



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

LAW

9084/12

Paper 1 Essay Questions

October/November 2009

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 'No-one can know what the law is until the courts decide it.' (Lord Denning)

Discuss critically the problems that the courts face in interpreting statutes and explain the different methods that judges use to arrive at decisions. [25]

- 2 'Efforts to make the judiciary more diverse are having a minimal impact.'

Consider critically the ways in which judges are appointed and discuss the problems which may arise from this process. [25]

- 3 'Celebrities enjoy no extra right to privacy.'
(Potter J. in *Murray v Express Newspapers PLC* and others (2007))

Discuss the right to privacy and other rights protected by the Human Rights Act 1998. Giving examples, assess critically the effectiveness of the legislation. [25]

- 4 Mrs Careless, a magistrate, gives an interview in the local newspaper in which she states that those lawyers who defend criminals are wasting public money.

Consider fully the appointment and function of lay magistrates and discuss critically the conduct of Mrs Careless and its possible consequences. [25]

- 5 'The incalculable advantage of the whole system of English law is that its principles are capable of adaption to the new circumstances perpetually arising.'
(Sir Hartley Shawcross in *R v Joyce* (1945))

Giving examples from decided cases, discuss critically the extent to which you would agree or disagree with this view of the doctrine of precedent. [25]

- 6 What are the main forms and purposes of delegated legislation? Consider critically the manner in which it comes into force and the ways in which it can be regulated. [25]