



GCE A LEVEL

A150U10-1



S24-A150U10-1



THURSDAY, 23 MAY 2024 – AFTERNOON

LAW – A level component 1

The Nature of Law and the English Legal System

1 hour 30 minutes

ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen. Do not use gel pen or correction fluid.

Answer **four** questions in total:

Section A: Answer **three** questions – questions 1 **and** 2 plus **either** question 3 **or** question 4.

Section B: Answer **one** question – **either** question 5 **or** question 6.

Write your answers in the separate answer booklet provided, following the instructions on the front of the answer booklet.

Use both sides of the paper. Write only within the white areas of the booklet.

Write the question number in the two boxes in the left-hand margin at the start of each answer,

for example

0	1
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Leave at least two line spaces between each answer.

INFORMATION FOR CANDIDATES

The number of marks is given in brackets at the end of each question or part-question.

Section A

In Section A, you must answer **three** questions.
Answer **both** questions 1 and 2 plus **either** question 3 **or** question 4.

Questions 1 and 2 require you to demonstrate knowledge and understanding of the English legal system and legal rules and principles.

Credit will be given for the use of relevant supporting case law and authority.

Answer **both** questions 1 and 2.

0	1
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Explain the use of Hansard in statutory interpretation. [5]

0	2
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Explain the nature of the UK constitution. [5]

Answer **either** question 3 **or** question 4.

Questions 3 and 4 require you to apply legal rules and principles and the nature of law to given scenarios in order to present a legal argument using appropriate legal terminology.

Credit will be given for the use of relevant supporting case law and authority.

Either,

0	3
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Read the scenario below and answer the question that follows.

On December 12th 2023, an emergency application was made to the High Court by a hospital in respect of a refusal of treatment by the parents of a 14-year-old girl with learning difficulties, to undergo an emergency blood transfusion following a car accident. The girl's parents both refused consent to the operation on religious grounds. The girl herself is too young and lacks capacity to provide consent but indicated to doctors that she would like the operation to go ahead. The hospital is seeking a declaration that the operation can be performed lawfully even without parental consent. The issue of the consent to an operation on a minor was decided in the Court of Appeal in a previous case called *Re M (Parental refusal of Treatment)*, where it was held that the hospital cannot perform the operation without the parents' consent. In this case however, the child also did not want the operation to go ahead and also had capacity.

Using the scenario above and applying the doctrine of judicial precedent, advise the hospital on the possible outcomes. [15]

Or,

0	4
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Read the text below and answer the question that follows.

Defacement of Property (Fictitious) Act 2023

Following an increase in graffiti, especially that involving racist and abusive language, Parliament passed the Defacement of Property (Fictitious) Act 2023.

During the second reading of the Bill, John Jones, the Minister introducing the Bill, stated that Parliament's intention was not to prevent artistic expression but to stop graffiti that uses foul language and slurs.

Section 1:

"Any person who leaves anything whatsoever for the purposes of defacement in such circumstances as to cause or contribute to or tend to lead to the damage of any place to which this section applies and without consent, shall be guilty of an offence."

One of the categories to which this section applies is a public open space, which is defined in section 2.

Section 2:

"Public open space means a place in the open air to which the public are entitled or permitted to have access without payment; and any covered place open to the air on at least one side and available for public use shall be treated as a public open space."

Gina, a local graffiti artist, painted (using temporary paint) eight glass panes of a high street bus shelter with floral artwork for the upcoming 'Flower Week' in her local town. She did not obtain consent but feedback from local residents has been overwhelmingly positive.

The bus shelter was enclosed on three sides. Gina is facing prosecution under the Act.

Using your knowledge of statutory interpretation, advise Gina as to the possible outcomes of the case.

[15]

Section B

In Section B, you must answer **either** question 5 **or** question 6.

You must answer **both** part **a)** and part **b)** of your chosen question.

Part **a)** requires you to demonstrate knowledge and understanding of the English legal system and legal rules and principles.

Part **b)** requires you to analyse and evaluate legal rules, principles, concepts and issues, and the nature of law.

Credit will be given for the use of relevant supporting case law and authority.

Either,

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- a) Explain the aims of sentencing adult offenders. [10]
- b) Analyse and evaluate the options available for sentencing young offenders in England and Wales. [15]

Or,

0	6
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- a) Explain how senior judges are appointed. [10]
- b) Analyse and evaluate the independence of the judiciary. [15]

END OF PAPER