



General Certificate of Education  
Advanced Subsidiary Examination  
January 2012

## Law

## LAW01

### Unit 1 Law Making and the Legal System

Wednesday 11 January 2012 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 **Examining Body** for this paper is AQA. 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 

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, **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.

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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.

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### Section A Law Making

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

Each topic carries 32 marks.

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#### Topic: Parliamentary Law Making

Answer questions 

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 Outline the process in the House of Commons **and** the House of Lords in the making of an Act of Parliament. *(10 marks)*
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 Describe the Law Commission **or** the media **or** pressure groups as an influence operating on Parliament in the law-making process. *(10 marks)*
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 Discuss advantages of the process of parliamentary law making. *(10 marks + 2 marks for AO3)*
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#### Topic: Delegated Legislation

Answer questions 

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 There are different forms of delegated legislation, including statutory instruments, orders in council and by-laws.  
Describe any **one** form of delegated legislation. *(10 marks)*
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 Explain why Parliament needs to delegate law-making power. *(10 marks)*
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 Discuss disadvantages of delegated legislation. *(10 marks + 2 marks for AO3)*

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**Topic: Statutory Interpretation**Answer questions 

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- Outline the purposive approach to statutory interpretation
- and**
- outline
- one**
- of the rules of language. (10 marks)

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 Explain the literal rule of statutory interpretation. (10 marks)

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 Briefly discuss advantages **and** disadvantages of the literal rule. (10 marks + 2 marks for AO3)

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**Topic: Judicial Precedent**Answer questions 

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 In the system of judicial precedent, briefly explain the role of law reports **and** what is meant by *ratio decidendi*. (10 marks)

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 Outline **two** ways in which judges can avoid a binding precedent. (10 marks)

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 Discuss disadvantages of judicial precedent. (10 marks + 2 marks for AO3)**Turn over for the next section****Turn over ►**

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## 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.

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

Answer questions 

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 Describe the process of arbitration as a form of dispute resolution. *(10 marks)*
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 Outline what is meant by mediation **and** negotiation as alternative forms of dispute resolution. *(10 marks)*
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 Briefly discuss advantages **and** disadvantages **either** of mediation **or** of negotiation. *(10 marks + 2 marks for AO3)*
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### Topic: The Criminal Courts and lay people

Answer questions 

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**Either** describe how jurors qualify and are selected for service **or** describe the appointment **and** selection of lay magistrates. *(10 marks)*
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 Explain the work of lay magistrates in **and** out of court. *(10 marks)*
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 Discuss advantages of using lay persons (jurors **and** lay magistrates) in the criminal justice process. *(10 marks + 2 marks for AO3)*

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

Answer questions 

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 Chloe has been badly injured in an accident and wants to claim compensation. Outline where she could get advice about a possible claim for compensation, and outline how she could pay for bringing such a claim. *(10 marks)*
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 Explain how solicitors qualify. *(10 marks)*
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 Compare **and** contrast the work of solicitors and barristers. *(10 marks + 2 marks for AO3)*
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**Topic: The Judiciary**

Answer questions 

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 Explain the role of a judge in **either** a Crown Court criminal trial **or** in a civil claim for negligence. *(10 marks)*
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 Explain how judges are selected **and** appointed. *(10 marks)*
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 Briefly discuss advantages **and** disadvantages of the methods of selection **and** appointment of judges. *(10 marks + 2 marks for AO3)*

**END OF QUESTIONS**

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