

Paper Reference(s)

9345/01

London Examinations GCE

Law

Advanced Level

Paper 1

Friday 15 June 2012 – Afternoon

Time: 3 hours

Materials required for examination

Answer book (AB16)

Items included with question papers

Nil

Instructions to Candidates

In the boxes on the answer book, write your centre number, candidate number, your surname and initials, the paper reference (9345/01) and your signature.

Answer FOUR questions: TWO questions from Part One and TWO questions from Part Two.

Your answers must be fully supported with appropriate legal authority and examples.

Answer your questions in the answer book.

Indicate which questions you are answering, in the boxes on the front page of the answer book AND in the left-hand margin of the answer space.

Do not use pencil. Use blue or black ink.

Information for Candidates

All questions carry equal marks.

The total mark for this paper is 100.

This paper has 10 questions. Page 4 is blank.

Advice to Candidates

Write your answers neatly and in good English.

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Turn over

Answer FOUR questions
TWO questions must be chosen from Part One and
TWO questions must be chosen from Part Two

PART ONE

1. To what extent, if at all, should law be used to enforce morality?

(Total 25 marks)
2. “The rule of law is too vague and controversial a concept to be of value in legal argument.” Explain and evaluate this statement.

(Total 25 marks)
3. How far is it true that equity has never fulfilled its potential?

(Total 25 marks)
4. Evaluate the view that strict liability is a relic of the past and should be abandoned.

(Total 25 marks)
5. “The Human Rights Act 1998 has had little impact because it does not impose obligations on judges and only covers limited areas of substantive law.” Explain and evaluate this statement.

(Total 25 marks)

TOTAL FOR PART ONE: 50 MARKS

PART TWO

6. What is, and should be, the role of the literal rule in statutory interpretation? Consider whether the purposive rule is preferable.

(Total 25 marks)

7. What are the advantages and disadvantages of strict adherence to legal precedent? How strictly are judges bound by precedent in the UK?

(Total 25 marks)

8. "The lay magistracy is obsolete." Explain and evaluate this statement.

(Total 25 marks)

9. Evaluate the view that any advantages of the jury system are far outweighed by its disadvantages.

(Total 25 marks)

10. "The impact of EU law has been insignificant in terms of substantive areas of law; moreover it has not even affected the way in which judges interpret statutes." Explain and evaluate this statement.

(Total 25 marks)

TOTAL FOR PART TWO: 50 MARKS

TOTAL FOR PAPER: 100 MARKS

END

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