



GCE AS – **NEW**

B150U10-1



S19-B150U10-1



LAW – AS component 1

The Nature of Law and the English Legal System

TUESDAY, 14 MAY 2019 – AFTERNOON

1 hour 30 minutes

B150U101
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ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

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.

Use black ink or black ball-point pen.

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 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 mischief and purposive rules of statutory interpretation. [6]

2. Explain what is meant by the separation of powers. [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).

'In addition to the main rules of interpretation there are a number of secondary aids to the construction of statutes available to a judge and these are often neglected.'

- (a) Explain the rules of language available to a judge when interpreting a statute. [6]

Read the scenario below and answer part (b).

Police Powers (fictitious) Social Media Surveillance Act 2017 reads as follows:

Section 1 "If the police suspect an individual to be, about to be or to have been involved in the commission of a crime, they can use surveillance techniques to monitor all social media accounts of the suspect."

Section 2 "If the police uncover incriminating evidence against the individual on their social media accounts, they may be granted a warrant to arrest that person and/or search their property."

Carol was convicted of theft of a designer bag 10 years ago. She paid a fine for the offence and carried out community service. She has been searching online for a new designer bag to buy and has contacted Jenny, a fashion blogger, via social media, asking her advice on which bag to 'snatch before its gone'. The police have arrested Carol on suspicion of planning another theft and have applied for a warrant to search her property.

- (b) Using your knowledge of statutory interpretation, advise Carol as to whether the actions of the police are lawful. [18]

Or,

Question 4

Read the text below and answer part (a).

Section 3 of the Law Commission Act 1965 says that the Law Commission should ‘keep under review all of the law...’

- (a) Explain the role of the Law Commission. [6]

Read the scenario below and answer part (b).

Nia has recently returned from a trip to the Great Barrier Reef. Whilst there, she spent time with environmentalists who are campaigning for changes to the disposal of plastics which are having a disastrous effect on marine wildlife in oceans across the world. Nia returned home feeling very passionate about the subject and would like to see tougher laws introduced on the disposal and use of plastics. Nia has asked your advice on the ways in which she could influence this change in the law.

- (b) Using your knowledge of the influences on Parliament, advise Nia as to the methods she could use to try to influence Parliament to change the law. [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 role of the jury in a criminal trial. [6]
- (b) Analyse and evaluate whether juries are representative of society. [18]

Or,

Question 6

- (a) Explain the role of tribunals in the English legal system. [6]
- (b) Analyse and evaluate the advantages and disadvantages of tribunals. [18]

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