



GCE AS

B150U10-1



S24-B150U10-1



FRIDAY, 17 MAY 2024 – AFTERNOON

LAW – AS component 1

The Nature of Law and the English Legal System

1 hour 30 minutes

B150U101
01

ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen.

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.

INFORMATION FOR CANDIDATES

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

The quality of your extended response will be assessed in answers to the following questions: **3(b)**, **4(b)**, **5(b)** and **6(b)**.

You are advised to spend approximately 55 minutes on Section A, and approximately 35 minutes on Section B.

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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, and the nature of law.

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

Answer **both** questions 1 and 2.

1. Explain what is meant by the rule of law. [6]
2. Explain the role of the Law Commission. [6]

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

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, and the nature of law.

Part (b) requires you to apply legal rules and principles and the nature of law to a given scenario 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,

Question 3

Read the text below and answer part (a).

‘A rule as to precedent (which any court lays down for itself) is not a rule of law at all. It is simply a practice or usage laid down by the court itself for its own guidance: and, as such, the successors of that court can alter that practice or amend it or set up other guidelines, just as the House of Lords did in 1966.’

Source: Lord Denning in *Davis v Johnson* (1979)

- (a) Explain the use of the Practice Statement 1966.

[6]

Read the fictitious scenario below and answer part (b).

In **R v Almas**, a (fictitious) case brought before the House of Lords in 1992, a defendant was convicted of an offence of being ineligible to vote when voting in a general election.

The suspect knew that he was not on the electoral register and could not vote. Instead, he gave his father's name to polling station staff and was given a ballot paper and cast his vote.

He fully accepted that he had voted using his father's name and was sentenced to a 24-month rehabilitation activity programme and ordered to pay £620 in costs.

In 2023, a case came before the Court of Appeal concerning Jamil who was suspected of being ineligible to vote when he turned up at the polling station to cast his vote in a local election. Jamil has recently moved to the area after graduating from university and has not yet updated his details on the electoral register.

The prosecution claimed that on the basis of the (fictitious) House of Lords decision in *R v Almas* that Jamil is guilty of an offence. Jamil's case has now reached the Court of Appeal and they are considering the options available to them.

- (b) Using your knowledge of judicial precedent, advise the Court of Appeal as to the possible outcomes for Jamil's case.

[18]

Or,

Question 4

Read the text below and answer part (a).

‘Statutory Interpretation is an exercise which requires the court to identify the meaning borne by the words in the particular context.’

Source: Lord Nicholls

- (a) Explain the literal and golden rules of statutory interpretation. [6]

Read the fictitious statute and the scenario below and answer part (b).

The Smoke-Free Premises (fictitious) Regulations 2023

These Regulations were passed in response to research that shows smoking is still the main cause of premature death in the UK.

Section 1:

- (1) All public places and workplaces should be smoke-free.
- (2) The premises are smoke-free by virtue of s1 in those areas that are enclosed or substantially enclosed.

Verity is smoking a cigarette whilst supervising her two children in an outdoor play area.

Elijah works as a builder and is currently working on a new housing estate. He used to smoke cigarettes but has been told it is permissible to vape using an electronic cigarette if he is outside.

Glenn is a self-employed graphic designer who smokes a pipe. He sells business cards, leaflets and posters online, working out of a shed in his garden.

- (b) Using your knowledge of statutory interpretation, advise Verity, Elijah and Glenn as to whether their actions are lawful. [18]

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, and the nature of law.

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

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

Either,

Question 5

- (a) Explain the main types of Alternative Dispute Resolution (ADR) that can be used to resolve a civil dispute. [6]
- (b) Analyse and evaluate the effectiveness of the main methods of Alternative Dispute Resolution (ADR). [18]

Or,

Question 6

- (a) Explain the training of lay magistrates in England and Wales. [6]
- (b) Analyse and evaluate the advantages and disadvantages of lay magistrates. [18]

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