



GCE AS/A LEVEL

2150U10-1



TUESDAY, 24 MAY 2022 – MORNING

LAW – AS unit 1

The Nature of Law and the Welsh and English Legal Systems

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 what is meant by the ratio decidendi and obiter dicta of a judgement. [10]

2. Explain the role of the Law Commission. [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 scenario below and answer the question that follows.

The UK Government has recently become concerned by the number of anti-BREXIT protesters in Parliament Square, many of whom are living in tents. The Government has sought to use enabling powers under **The Crime and Order (Fictitious) Act, 2018**, to ban existing, future and continuing demonstrations in, around and outside of Parliament Square. Simon Mayne is a passionate protester against leaving the EU and is seeking to challenge by way of judicial review the enabling order so that he can continue protesting.

Using your knowledge of delegated legislation, advise Simon on the ways in which the delegated power could be controlled. [28]

OR

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

Following concerns raised in Parliament about recent animal attacks on children, Parliament passed **The Control of Domestic Animals to Prevent Injuries to Children Act, 2019**.

Section 2 provides that unless the contrary intention appears:

“domestic animal” means dog, cat, mouse, guinea pig, horse or other pet;

“owner” includes registered owner, or any other person in possession of the domestic animal; where a minor is in possession of a domestic animal, the parents or guardians of the minor will be deemed to be the owner;

“restrained” means chained, secured on a lead, or attached to a fixed object; and

“registered owner” means the adult person who has registered the domestic animal.

Section 3. All domestic animals must be registered.

Section 4. The owner of any domestic animal in an urban area shall restrain the domestic animal at all times.

Section 5. The owner must control the domestic animal at all times.

Section 6. Any person in possession of an unregistered domestic animal is guilty of an offence.

Section 7. Any person in breach of sections 4 and 5 is guilty of an offence.

Frankie has a pet crow, Charlie, which he found last year with a broken wing and nursed back to health. Charlie is the mascot for Frankie’s Under 12 Football team. Charlie comes to all the matches with Frankie, and all the children and parents love to see Charlie there.

In March, Frankie, watched by Charlie, is playing in the park at the end of his street with his friends from school. Unexpectedly, Charlie swoops down and injures his friend Joe. Frankie runs home to get his mother for help.

Later that day, the police knock at Frankie’s door and charge Frankie’s parents with breaching sections 4 and 5 of the Act.

Using the rules of statutory interpretation, advise Frankie and his family as to whether any offences have been committed in this situation.

[28]

Turn over

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 process of appeal from the Crown Court. [8]
- (b) Analyse and evaluate whether jury trial should be abolished in Wales and England. [24]
6. (a) Explain the civil court structure and appeal process. [8]
- (b) Analyse and evaluate the effectiveness of the tribunal system in Wales and England. [24]

END OF PAPER