



GCE AS/A LEVEL – NEW

2150U10-1



S18-2150U10-1

LAW – AS unit 1

The Nature of Law and the Welsh and English Legal Systems

TUESDAY, 15 MAY 2018 – AFTERNOON

1 hour 45 minutes

ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen.

Answer **three** questions from Section A plus **one** question from Section B.

Write your answers in the separate answer booklet provided.

INFORMATION FOR CANDIDATES

The number of marks is given in brackets at the end of each question or part-question.

You are advised to spend approximately:

- 60 minutes on **Section A**
- 45 minutes on **Section B**

Section A

*In Section A, you must answer **three** questions. Answer questions 1 and 2 plus **either** question 3 **or** question 4.*

Questions 1 and 2 require you to demonstrate knowledge and understanding of legal rules and principles.

Credit will be given for the use of relevant supporting case law and authority.

Answer questions 1 and 2.

1. Explain the main sources of delegated legislation. [10]

2. Explain the role of pressure groups in reforming the law. [10]

Questions 3 and 4 require you to demonstrate knowledge and understanding of legal rules and principles, and apply legal rules and principles 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.

Answer **either** question 3 **or** question 4.

EITHER

3. Read the information below and answer the question that follows.

In 1998 a case was heard in the Civil Division of the Court of Appeal. In the case, a husband and wife had tried to enter into a binding contract together where she agreed to pay him £100 a month in return for him cleaning their marital home. The Civil Division of the Court of Appeal held that married couples are not able to enter into binding contracts of this nature together.

In 2018, the High Court is due to hear a case involving Tom and Dan who have a civil partnership. They have been separated, living apart for 2 years. Tom wishes to enter into a binding contract with Dan for him to do the gardening in Tom's new home.

Using the doctrine of judicial precedent, advise Tom as to the possible outcomes of this case.

[28]

OR

4. Read the fictitious statute and the scenario below, and answer the question that follows.

Following concerns raised in Parliament about the disruption to local inhabitants from outdoor events, Parliament passed the Prevention of Noise Pollution (Fictitious) Act 2016. Jon Jones, MP, commented during the passage of the Bill that a quiet and serene home environment was crucial to overall well-being and, for reasons such as this, outdoor noise should be controlled.

The Prevention of Noise Pollution (Fictitious) Act 2016

Section 1 of the Act states: "This Act applies to a gathering on land in the open air in which a crowd of persons or more play amplified music during the night hours which by reason of its loudness and the time at which it is played is likely to cause serious distress to local inhabitants."

Section 2 defines a crowd as meaning "more than ten persons".

Section 3 defines 'land in the open air' as an outdoor space exposed to the air by nature of its design.

Rhiannon is a solicitor and she holds a party in an open-sided gazebo in her garden. Nine people are invited but fifteen turn up. Rhiannon is using her MP3 player connected to speakers in the gazebo to play classical music for four hours from 8pm. At 1am a group of holiday makers who have parked their caravan in a lay-by close to Rhiannon's house, complain that they are suffering severe mental and physical distress as a result of the music and noise. A Police Constable orders Rhiannon to shut down the party and she is arrested on the basis that she has committed an offence under section 1 of the Act.

Using the rules of statutory interpretation, advise Rhiannon as to whether an offence has been committed in this situation.

[28]

Section B

Answer one question from this section.

You will need to answer both part (a) and part (b) of your chosen question.

Part (a) requires you to demonstrate knowledge and understanding of legal rules and principles.

Part (b) requires you to analyse and evaluate legal rules, principles, concepts and issues. Credit will be given for the use of relevant supporting case law and authority.

5. (a) Explain the education and training of solicitors and barristers in Wales and England. [8]
- (b) Analyse and evaluate the independence of the judiciary. [24]
6. (a) Explain the composition and role of tribunals. [8]
- (b) Analyse and evaluate the advantages and disadvantages of the main methods of Alternative Dispute Resolution (ADR). [24]

END OF PAPER