



General Certificate of Education  
Advanced Subsidiary Examination  
June 2015

## Law

## LAW01

### 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 

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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 **0 1**, **0 2** and **0 3**.

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- 0 1** Outline **each** of the following:
- the meaning and purpose of Green and White Papers **and**
  - the doctrine of Parliamentary supremacy (sovereignty).
- [10 marks]
- 0 2** Describe the legislative process in Parliament, including the role of the Crown.
- [10 marks]
- 0 3** Briefly discuss advantages **and** disadvantages of the legislative process in Parliament.
- [10 marks + 2 marks for AO3]
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#### Topic: Delegated Legislation

Answer questions **0 4**, **0 5** and **0 6**.

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- 0 4** Briefly explain statutory instruments and by-laws as forms of delegated legislation.
- [10 marks]
- 0 5** Explain judicial controls on delegated legislation.
- [10 marks]
- 0 6** Discuss why Parliament delegates law-making powers.
- [10 marks + 2 marks for AO3]

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**Topic: Statutory Interpretation**Answer questions 

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

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

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

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**Topic: Judicial Precedent**Answer questions 

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

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

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- Briefly discuss advantages
- and**
- 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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 Outline the following alternative dispute resolution (ADR) processes:
- negotiation **and**
  - mediation.
- [10 marks]
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 Explain the work of tribunals as a form of alternative dispute resolution.
- [10 marks]
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 Briefly discuss advantages **and** disadvantages of alternative dispute resolution.
- [10 marks + 2 marks for AO3]
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### Topic: The Criminal Courts and lay people

Answer questions 

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 Describe how jurors qualify **and** are selected for jury service.
- [10 marks]
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 Explain the work of lay magistrates in criminal cases.
- [10 marks]
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 Discuss advantages of using lay persons (juries **and** lay magistrates) in the criminal courts.
- [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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 and 

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- Describe the work of barristers.
- [10 marks]**

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- 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]**

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

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**Topic: The Judiciary**Answer questions 

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

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| 2 | 3 |
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- Describe the work of a judge in a Crown Court criminal trial.
- [10 marks]**

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

**END OF QUESTIONS**

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