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Centre number

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Candidate number

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Surname

Forename(s)

Candidate signature

I declare this is my own work.

A-level (7162) LAW

Paper 3(B)

Nature of Law and English Legal System (25 Marks out of 100)

Human Rights (75 Marks out of 100)

Time allowed: 2 hours

Materials

- You will need no other materials.

Instructions

- Use black ink or black ball-point pen.
- Fill in the boxes at the top of this page.
- Answer **all** questions. You must answer the questions in the spaces provided. Do **not** write on blank pages.
- If you need extra space for your answer(s), use the lined pages at the end of this book. Write the question number against your answer(s).
- Do all rough work in this book. Cross through any work you do not want to be marked.
- Questions should be answered in continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Information

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 100.

For Examiner's Use	
Question	Mark
1–5	
6	
7	
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9	
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TOTAL	



J U N 2 1 7 1 6 2 3 B 0 1

IB/G/Jun21/E5

7162/3B

Answer **all** questions in the spaces provided.

Only **one** answer per question is allowed.


For each question completely fill in the circle alongside the appropriate answer.


CORRECT METHOD



WRONG METHODS



If you want to change your answer you must cross out your original answer as shown. 

If you wish to return to an answer previously crossed out, ring the answer you now wish to select as shown. 

0 1 Select the false statement about Article 2 of the European Convention on Human Rights (the right to life). .

[1 mark]

- A** It imposes a positive obligation on States to protect life.
- B** It imposes an obligation on States to have rules of law about liability for offences of homicide.
- C** It permits an exception when the killing is because a person refuses to obey a lawful instruction given by a police officer.
- D** It permits an exception where the killing is considered absolutely necessary in defence of another person from unlawful violence.

0 2 Select the true statement about the impact of the European Convention on Human Rights ('the Convention') on English law.

[1 mark]

- A** A court is not a 'public authority' within the meaning of the Human Rights Act 1998 when interpreting English law to which the Convention may apply. .
- B** A court must interpret rules of common law in such a way as to take into account relevant provisions of the Convention
- C** A court must not apply a provision of an Act of Parliament which is incompatible with a provision of the Convention
- D** A court must not interpret an Act of Parliament in a way that Parliament probably did not intend simply to make it compatible with a provision of the Convention



0 3 Select the false statement about delegated legislation.

[1 mark]

A By-laws can be made by some public corporations as well as by local authorities.

B Delegated legislation is made by a person or body under powers given by the Government.

C The Scrutiny Committee can report on problems with delegated legislation but cannot make changes to it.

D The validity of delegated legislation can be challenged by an action for judicial review.

0 4 Select the true statement about judges in criminal cases.

[1 mark]

A Court of Appeal judges hear some appeals sitting with District Judges (Magistrates' Courts).

B Crown Court judges hear some appeals.

C District judges (Magistrates' Courts) sit with juries to try cases.

D Supreme Court judges try some cases and hear appeals on issues of law on others.

0 5 Select the true statement about advice and funding in criminal cases.

[1 mark]

A A defendant in a criminal case cannot obtain public funding to defend the case.

B A duty solicitor is available to provide free representation for a defendant's appeal against conviction to the Supreme Court.

C An insurance agreement can be made which will fund the payment of a fine imposed on a defendant convicted of a criminal offence.

D Conditional fee agreements are not permitted in criminal cases

5

Turn over ►



0 6 Explain two reasons why a large amount of law is made by delegated legislation. Use an example to illustrate one of your reasons.

[5 marks]

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0 7

Arvin, a police officer, saw Brett and Chas come out of a shop. Both were laughing and Arvin heard Brett say to Chas, "Did you see the way she went down when I punched her?" Arvin was aware of a woman screaming in the shop. He followed Brett, stopped him and asked for his name. Brett said, "Mouse, officer. But you can call me Mickey."

Suggest why, according to English law (Police and Criminal Evidence Act 1984), Arvin could lawfully arrest Brett in these circumstances. .

[5 marks]

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0 8

Callum and Darren had been friends since childhood. When younger, they had engaged in various kinds of racist behaviour but had never been cautioned or prosecuted and no public record of their behaviour now existed. However, Darren had kept racist material written by Callum. Eventually, Callum became a successful owner of a sales business with a strong reputation for promoting racial equality and diversity.

Recently, the relationship between Callum and Darren became very strained over comments made by Callum about Darren's wife. Darren was furious and threatened to publicise Callum's racist history, using the material that he still possessed.

- Advise Darren on whether publication of Callum's racist history would amount to the tort of misuse of private information (breach of privacy) in English law.

In your answer, take into account the relevance of Article 8 (the right to respect for private life and correspondence) and Article 10 (the right to freedom of expression) of the European Convention on Human Rights.

[10 marks]

Handwriting lines for the answer.



In Question 10 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion. .

1 0

Vale City Council published plans to connect two car parks at opposite ends of a popular park, by building a road through the park. Priya led a group outraged by the proposals. The group managed to get into a private meeting of the Council’s planning committee and brought it to an end by persistent shouting. Rose, Priya’s local councillor, did not agree to support the group’s protests. Priya delivered many notes and letters to Rose’s house which suggested that Rose should be very careful not to support the building of the road, ‘if you know what is good for you’. The letters also indicated that Rose was being ‘watched’ at all times. Steve, one of the group, organised a protest march to the park which was intended to end in a demonstration at which there would be speeches and displays against the road building. However, the police intervened to stop the protest when a group of motorbikers in favour of the road began to accompany the march and fights broke out between the marchers and the motorbikers.

Taking a human rights perspective, consider the rights, duties, liability and remedies arising out of the incidents involving Priya, Rose, Steve and the group.

[30 marks]

Blank lines for writing the answer.



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In Question 11 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 1

- Jack is now 22 years old. Completely unknown to him, he is the son of Karl, a convicted murderer who has been in prison for 21 years. Karl had shot and killed two unarmed and defenceless police officers as he made his escape following a robbery at a jewellery shop. By chance, Lucy, a reporter for The Clarion, a national newspaper, discovered Jack's true identity and offered him money if he would consent to a published interview. When Jack refused, Lucy wrote a sensationalised story about Jack, naming him as Karl's son. In consequence, Jack suffered persecution at work causing him to react violently and lose his job. He also became the victim of much unpleasant and threatening comment on social media, forcing him to move home and change his identity. On a number of occasions, he was stopped and searched by police officers when there was no obvious reason for them to do so.

Taking a human rights perspective, consider what rights and remedies Jack may have against Lucy and The Clarion, and against the police, arising out of the incidents described.
Assess the contribution of different sources of law to the rules which you have explained and applied in considering Jack's rights and remedies.

[30 marks]

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