

UNIVERSITY OF BOLTON

SCHOOL OF LAW

LLB LAW

SEMESTER 1 EXAMINATION 2024/2025

ENGLISH LEGAL SYSTEM AND FOUNDATION
LEGAL SKILLS

MODULE NO: LAW4007

Date: Tuesday 7th January 2025

Time: 2.00pm – 3.00pm

INSTRUCTIONS TO CANDIDATES:

This exam is 60 minutes long.

There are TWENTY questions in Section 1. Answer ALL questions. All questions in Section 1 carry equal marks. Each question is worth 1 mark.

Answer any TWO questions out of THREE in Section 2. All questions in Section 2 are worth 10 marks.

University of Bolton
School of Law
LLB Law
Semester 1 Examination 2024/2025
English Legal System and Foundation Legal Skills
Module No. LAW4007

Section 1:

1. What stage follows the Second Reading in the process of a bill through Parliament?
 - a. Report Stage.
 - b. Third Reading.
 - c. Committee Stage.
 - d. House of Lords.

2. Which of the following **BEST DESCRIBES** the process of “implied repeal”?
 - a. When an Act of Parliament expresses that the court may abolish statutory rules under certain circumstances.
 - b. When a court judgment expresses that specific statutory rules are abolished.
 - c. When an Act of Parliament expresses that a new rule is being included which conflicts with an existing statutory provision, rendering the old provision abolished.
 - d. When a court judgment expresses that statutory rules may be abolished by Parliament under certain circumstances.

3. What does the term ‘*ejusdem generis*’ mean?
 - a. Of the same kind.
 - b. Expressing one thing excludes another.
 - c. To stand by things decided.
 - d. It is known by its associates.

4. What does the Human Rights Act 1998 allow when statute is incompatible with existing international human rights law?
 - a. Allow Members of Parliament to make remedial orders.
 - b. Allow Judges to make remedial orders.
 - c. Allow Members of Parliament to make orders to change the legislation.
 - d. Allow Judges to make orders to change the legislation.

5. Which rule or approach of statutory interpretation was used in the case of *Whiteley v Chappel* (1868) LR 4 QB 147?
 - a. Golden Rule.
 - b. Literal Rule.
 - c. Mischief Rule.
 - d. Purposive approach.

Please turn the page.

University of Bolton
School of Law
LLB Law
Semester 1 Examination 2024/2025
English Legal System and Foundation Legal Skills
Module No. LAW4007

Section 1 Continued:

6. Which court comes after the High Court in the civil court hierarchy?
 - a. Court of Appeal (Civil Division).
 - b. Crown Court.
 - c. Supreme Court.
 - d. European Court for Human Rights.

7. What type of reasoning does the following **BEST DESCRIBE**?
'Reasoning that relies on given statements and similar consequences.'
 - a. Rule-Based Reasoning.
 - b. Distinguishing cases.
 - c. Inductive Reasoning.
 - d. Reasoning by Analogy.

8. What is persuasive precedent?
 - a. Non-binding decision of a case, heard in a court of lower level or in a different jurisdiction.
 - b. Binding decision of a case heard in a court of the same level or higher or in the same jurisdiction.
 - c. Non-binding decision of a case heard in a court of the same level or higher level or in a different jurisdiction.
 - d. Binding decision of a case heard in a court of lower level or in a different jurisdiction.

9. What does the following **BEST DESCRIBE**?
'To demonstrate that a case is different from the case being heard and should therefore not apply.'
 - a. Overruling a case.
 - b. Voiding the case.
 - c. Changing the decision in a case.
 - d. Distinguishing a case.

10. Is the High Court bound by decisions made in the Court of Appeal?
 - a. Yes, but decisions in the Crown Court can override the decision.
 - b. No, as decisions must be made by the senior courts in order to be binding.
 - c. Yes, but decisions in the Supreme court can override the decision.
 - d. No, as decisions in the court hearing the case cannot be binding on the case.

Please turn the page.

University of Bolton
School of Law
LLB Law
Semester 1 Examination 2024/2025
English Legal System and Foundation Legal Skills
Module No. LAW4007

Section 1 Continued:

11. What does the bold text indicate in the following citation?

Donoghue v Stevenson [1932] AC **562**

- a. The volume of the law reports the case is cited in.
- b. The issue of the law reports the case is cited in.
- c. The court the case was heard in.
- d. The page number the case is cited on.

12. Which of the following would commonly be held by tribunals?

- a. Equity cases.
- b. Employment cases.
- c. Personal injury cases.
- d. Theft cases.

13. What is a green paper?

- a. A preliminary report of government proposals.
- b. A proposal to change an existing law.
- c. A proposal for a new law.
- d. A government report giving information or proposals on a specific issue.

14. Which of the following is a form of adjudicative alternative dispute resolution (ADR)?

- a. Arbitration.
- b. Mediation.
- c. Conciliation.
- d. Early Neutral Evaluation.

15. What Act of Parliament led to the creation of the Crown Prosecution Service (CPS)?

- a. The Prosecution of Offences Act 1985.
- b. The Police and Criminal Evidence Act 1984.
- c. The Representation of the People Act 1983.
- d. The Civil Jurisdiction and Judgments Act 1982.

16. Which of the following has a duty to appoint judges?

- a. The Attorney General.
- b. The Lord Chancellor.
- c. The Prime Minister.
- d. The Supreme Court.

Please turn the page.

Section 1 Continued:

17. What is the main difference between public and private law?

- a. Public law is a relationship between individuals. Private law is a relationship between individuals and the state.
- b. Public law is concerned with matters that are widely known whereas private law is concerned with confidential matters.
- c. Public law is criminal law, private law is civil law.
- d. Public law is the relationship between individuals and the state whereas private law is a relationship between individuals themselves.



Human Rights Act 1998

A

1998 CHAPTER 42

An Act to give further effect to rights and freedoms guaranteed under the European Convention on Human Rights; to make provision with respect to holders of certain judicial offices who become judges of the European Court of Human Rights; and for connected purposes.

B

[9th November 1998]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

C

Extent Information

E1 For the extent of this Act outside the U.K., see s. 22(6)(7)

D

18. Which of the above is the long title of the Act?

- a. A
- b. B
- c. C
- d. D

19. Which of the following **BEST DESCRIBES** A?

- a. Short Title.
- b. Enacting formula.
- c. Jurisdiction.
- d. Schedule.

Please turn the page.

University of Bolton
School of Law
LLB Law
Semester 1 Examination 2024/2025
English Legal System and Foundation Legal Skills
Module No. LAW4007

Section 1 Continued:

20. What does the date on the above Act mean?
- This is the date the law comes into effect.
 - This is the date the law was vetoed by the House of Lords.
 - This is the date the bill began in Parliament.
 - This is the date that the law received Royal Assent.

END OF SECTION 1

Section 2:

Please answer TWO of the following questions.

- Outline 2 sources of law – include advantages and disadvantages of each source.
- Discuss and explain the hierarchy of the main civil courts in the English legal system.
- What are the arguments for and against a system of binding precedent?

END OF QUESTIONS