UNIVERSITY OF CAMBRIDGE INTERNATIONAL EXAMINATIONS
General Certificate of Education
Advanced Subsidiary Level and Advanced Level

LAW **9084/12**

Paper 1 Structure and Operation of the English Legal System **May/June 2012**

1 hour 30 minutes

Additional Materials: Answer Booklet/Paper

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READ THESE INSTRUCTIONS FIRST

If you have been given an Answer Booklet, follow the instructions on the front cover of the Booklet.
Write your Centre number, candidate number and name on all the work you hand in.
Write in dark blue or black pen.
Do not use staples, paper clips, highlighters, glue or correction fluid.

Answer **three** questions.

At the end of the examination, fasten all your work securely together.
The number of marks is given in brackets [ ] at the end of each question or part question.

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Answer **three** questions.

1 'Equity has its roots in morality.'

Discuss. [25]

2 Given that almost half of all prisoners re-offend within a year of their release, in what circumstances would you say that a custodial sentence is appropriate? Discuss the alternatives to a custodial sentence. [25]

3 'The reason that the Crown Prosecution Service came into existence was to introduce an element of independence to the criminal justice process.'

Explain the structure and function of the Crown Prosecution Service and consider critically its effectiveness within the system of justice. [25]

4 In what ways do the various approaches and rules of language assist a judge in interpreting a particular statute? Is any one approach to be preferred? [25]

5 Discuss critically the function and jurisdiction of the Crown Court in England and Wales. [25]

6 Lizzie wishes to recover from her sister, Jane, a diamond necklace valued at £25 000. Lizzie says the necklace was promised to her by their mother just before she died. Jane refuses to part with the necklace.

What steps will Lizzie now have to take to seek recovery of the necklace? If she is unsuccessful, are there any further remedies open to her? Discuss the problems associated with civil litigation. [25]

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