## FINAL Examination Paper

### (COVER PAGE)

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<td>Programme</td>
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<td>November 1, 2004</td>
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| Time      | 12.00 – 3.00 p.m.  
Reading Time | Nil |
| Duration  | 3 Hours |

Special Instructions:

This paper consists of SIX (6) questions. Answer any FOUR (4) questions in the answer booklet provided. All questions carry equal marks.

Materials permitted: Nil

Materials provided: Nil

Examiner(s): Kanchana Chandran

Moderator: Mr. Russell Hewitson

This paper consists of 3 printed pages, including the cover page.
This paper consists of SIX (6) questions. Answer any FOUR (4) questions in the answer booklet provided. All questions carry equal marks.

1. Discuss the nature of the “rule of law” and its importance to the law and working of the British constitution. (25 marks)

2. How effective is the law of parliamentary privilege in facilitating the work of MPs? In what respect, if any, is the law of parliamentary privilege in need of reform? (25 marks)

3. PC Jones is patrolling Gold Street, a predominantly Jewish neighbourhood, when he is told on his police radio that there has been a burglary half a mile down the road on Silver Street. At that moment he sees Henry, a black man in his twenties carrying a large bag, walking towards him down Gold Street.

PC Jones stops Henry and asks him what he is doing around the neighbourhood. Henry replies that he is “just walking home.” Unsatisfied with this explanation, PC Jones proceeds to search Henry’s bag. He discovers a cricket bat, some masking tape and a pair of scissors. At this point PC Jones tries to arrest Henry. After a physical struggle PC Jones manages to handcuff Henry and march him down to the nearby police station.

When Henry gets to the station he protests to the custody officer that he is an ex-Zimbabwean cricketer and had just come back from a casual game of cricket in the park with some friends. He explains that the masking tape and scissors were for marking repairs to his cricket bat. The custody officer is not amused by what he assumes is a joke.

Henry is put in a cell for the night. By lunchtime the next day, Henry has still not been provided with food and is interviewed for one and a half hours in his cell (without a break) by three officers. The officers interviewing him make fun of his story. When he asks if he can “phone a friend who will verify the story” they refuse. They also refuse to let him have access to a solicitor unless he signs the “relevant document.” Henry signs the document, not realizing that it is a confession of guilt to the Silver Street burglary. Later that day he is charged with burglary.

Advise Henry. (25 marks)
4. "Viewed as a liberalizing measure, the Freedom of Information Act 2000 is something of a disappointment".

Discuss this view, by reference to the aims and provisions of this Act.

(25 marks)

5. Outline the grounds on which the decisions of public bodies may be challenged in an application for judicial review and comment on the assertion that too often judicial review involves the judiciary in substituting its own decisions for those of elected politicians.

(25 marks)

6. "In a really equal democracy, every or any section would be represented, not disproportionately but proportionately". [J.S Mill]

Discuss this statement with respect to the British system of general elections.

(25 marks)

-THE END-