



GCE AS/A level

1252/01

LAW – LA2

**UNIT 2: Understanding Legal Reasoning,
Personnel and Methods**

P.M. MONDAY, 2 June 2014

1 hour 30 minutes plus your additional time allowance

ADDITIONAL MATERIALS

In addition to this examination paper, you will need an 8 page answer book.

INSTRUCTIONS TO CANDIDATES

Use black ink, black ball-point pen or your usual method.

Answer TWO questions.

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.

NAME OF PROJECT	LEAD DEPARTMENT	PROJECT KEY DATES
Charity law - Selected issues	Cabinet Office	Project to commence late 2012 Consultation paper late 2013 Final report and draft Bill late 2015
Conservation Covenants	Department for Environment, Food and Rural Affairs	Project to commence early 2012 Consultation paper late 2012 Final report & draft bill late 2014
Contempt	Ministry of Justice	Project to commence autumn 2013 Consultation paper winter 2014 Final report winter 2016
Data sharing between Public bodies	Ministry of Justice	Project to commence late 2012 Consultation paper summer 2013 Scoping report late 2013
Electoral law	Cabinet Office	Scoping report early 2012 Consultation paper summer 2014 Final report & draft Bill early 2017
Electronic Communications code	Department for Culture, Media and Sport	Project to commence autumn 2011 Consultation paper autumn 2012 Final report spring 2013
European contract law	Ministry of Justice & Department for Business, Innovation & Skills	Project commenced 1 April 2011 Advice to be published autumn 2011

Source: Extract from the Law Commission's 11th Programme of Law Reform

Answer TWO questions.

- 1. Study the chart opposite and answer the questions based on it.**
 - (a) Explain how the Law Commission ensures that the law is kept up to date. [14]**
 - (b) Discuss OTHER mechanisms and procedures for law reform. [11]**

2. Study the following and answer the questions based on it.

In view of an increasing concern about the numbers of migrant workers taking up employment in the UK, the Government introduced an Act of Parliament (fictitious) in which it temporarily suspended the right of foreign workers to enter into the UK to take up employment. The Act says that it applies regardless of any provision of the European Communities Act 1972. Alberto, a Romanian, was appointed to a post in the public service just before the Act came into force. He was refused entry into the UK to take up his post.

- (a) Explain what steps can be taken under EU law to bring an action against the UK. [14]
- (b) Discuss the significance of European Law. [11]

3. Study the following and answer the questions based on it.

“The distinction between intrinsic and extrinsic aids to the construction of Statutes is fundamental.”

- (a) Explain the use of intrinsic and extrinsic aids in the interpretation of Statutes. [14]
- (b) Using your knowledge of statutory interpretation, explain how a court might approach the interpretation of section one in the light of the facts set out below. [11]

Police Powers (fictitious) Secret Operations Act 2013 reads as follows:-

Section 1a

“No police officer should counsel, incite or procure the commission of a crime.”

Section 1b

“Where a police officer acting under cover, gives the police information about the intention of others to commit a crime in which he intends that he shall play a part, his participation should be allowed to continue only where he intends to play a minor role.”

3(b) Bob is a police officer and he has been working under cover for two years and has assumed the identity of a violent criminal in order to infiltrate a criminal gang. He has been helping gang members to plan a sophisticated robbery whilst providing information to the police.

While the planned robbery was taking place, a security guard was shot and killed. Bob drove the getaway car. The police arrest Bob.

4. Discuss the data opposite and answer the questions based on it.
- (a) By reference to the data, explain the role of Judges in the hierarchy of the Court system in developing precedent. [14]
- (b) Discuss the appointment process of Judges. [11]

END OF PAPER

APPOINTMENT NAME			TOTAL IN POST
Justices of the Supreme Court			11
Heads of Division	Lord Chief Justice Master of the Rolls President of the Queen's Bench Division President of the Family Division The Chancellor of the High Court		5
Lords Justices of Appeal			37
High Court Judges	Chancery Family Queen's Bench Division	18 19 71	108
Judge Advocates			8
Deputy Judge Advocates			5
Masters, Registrars, Costs Judges & District Judges (Principal Registry of the Family Division)			48
Deputy Masters, Deputy Registrars, Deputy Costs Judges and Deputy District Judges (PRFD)			74
Circuit Judges			665
Recorders			1,221
District Judges (County Courts)			444
Deputy District Judges (County Courts)			788
District Judges (Magistrates' Courts)			137
Deputy District Judges (Magistrates' Courts)			143
GRAND TOTAL			3,694

Source: Judicial Database 2011