General Certificate of Education
Advanced Subsidiary Examination
June 2015

Law

Unit 1 Law Making and the Legal System

Friday 22 May 2015 9.00 am to 10.30 am

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

Time allowed
- 1 hour 30 minutes

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 Outline each of the following:
- the meaning and purpose of Green and White Papers and
- the doctrine of Parliamentary supremacy (sovereignty).

[10 marks]

02 Describe the legislative process in Parliament, including the role of the Crown.

[10 marks]

03 Briefly discuss advantages and disadvantages of the legislative process in Parliament.

[10 marks + 2 marks for AO3]

Topic: Delegated Legislation

Answer questions 04, 05 and 06.

04 Briefly explain statutory instruments and by-laws as forms of delegated legislation.

[10 marks]

05 Explain judicial controls on delegated legislation.

[10 marks]

06 Discuss why Parliament delegates law-making powers.

[10 marks + 2 marks for AO3]
**Topic: Statutory Interpretation**

Answer questions [07], [08] and [09].

07 Describe the literal rule of statutory interpretation. [10 marks]

08 Describe the golden rule of statutory interpretation. [10 marks]

09 Briefly discuss advantages and disadvantages of the golden rule. [10 marks + 2 marks for AO3]

**Topic: Judicial Precedent**

Answer questions [10], [11] and [12].

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

11 Outline two ways in which judges can avoid following a binding precedent. [10 marks]

12 Briefly discuss advantages and disadvantages of judicial precedent. [10 marks + 2 marks for AO3]

Turn over for the next section
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 the following alternative dispute resolution (ADR) processes:
   • negotiation and
   • mediation. [10 marks]

14 Explain the work of tribunals as a form of alternative dispute resolution. [10 marks]

15 Briefly discuss advantages and disadvantages of alternative dispute resolution. [10 marks + 2 marks for AO3]

Topic: The Criminal Courts and lay people

Answer questions 16, 17 and 18.

16 Describe how jurors qualify and are selected for jury service. [10 marks]

17 Explain the work of lay magistrates in criminal cases. [10 marks]

18 Discuss advantages of using lay persons (juries and lay magistrates) in the criminal courts. [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 barristers. [10 marks]

20 Sarah is charged with a serious criminal offence. Briefly explain where she can obtain legal advice and representation and outline how such advice and representation can be paid for. [10 marks]

21 Discuss disadvantages of the methods of obtaining advice and representation in criminal cases. [10 marks + 2 marks for AO3]

Topic: The Judiciary

Answer questions 22, 23 and 24.

22 Describe how judges are selected and appointed for judicial office. [10 marks]

23 Describe the work of a judge in a Crown Court criminal trial. [10 marks]

24 Discuss why there is a principle of judicial independence. [10 marks + 2 marks for AO3]

END OF QUESTIONS
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