



GCE AS

B150U10-1



FRIDAY, 19 MAY 2023 – 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.

BLANK PAGE

Section A

In Section A, you must answer **three** questions.
Answer **both** questions 1 and 2 plus **either** question 3 **or** 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 the parliamentary controls on delegated legislation. [6]

2. Explain the extent to which the Court of Appeal is bound by its own decisions. [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).

‘So far as it is possible to do so, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with the Convention rights.’

Source: s3 Human Rights Act 1998

- (a) Explain the impact of the Human Rights Act 1998 on the interpretation of statutes. [6]

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

The Influenza (Flu) Health Protection (fictitious) Regulations 2020

These Regulations were passed to try and restrict people mixing and socialising in response to scientific advice which suggested that the flu spreads more easily when people from different households were mixing with each other.

Section 1:

- (1) A person responsible for carrying on a business, or providing a service, may only sell the following for consumption off the premises—

food and drink between the hours of 09:00 and 18:00, by any method permitted by paragraph (2)(i) to (iii).

- (2) The methods of sale permitted under this paragraph are—

- (i) by making deliveries in response to orders received through a website, by telephone or by post
- (ii) to a purchaser who collects food or drink that has been pre-ordered by a means mentioned in sub-paragraph (i) or
- (iii) to a purchaser who collects the food or drink in a vehicle, and to whom the food or drink is passed without the purchaser or any other person leaving the vehicle.

Section 2:

No person may participate in a gathering which—

- (i) takes place in a public outdoor place and consists of more than two people, or
- (ii) takes place in any other outdoor place (including any outdoor part of a private dwelling) and consists of two or more people.

Ahmed runs Coffee Cab, a converted caravan situated in a lay-by of a busy road, out of which he sells tea, coffee and other hot and cold beverages. Anthony purchases a coffee from Coffee Cab on his lunch hour after ordering online beforehand. While he is queuing, he bumps into Bradley who has driven up to Coffee Cab to order a hot chocolate. They have not seen each other for a long time and so decide to sit on a nearby bench to drink their drinks and have a catch-up before returning home.

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

Or,

Question 4

Read the text below and answer part (a).

‘Political influence is not simply fixed by the political process, but can be expanded by expenditures of time and money on campaign contributions ... and in other ways that exert political pressure.’

Source: *The Quarterly Journal of Economics*, August 1983

- (a) Explain the role of pressure groups in bringing about law reform. [6]

Read the scenario below and answer part (b).

Raheen and Elizabeth were due to get married in 2020 but their wedding was postponed. They would now like to get married in 2023 during the Glastonbury Festival but the current rules on marriage licensing mean they cannot get married outdoors; it has to be in a ‘place of worship’ or ‘licensed venue’. Raheen and Elizabeth believe these laws to be out of date, unnecessarily restrictive and not in keeping with changes in society.

- (b) Advise Raheen and Elizabeth on the ways in which they could try to promote reform of the law on marriage in England and Wales. [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) of your chosen question requires you to demonstrate knowledge and understanding of the English legal system and legal rules and principles, and the nature of law.

Part (b) of your chosen question 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 aims of sentencing of adults in England and Wales. [6]
- (b) Analyse and evaluate the extent to which granting bail to a suspect adequately protects the public. [18]

Or,

Question 6

- (a) Explain the role of solicitors and barristers in the English legal system. [6]
- (b) Analyse and evaluate the extent to which juries are representative of society. [18]

END OF PAPER

BLANK PAGE