



**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. WEDNESDAY, 22 January 2014

2 hours 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 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.***

**Option 3: Freedom of the Individual and Protection of Human Rights****SECTION A**

*Answer two questions from this section.*

1. Examine the arguments for and against the introduction of a Bill of Rights into the United Kingdom. [25]
  
2. To what extent are the powers of the police to carry out secret surveillance constrained by laws designed to ensure respect for privacy? [25]
  
3. “The Equality Act 2010 provides every individual with complete protection against all forms of discrimination.” Discuss. [25]
  
4. “The law of England and Wales achieves a satisfactory balance between respect for the freedom of the media and respect for the right of individuals to be protected against intrusion into their private lives.” Discuss. [25]

**SECTION B**

*Answer one question from this section.*

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

‘Subject to paragraph 2 of Article 10, it [Article 10.1] is applicable not only to “information” or “ideas” that are favourably received or regarded as inoffensive but also to those that offend, shock or disturb the state or any sector of the population. Such are the demands of pluralism, tolerance and broadmindedness without which there is no “democratic society”.’

Handyside v UK (the Little Red Schoolbook case), Eur. Ct.HR, Series A, No.24, Judgment of 7 Dec.1976, 1 EHRR 737 at para.49.

- (a) Explain how the European Convention on Human Rights provides for the protection on freedom of expression. [11]
- (b) Evaluate the importance of the courts in upholding human rights within the United Kingdom. [14]

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

“Those who choose to exercise the freedom to manifest their religion, irrespective of whether they do so as members of a religious majority or a minority cannot reasonably expect to be exempt from all criticism. They must tolerate and accept the denial by others of their religious beliefs and even the propagation by others of doctrines hostile to their faith. However, the manner in which religious beliefs and doctrines are opposed or denied is a matter which may engage the responsibility of the state, notably in its responsibility to ensure the peaceful enjoyment of the right guaranteed under Article 9...”

Otto-Preminger-Institut v Austria, Eur. Ct. HR, Series A, No.295-A, Judgment of 20 September 1994, 19EEHR 34, at para. 47.

- (a) Explain how freedom of religious expression is protected in the law of England and Wales. [11]
- (b) Evaluate the impact of the Human Rights Act 1998 on the law of the United Kingdom. [14]

**END OF PAPER**