

General Certificate of Education
January 2005
Advanced Subsidiary Examination



LAW
Unit 2 Dispute Solving

LAW2

Thursday 13 January 2005 Afternoon Session

In addition to this paper you will require:
an 8-page answer book.

Time allowed: 1 hour

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 LAW2.
- Answer **two** questions.
- Do all rough work in the answer book. Cross through any work you do not want marked.
- Use continuous prose. Give reasoned answers. Where appropriate, make reference to authority.

Information

- The maximum mark for this paper is 65.
- Mark allocations are shown in brackets.
- You will be awarded up to 5 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 degree of legibility of your handwriting and the level of accuracy of your spelling, punctuation and grammar will also be taken into account.

Answer **two** questions.

Use continuous prose. Give reasoned answers. Where appropriate, make reference to authority.

- 1 (a) Nadia, aged 23, has been accused of theft (an either way offence). Identify the courts in which she could be tried and briefly describe the procedure for dealing with Nadia in those courts. *(15 marks)*
- (b) Outline and comment on the various forms of legal advice available to Nadia. *(15 marks)*
- 2 (a) Describe the role of a judge in **both** civil **and** criminal trials. *(15 marks)*
- (b) Briefly explain the principle of judicial independence and consider why it is an important part of the United Kingdom constitution. *(15 marks)*
- 3 Lay people work throughout the criminal justice system both as lay Magistrates and as members of juries.
- (a) Describe any **three** aspects of the work of lay Magistrates. *(15 marks)*
- (b) Outline the role of the jury in a criminal trial and discuss the advantages and disadvantages of the use of juries in the criminal justice system. *(15 marks)*
- 4 (a) Arbitration is an alternative process to a court for hearing certain types of civil cases. Outline the types of cases that can be dealt with by arbitration, and briefly explain **two** of the key features of arbitration. *(10 marks)*
- (b) Briefly describe **two other** main forms of Alternative Dispute Resolution (ADR) and discuss the advantages and disadvantages of ADR as a form of dispute resolution. *(20 marks)*
- 5 (a) Richard is currently studying for his A levels. Explain to him how he could train and qualify **either** as a solicitor **or** as a barrister. (Choose **one** only.) *(10 marks)*
- (b) Outline the various duties owed to their clients by **both** barristers **and** solicitors. Discuss how members of **both** professions can be held responsible for poor work. *(20 marks)*

END OF QUESTIONS