



**GCE AS/A level**

1252/01



S16-1252-01-R1

**LAW – LA2**

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

P.M. FRIDAY, 20 May 2016

1 hour 30 minutes

### **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.

### **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.

*Answer two questions.*

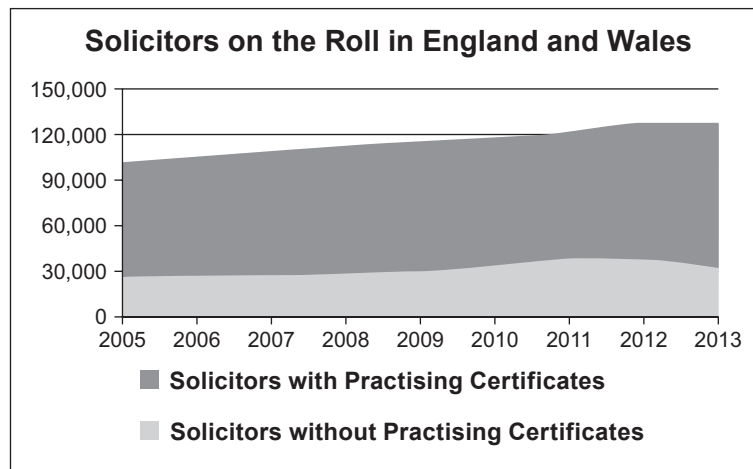
1. Study the following and answer the questions based on it.

“The Supreme Court has not thought it necessary to reissue the Practice Statement in a fresh statement of practice in the Court’s own name. This is because it has as much effect in this Court as it did before the Appellate Committee in the House of Lords. It was part of the established jurisprudence relating to the conduct of appeals in the House of Lords which was transferred to this Court.”

*Source: Lord Hope in Austin v Southwark LBC (2011)*

- (a) Explain the role of the Supreme Court in the doctrine of precedent. [14]
- (b) Discuss how Courts can avoid an awkward precedent. [11]

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



- (a) Explain the role and training of solicitors. [14]
- (b) Discuss the regulation of the legal profession. [11]

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

“If we cannot reach agreement that our Courts and Parliament will have the final say over these matters [the vetoing of certain Judgments of the European Court of Human Rights] then we will have to withdraw from the European Convention on Human Rights. We have a treaty right to withdraw, it is specifically provided for in the Convention. We would exercise that right. There is always a first time for everything.”

*Source: Chris Grayling, Justice Secretary, October 2014*

(a) Explain the role of the European Convention on Human Rights. [14]

(b) Discuss the provisions and effect of the Human Rights Act 1998. [11]

4. (a) “Delegated legislation is a necessary framework of law maturing in a modern state.”

Explain the different types of delegated legislation in English and Welsh law. [14]

(b) Using your knowledge of statutory interpretation, explain how a Court might approach the interpretation of these sections in light of the facts set out below. [11]

**Repeal of Identity Cards (Fictitious) Act 2015:**

Section 1 “No Identity Cards are to be issued at any time on or after 1<sup>st</sup> March 2015.”

Section 2 “All Identity Cards that are valid before 1<sup>st</sup> March 2015 are to be treated as cancelled at the end of one month.”

John had an Identity Card issued by the UK Government. He had in the past used his Identity Card as proof of his identity in raising funds from his bank. On 30<sup>th</sup> March 2015 he tried to raise cash with his bank but was refused the money as the cashier declared that he had no valid proof of identity. As a result John missed out on purchasing a valuable rare painting. Advise John.

**END OF PAPER**