. As a result, the points were often dealt with in less depth than in other evaluative topics. However, the number of points made could often compensate for the lack of depth.

**Topic: The Criminal Courts and lay people**

**Question 16**

Question 16 required students to describe how lay magistrates are selected and appointed. This was the most popular topic on this part of the paper.

Selection involves the carrying out of two interviews by the Local Advisory Committee following an application when the committee will be looking for the key personal qualities of the applicant and possibly judicial aptitude.

Appointment involves the requirements of bench and the need for balance, students are recommended to the Minister of Justice and Lord Chancellor by the Local Advisory Committee.

Applicants will have their background checked; there will be a formal appointment and swearing-in ceremony followed by initial training.

A significant number of answers accurately described both the selection and appointment process and justified high marks. Some answers covered in addition the work of lay magistrates which did not receive credit.

**Question 17**

Question 17 required students to explain how jurors qualify and are selected for jury service.

Qualification involves age limits, being on electoral register and residence in the UK. It also involves reasons for not qualifying, which are due to disqualification, deferral, or other good reasons for not serving, such as excusal, deferral or discharge because of knowing one of the parties in case.

Selection involves the initial, random selection by the Jury Central Summoning Bureau, further selections in the jury waiting room and in the court room, the swearing in, and reference to vetting and challenges.

Many answers accurately described both qualification and selection and achieved high marks.

Many students also considered that vetting of potential jury members occurs in most cases, though, in practice, it is reserved for high profile cases or those involving the national interest.
Question 18

Question 18 required a brief discussion of advantages and disadvantages of the use of juries in the criminal justice process.

Points that could have been made for advantages were:

- it is a long established system of trial by one’s peers;
- it provides justice in open court;
- it has strong public confidence;
- it is considered a fair system;
- there are a limited number of appeals from jury verdicts;
- it is cheaper than if we had judge only trials as a greater number of judges would be required;
- there is a reduction of professional involvement in the trial process, and
- there is shared decision making.

Points that could have been made for disadvantages were:

- the occasional returning of perverse verdicts;
- there may be possible bias in the jury room and there may be selection issues, particularly as jury members have to be on the electoral roll;
- there may be influence within the jury or from outside such as by the judge or advocates;
- there may be media pressure;
- the issues to be decided may be complex – fraud trials are a particular example;
- it is not known how juries reach their verdicts; and
- there is a cost of meeting jurors expenses.

Many answers discussed two or more points for each of advantages and disadvantages. Stronger answers developed points with case examples and achieved high marks. There were fewer examples of weaker answers compared to previous years as students appeared to be well prepared for this question.

Topic: The Legal Profession and other sources of advice and funding

As with most previous sessions, there were few answers to the topic of the Legal Profession and other sources of advice and funding, so it is difficult to make any comments on the answers seen.

Question 19

Question 19 required students to describe the work of solicitors in serious criminal court cases. This could have covered points such as:

- an initial instruction of a barrister by a solicitor for advice and representation;
- initial researching and obtaining evidence by a solicitor;
- a solicitor liaising with the CPS over possible charges, witnesses and evidence to be used at trial, and the date and procedure at trial;
- a solicitor’s appearance at initial magistrates court hearings and any preliminary pre-trial hearings when matters to be dealt with could be for consideration of bail or custody, legal representation and referral to Crown Court;
• a solicitor advocate with extended rights of audience qualification could advocate at the trial; alternatively a solicitor will support a barrister during the trial
• a solicitor could advise on a possible appeal after a guilty verdict – the appeal could relate to the conviction and/or sentence; a solicitor could prepare the appeal and, if a solicitor advocate with extended rights of audience qualification, could conduct the appeal; alternatively a solicitor will support a barrister in the appeal.

Question 20

Question 20 set a brief scenario showing that Alan is badly injured in an accident and wishes to sue for damages. Students were then required to briefly explain where he could obtain legal advice about a possible claim and outline how this advice, and any legal representation, could be paid for.

The first part of the question required a brief explanation where legal advice can be obtained from.

