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

LAW **9084/11**

Paper 1 Structure and Operation of the English Legal System **October/November 2013**

1 hour 30 minutes

Additional Materials: Answer Booklet/Paper

3402703736

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 'The prisons are overcrowded so it would be far better to impose community sentences.'

Critically discuss this statement and examine the circumstances in which a court might choose to impose a community sentence. [25]

2 There are many alternatives to a formal court hearing in civil cases. Describe these alternatives and assess their effectiveness compared to that of the courts. [25]

3 'Certainty in relation to substantive law is usually to be preferred to correctness since this at least enables the public to order their affairs with confidence' – Lord Donaldson MR in *Rickards v Rickards* [1989].

Consider critically this view of judicial precedent. [25]

4 Evaluate the protection given under the Police and Criminal Evidence Act 1984 and the Codes of Practice where a defendant is arrested by the police. To what extent do you think this protection is adequate? [25]

5 'The passage of the Human Rights Act 1998 was an important step in the development of the rights of individuals.'

Consider the validity of this statement using appropriate examples. [25]

6 Critically assess the extent to which untrained and unqualified members of the public are used in decision making in the criminal courts. [25]

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