



GCE A LEVEL – **NEW**

A150U10-1



LAW – A Level component 1
The Nature of Law and the English Legal System

TUESDAY, 4 JUNE 2019 – MORNING

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 pencil or gel pen. Do not use correction fluid.

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 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

e.g.

| | |
|---|---|
| 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 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.*

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 Explain the literal and golden rules of statutory interpretation. [5]

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 Explain what is meant by the rule of law. [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,

Question

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

In 2013 the Supreme Court in the (fictitious) case of R v Phillips held that the defence of self-defence for the crime of murder was only available where the defendant had been put in an unavoidable and imminent situation where life was at stake.

In 2016, Miriam killed her husband, Wyn. She had planned to do so over a period of months because she had been repeatedly physically abused by him over many years. The prosecution claimed that on a basis of the (fictitious) Supreme Court decision in R v Phillips that the defence of self-defence was not available to her. Miriam's case has now reached the Court of Appeal and they are considering the options available to them.

Using your knowledge of judicial precedent, advise the Court of Appeal as to the possible outcomes for Miriam's case. [15]

Or,

Question

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

Following concerns about the polluting effect of diesel cars, Parliament has passed an Act – the Diesel (fictitious) Act 2018 which makes it an offence to drive a diesel car in certain circumstances, without a license.

Diesel (Fictitious) Act 2018

Section 1: Any motor vehicle used for private driving which consumes diesel at a rate exceeding 25 miles per gallon (mpg) is classified, for the purposes of this Act, as a gas guzzler.

Section 1(2): It is an offence to drive a gas guzzler on a long journey without a license, which can be bought for an annual fee of £1000. The offence carries with it a fine of £5000.

Section 2: A long journey consists of a maximum of 200 miles in one day or a period of 24 hours.

Olga has imported a diesel vehicle from Poland which only manages 15mpg. She does not have a license as she does not intend to drive it on a long journey. Olga leaves home at 8pm and drives her car to her mother-in-law's house which is 180 miles away but due to an emergency back home, Olga has to turn around at 1am the next day to go back home. The total journey is 300 miles. Olga is charged with an offence under Section 1(2) of the Act.

Using your knowledge of statutory interpretation, advise Olga as to the possible outcomes of her 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,

Question

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(a) Explain the eligibility criteria required to become a judge. [10]

(b) Analyse and evaluate the independence of the judiciary. [15]

Or,

Question

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| 0 | 6 |
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(a) Explain the role of the jury in trials in England and Wales. [10]

(b) Analyse and evaluate the advantages and disadvantages of trial by jury. [15]

END OF PAPER