



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

LAW

9084/01

Paper 1 Structure and Operation of the English Legal System

May/June 2008

1 hour 30 minutes

Additional Materials: Answer Booklet/Paper

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.

This document consists of **2** printed pages.



Answer **three** questions.

- 1 Winston has been convicted of supplying Class A drugs by the Coketown Youth Court. He receives a twelve month Detention and Training Order. He now wishes to appeal. Provide him with a full, clear account of the procedure. What are the strengths and weaknesses of the appeal system? [25]

- 2 'There is concern that the unpaid volunteers who handle 90 per cent of the cases in the criminal justice system are still regarded as white, middle class and middle-aged (the average age is 55) and that there are still whole communities unrepresented by any magistrate.'

Consider the extent to which you agree with these criticisms of the lay magistracy. Suggest ways in which the process of selecting magistrates might be improved. [25]

- 3 'He who comes to equity must come with clean hands.'
(*D & C Builders v Rees* [1966])

Consider critically the contribution made by equity to the law. To what extent does it remain relevant today? [25]

- 4 To what extent does the principle of *stare decisis* in English law make it difficult to set aside an unjust decision? [25]

- 5 Bonnie has been charged at the police station with the theft of a pizza and she intends to plead Not Guilty. Discuss the legal process that will now follow between the time of charge and the end of her trial. [25]

- 6 Lawyers may be called to the Bar or admitted as solicitors. Do you perceive any deficiencies in the way in which lawyers obtain professional qualifications? To what extent have recent years seen an overlap between the two professions? [25]