

Paper Reference(s)

9345/01

London Examinations GCE

Law

Advanced Level

Paper 1

Thursday 12 June 2008 – Afternoon

Time: 3 hours

Materials required for examination

Answer book (AB16)

Items included with question papers

Nil

Instructions to Candidates

In the boxes on the answer book, write your centre number, candidate number, your surname and initials, the paper reference (9345/01) and your signature.

Answer FOUR questions: TWO questions from Part One and TWO questions from Part Two.

Your answers must be fully supported with appropriate legal authority and examples.

Answer your questions in the answer book.

Information for Candidates

All questions carry equal marks.

The total mark for this paper is 100.

This paper has 10 questions. Page 4 is blank.

Advice to Candidates

Write your answers neatly and in good English.

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Answer FOUR questions

TWO questions must be chosen from Part One and TWO questions must be chosen from Part Two

PART ONE

1. Evaluate the strengths and weaknesses of natural law doctrine.

(Total 25 marks)

2. What is “the rule of law”, and what is its significance?

(Total 25 marks)

3. “The common law could have developed perfectly satisfactorily over the centuries without any need for assistance from equity.” Discuss this statement.

(Total 25 marks)

4. What is meant by “strict liability” in criminal law, and how can this be justified?

(Total 25 marks)

5. Assess the impact of the Human Rights Act 1998 on the law in England and Wales, with reference to **two** areas of law.

(Total 25 marks)

TOTAL FOR PART ONE: 50 MARKS

PART TWO

6. Consider whether the literal approach to statutory interpretation is more democratic than the purposive approach.

(Total 25 marks)

7. “People want inconsistent things: that the law shall be certain and that it shall be just and move with the times.” (Adapted from Lord Reid.) How successfully do judges at different levels in the hierarchy of the courts keep both objectives in mind when applying precedent?

(Total 25 marks)

8. “Magistrates play a marginal role in the administration of justice in England and Wales and can easily be replaced.” Discuss this statement.

(Total 25 marks)

9. Evaluate the contribution by pressure groups to law reform in England and Wales.

(Total 25 marks)

10. “The traditional doctrine of UK parliamentary sovereignty needs radical revision in the light of membership of the EU.” Discuss this statement.

(Total 25 marks)

TOTAL FOR PART TWO: 50 MARKS

TOTAL FOR PAPER: 100 MARKS

END

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