



GCE A level

1254/03

LAW – LA4

**UNIT 4: UNDERSTANDING LAW IN CONTEXT:
FREEDOM, THE STATE AND THE INDIVIDUAL
OPTION 3: FREEDOM OF THE INDIVIDUAL AND
PROTECTION OF HUMAN RIGHTS**

A.M. FRIDAY, 22 June 2012

2½ hours

ADDITIONAL MATERIALS

In addition to this examination paper, you will need a 12 page answer book.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen.

Answer **two** questions from Section A and **one** question from Section B.

INFORMATION FOR CANDIDATES

Each question carries 25 marks.

The number of marks is given in brackets at the end of each question or part-question.

You are reminded that assessment will take into account the quality of written communication used in your answers.

You are reminded that this paper contains a synoptic element in Section B and will test understanding of the connections between the different elements of the subject.

UNIT 4: UNDERSTANDING LAW IN CONTEXT

OPTION 3: FREEDOM OF THE INDIVIDUAL AND PROTECTION OF HUMAN RIGHTS

SECTION A

*Answer **two** questions from this section.*

1. “The introduction of a Bill of Rights would be a major step forward in the protection of human rights and civil liberties within the United Kingdom.” Discuss. [25]

2. To what extent does the law prevent the police from abusing their powers to conduct secret surveillance? [25]

3. “The Equality Act 2010 makes it clear that discrimination is no longer to be tolerated in the law of England and Wales.” Discuss. [25]

4. Consider whether the right to privacy of ordinary people is sufficiently protected by the law relating to breach of confidence. [25]

SECTION B

Answer one question from this section.

5. Study the text below and answer the questions based on it.

“The Human Rights Act stands for something greater than the mere bringing home of the 1950 European Convention that its legislative promoters at the time (with shrewd modesty) declared it to be. These days it is at the very centre of what it means to be progressive in Britain, in politics as much as law. It is the flagship for a way of thinking, a bold assertion of international identity that is rooted in a shared belief in the dignity of all. To attack the HRA is not just to assault the rights set out within it: it is to challenge a set of beliefs that all those committed to human progress now find best expressed in the language of human rights.”

- (a) Explain the impact of the Human Rights Act 1998 upon the law of England and Wales. [11]
- (b) Evaluate the approaches to statutory interpretation used by the courts. [14]

6. Study the text below and answer the questions based on it.

“As enshrined in Article 9, freedom of thought, conscience and religion is one of the foundations of a ‘democratic society’ within the meaning of the Convention. It is, in its religious dimension, one of the most vital elements that go to make up the identity of believers and their conception of life, but it is also a precious asset for atheists, sceptics and the unconcerned.”

Kokkinas v Greece (1994) 17 EHRR 397, para 31.

- (a) Explain how freedom of religion is protected in the law of England and Wales. [11]
- (b) Evaluate the significance of the European Convention on Human Rights. [14]