This could be from:

• Lawyers who are likely to be solicitors who are available across the country. Lawyers can offer advice on the initial merits of a claim, negotiate with an insurance company or the person causing the accident, draft court papers and pursue the claim. Alternatively, a barrister may be approached through the Direct Access scheme to provide a similar service.
• Citizens Advice Bureau who are a charity providing general free legal advice on range of issues to those living in their local areas. They offer initial advice and some representation, though if the case is complex they may pass the case to more specialist agencies or lawyers.
• Law Centres are often situated in large cities to provide access to legal advice when state funded legal aid or advice is not available. They may employ lawyers or para-legals who may be specialists in certain areas of work. They may be able to pursue a case right through to a court hearing.
• An insurance company can provide initial advice to their insured on the merits of a civil accident claim provided the type of claim is covered by the policy conditions. They may be prepared to fund more specialist advice or taking the case to court, if so advised. Policies may be taken to cover legal expenses when covering houses, businesses or vehicles. An alternative type of policy may be taken out to cover no-win no-fee arrangements.
• Access to the Internet where advice is open to all on a range of mostly civil topics; the advice may be given either by qualified lawyers or by non-qualified persons (often for a fee). It may be possible to obtain initial documents and further material (again for a fee) but they may be unable to continue to help if the case becomes more complex, or requires court appearances or an appeal.
• A claims company can provide initial advice on the merits of claim and will then pass the case to specialist solicitors.

The second part of the question required students to outline of how advice, and legal representation, could be paid for. This required an outline of:

• Private funding, and/or
• No win no fee conditional fees and/or
• Via any insurance policy, and/or
• Via union membership, and/or
• By a pro bono arrangement.
It was disappointing to see answers still referring to state funded legal aid since this has been removed from negligence cases several years ago.

**Question 21**

Question 21 required a brief discussion of advantages and disadvantages of the methods of obtaining funding for advice and representation in civil cases.

Points that could have been made were:

**For advantages:**
- Legal Help - for those receiving state benefits or who are suffering from a disability it provides a source of initial advice;
- ‘no win no fee’ arrangements allow for advice and claims from those who could not afford to fund court action by other means;
- funding provided by insurance companies, motoring organisations or unions benefit their members;
- private funding allows a choice of legal representative;
- if pro bono can be found it allows those who cannot privately fund a case or who do not qualify for any other scheme to get advice and/or representation

**For disadvantages:**
- there is a general unknown expense of issuing and taking a court action;
- there is now very limited availability of state funding for civil court advice and court actions;
- there is very limited availability of pro bono;
- the cost of obtaining ‘after the event’ insurance policies which are required for ‘no win no fee’ cases;
- there is a high threshold test for the likelihood of success in order to be able to use a ‘no win no fee’ arrangement;
- insurance or union funding is only available to members of the company or union who may impose certain conditions before funding the claim.

**Topic: The Judiciary**

As in most previous sessions, there were so few answers to the topic of the judiciary, it is difficult to make any comments on the answers seen.

**Question 22**

Question 22 required a description of how judges are trained for their judicial role

This could have included points such as:

- training is the responsibility of the Judicial Studies Board
- there is initial practical training on topics such as how to run a court, updates on relevant law and sitting with experienced judges and visits to prisons and other institutions, and
- there is annual continuing training and induction courses when a judge receives new responsibilities, and
- there is a mentoring scheme covered by experienced judges.
Question 23

Question 23 required an explanation of how a judge can be dismissed from office

This could have included points such as:

- dismissal of inferior level judges can be made in cases of incapacity or misbehaviour by the Lord Chief Justice acting in conjunction with the Lord Chancellor and Secretary of State for Justice;
- an inferior level judge could have a fixed term appointment which expires and is not renewed or the judge resigns;
- superior level judges can only be dismissed by parliamentary petition; and
- role of Judicial Conduct Investigations Office (formerly the Office for Judicial Complaints) is to investigate allegations against judges of either level and make decisions on what course of action should be taken.

Question 24

Question 24 required students to discuss why it should be difficult to dismiss a judge from office

This could have included points such as:

- there is a need for judges to be independent of the legislature and Executive as they make decisions particularly involving the Executive;
- the freedom for a judge of any level to make a ‘just’ decision in every case;
- there is a need for judges to be free from influence of the parties, of advocates in the case, from the media and from anyone interested in the case;
- that judges are upholding the Rule of Law;
- that difficulty in dismissing a judge maintains public confidence in the law and in the judicial system; and
- for superior level judges there are practical difficulties in obtaining a parliamentary petition.
Mark Ranges and Award of Grades

Grade boundaries and cumulative percentage grades are available on the Results Statistics page of the AQA Website.

Converting Marks into UMS marks

Convert raw marks into Uniform Mark Scale (UMS) marks by using the link below.

UMS conversion calculator