

General Certificate of Education
June 2003
Advanced Level Examination



LAW
Unit 6

LAW6

Tuesday 17 June 2003 9.00 am to 10.30 am

In addition to this paper you will require:
a 12-page answer book.

Time allowed: 1 hour 30 minutes

Instructions

- Use blue or black ink or ball-point pen.
- Write the information required on the front of your answer book. The *Examining Body* for this paper is AQA. The *Paper Reference* is LAW6.
- Answer **two** questions.
- Do all rough work in the answer book. Cross through any work you do not want marked.
- Use continuous prose. This is a **synoptic** paper. You should, therefore, illustrate your answers with relevant material gained in your study of any of the modules.

Information

- The maximum mark for this paper is 70.
- Mark allocations are shown in brackets.
- You will be awarded up to 10 marks for the quality of your written communication. You will be assessed on your ability to use an appropriate form and style of writing, to organise relevant information clearly and coherently, and to use specialist vocabulary, where appropriate. The level of accuracy of your spelling, punctuation and grammar will also be taken into account.

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Answer **two** questions.

Use continuous prose. This is a **synoptic** paper. You should, therefore, illustrate your answers with relevant material gained in your study of any of the modules.

- 1 “The ‘rules’ of precedent and statutory interpretation only **appear** to impose constraints on what judges may do. The truth is that judges can always find ways to develop the law in the directions they desire.”

Discuss the view quoted above. Include in your answer a comparison between the role of judges and that of Parliament in developing the law. *(30 marks)*

- 2 “We often confuse law with justice. In reality, there is no necessary connection between them.”

Discuss the meaning of law and of justice, and consider the relationship between them. *(30 marks)*

- 3 To what extent can it be argued that law can be used effectively to enable an appropriate balance to be struck between conflicting interests? *(30 marks)*

- 4 Explain the meaning of ‘fault’ and assess its importance in the imposition of liability in English law. *(30 marks)*

END OF QUESTIONS