Cambridge Assessment International Education

Cambridge International AS & A Level

LAW **9084/12**

Paper 1 Structure and Operation of the English Legal System **May/June 2021**

1 hour 30 minutes

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You must answer on the enclosed answer booklet.

You will need: Answer booklet (enclosed)

INSTRUCTIONS

- Answer **three** questions.
- Follow the instructions on the front cover of the answer booklet. If you need additional answer paper, ask the invigilator for a continuation booklet.

INFORMATION

- The total mark for this paper is 75.
- The number of marks for each question or part question is shown in brackets [ ].

This document has **4** pages. Any blank pages are indicated.

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Answer **three** questions.

1 Whilst walking around the town centre, Police Constable (PC) Ali receives a message over his radio: a woman aged around 20 and carrying a large backpack has been seen running from the scene of a robbery. PC Ali sees Jenny, who fits this description, running towards him.

Explain the powers of stop and search which PC Ali has in this situation. Assess whether these powers are adequate to allow the police to prevent crime. [25]

2 Describe the role of the Law Commission. Assess the success of the Law Commission since its creation in 1965. [25]

3 The English system of precedent is capable of demonstrating flexibility.

Describe how the Court of Appeal and the Supreme Court can depart from previous decisions. Assess the significance of these courts in allowing precedent to be flexible. [25]

4 Describe the role of the jury in both civil and criminal cases. Discuss any reforms which have been suggested to improve the jury system. [25]

5 When deciding whether to grant bail, there is a conflict between the protection of the public and the rights of someone who has not yet been tried by a court.

Describe the court's power to grant bail. Discuss whether it is ever justifiable to remand a suspect in custody before trial. [25]

6 Describe the concept of judicial independence from the legislature, the executive and political bias. Discuss why judicial independence is considered to be of such importance. [25]

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