Cambridge International AS & A Level

Cambridge International Examinations
Cambridge International Advanced Subsidiary and Advanced Level

LAW **9084/12**

Paper 1 Structure and Operation of the English Legal System **October/November 2014**

1 hour 30 minutes

No Additional Materials are required.

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READ THESE INSTRUCTIONS FIRST

An answer booklet is provided inside this question paper. You should follow the instructions on the front cover of the answer booklet. If you need additional answer paper ask the invigilator for a continuation booklet.

Answer **three** questions.

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

This document consists of **2** printed pages, **2** blank pages and **1** insert.

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Answer **three** questions.

1 Magistrates are required to play too great a role in our legal system.

Critically analyse this view of the role of magistrates and consider the qualities necessary in order to become a magistrate. [25]

2 'The law has to be interpreted before it can be applied and interpretation is a creative activity.' Lord Radcliffe.

Discuss. [25]

3 Jamal, aged 20, has been charged with assaulting Gurjit and causing her actual bodily harm. He intends to plead not guilty at Wrexham Magistrates' Court.

Describe the procedure at his trial at the Magistrates' Court and the appeals available to him if he is found guilty. Critically assess whether the availability of such appeals is satisfactory. [25]

4 Delegated legislation is an increasingly important source of law, but one which can lead to abuse of the principle of democratic law making.

Critically assess the value and the role of delegated legislation in law-making today. Consider the safeguards in place that aim to prevent any abuse of the principle. [25]

5 To what extent does the law relating to police powers (such as those to stop, search, arrest and detain at the police station), strike a balance between allowing the police sufficient freedom to investigate crime and adequately protecting the individual's rights? [25]

6 Equity was, and in many ways still is, Common Law's safety mechanism.

Assess whether this accurately describes the role of Equity both in the past and today. [25]

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