



GCE A LEVEL

A150U10-1



MONDAY, 6 JUNE 2022 – MORNING

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.

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

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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.

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| 0 | 1 | Explain the role of the Law Commission. | [5] |
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| 0 | 2 | Explain the judicial controls on delegated legislation. | [5] |
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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,

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Read the scenario below and answer the question that follows.

Lowri, a 15-year-old girl died after eating a sandwich containing nut oil to which she was allergic, from a high street café. There was detailed food allergy information on the café's website and on the shelf where the sandwich was stored but this was not recorded on the packaging of the sandwich itself. A coroner recorded that the death was caused by 'inadequate food labelling laws'. The café was only required by law to warn Lowri orally, on signs or on packaging meaning that the café did not break the law. Lowri's parents consider this unacceptable and have been campaigning for stricter laws. The campaign is being supported by their local MP who hopes to raise the issue in Parliament.

Using the scenario above and applying your knowledge and understanding of law reform, advise Lowri's parents as to the ways in which they could try to promote reform of the law on food packaging in England. [15]

Or,

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Read the text below and answer the question that follows.

Following an increase in fatal road traffic accidents where the defendant was under the influence of drugs, Parliament passed the **Road Traffic Drug Driving (fictitious) Act 2020**.

During the second reading of the Bill in Parliament, Ted Brown, MP, stated that he felt that so-called 'legal highs' should be included within the scope of the statute if this had contributed to the incident. Other MPs also agreed.

Section 4 of the **Road Traffic Drug Driving (fictitious) Act 2020** states:

- (1) A person is guilty of an offence under this section if he:
 - (a) knowingly drives recklessly whilst under the influence of drugs, or,
 - (b) contributes to the reckless driving of another by being present at the time of the incident.
- (2) For the purpose of s.1, a person is to be considered as 'under the influence of drugs' if it is proved (through the use of a blood test) that they have illegal substances in their bloodstream at the time of the incident.
- (3) The offence is punishable by a fine of £500 and/or a driving ban for 6 months.

Morganna is driving her friend Luca home from a party. At the party, a number of their friends took legal highs. Morganna took a painkiller prescribed to one of her friends as she had a headache. She knows that these tablets have an effect on her ability to concentrate. Unknown to Morganna and Luca, Luca's diet soda was spiked with a drug just before they left for the journey home. This causes Luca to act erratically and, while Morganna is driving, he grabs the steering wheel and swerves across the road. Morganna, who is unable to react quickly due to the effects of the painkiller, hits a bus shelter, nearly hitting a pedestrian. The police are called and Luca and Morganna are charged under s.1 of the Act. Luca claims his drink was spiked with a legal high but the blood test is inconclusive.

Using your knowledge of statutory interpretation, advise Luca and Morganna 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 process of appeal for a criminal case. [10]
- b) Analyse and evaluate whether trial by jury should be abolished in England and Wales. [15]

Or,

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- a) Explain the routes of appeal available for a civil case. [10]
- b) Analyse and evaluate the effectiveness of the tribunal system in England and Wales. [15]

END OF PAPER