



General Certificate of Education
Advanced Subsidiary Examination
June 2013

Law

LAW01

Unit 1 Law Making and the Legal System

Tuesday 14 May 2013 1.30 pm to 3.00 pm

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.

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.

Section A Law Making

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

Each topic carries 32 marks.

Topic: Parliamentary Law Making

Answer questions

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Outline the following:

- the law-making process in the House of Lords **and**
- the doctrine of Parliamentary supremacy (sovereignty). *(10 marks)*

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Describe pressure groups as an influence on Parliamentary law making. *(10 marks)*

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Briefly discuss advantages **and** disadvantages of pressure groups as an influence on Parliamentary law making. *(10 marks + 2 marks for AO3)*

Topic: Delegated Legislation

Answer questions

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Statutory Instruments, By-laws and Orders in Council are all different forms of delegated legislation. Briefly describe any **two** of these forms. *(10 marks)*

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Describe judicial controls on delegated legislation. *(10 marks)*

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Discuss advantages of delegated legislation. *(10 marks + 2 marks for AO3)*

Topic: Statutory InterpretationAnswer questions

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Outline the following:

- internal (intrinsic) aids to interpretation **and**
- external (extrinsic) aids to interpretation. (10 marks)

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Describe 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)

Topic: Judicial PrecedentAnswer questions

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In the context of judicial precedent:

- outline what is meant by the term *obiter dicta* **and**
- briefly describe the relevance of law reports. (10 marks)

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Describe how judges can avoid following a precedent when sitting in the Supreme Court.

(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 ►**

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.

Topic: The Civil Courts and other forms of dispute resolution

Answer questions

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 Civil cases can be dealt with by the courts or by means of alternative methods of dispute resolution. Briefly explain any **two** of the following alternative methods:

- Negotiation
- Mediation
- Conciliation.

(10 marks)

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 Describe dispute resolution by tribunals. *(10 marks)*

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 Briefly discuss advantages **and** disadvantages of dispute resolution by tribunals. *(10 marks + 2 marks for AO3)*

Topic: The Criminal Courts and lay people

Answer questions

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 An either-way offence, such as Actual Bodily Harm (ABH), can be tried either in the Magistrates Court or in the Crown Court. Describe the role of lay magistrates when dealing with an either-way offence. *(10 marks)*

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 Describe how jurors qualify **and** are selected for service in a Crown Court trial. *(10 marks)*

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 Discuss **one** of the following:

- advantages of using lay magistrates in the criminal justice system
- advantages of using jurors in the criminal justice system.

(10 marks + 2 marks for AO3)

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

Answer questions

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 Describe how a person is trained **and** qualifies to become a barrister. *(10 marks)*

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 Briefly explain where a person, injured in an accident, could obtain legal advice **and** representation in order to sue for damages, **and** outline how this could be paid for. *(10 marks)*

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 Briefly discuss advantages **and** disadvantages of the methods of obtaining funding for advice and representation in civil cases. *(10 marks + 2 marks for AO3)*

Topic: The Judiciary

Answer questions

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 Describe the work of a judge in a civil claim for damages. *(10 marks)*

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 Describe how judges are selected **and** appointed. *(10 marks)*

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 Briefly discuss advantages **and** disadvantages of the selection and appointment process for judges. *(10 marks + 2 marks for AO3)*

END OF QUESTIONS

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