## AS Law revision list – G152 – Sources of law

### Source based paper – 1 hour

<table>
<thead>
<tr>
<th>Topic</th>
<th>Content</th>
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| Judicial precedence          | - Precedent as operated in the English Legal System; *stare decisis; obiter dicta, ratio decidendi*; hierarchy of the courts; original, binding and persuasive precedent; overruling; reversing; distinguishing.  
- Court of Appeal, rules and evaluation of extending rules.  
- Advantages and disadvantages of precedence. |
| Law-making potential         | - Original precedent; the Practice Statement 1966; distinguishing; the role of the judges.                                               |
| Delegated legislation        | Orders in Council; statutory instruments; bylaws; control of delegated legislation including Parliamentary Scrutiny Committees and Judicial Review; reasons for delegating legislative powers.  
Need for delegated legislation.  
Disadvantages.  
Evaluation of controls.     |
| Statutory interpretation     | Literal rule, Golden rule, Mischief rule, purposive approach; rules of language; presumptions; intrinsic and extrinsic aids; effects of membership of the European Union on interpretation.  
Advantages and disadvantages of each rule. |
| Impetus for law reform       | The role of Parliament; the role of the judges; effect of public opinion and pressure groups.                                             |
| Law reform                   | The role of the Law Commission; Royal Commissions and other agencies in outline.                                                        |

Remember cases and examples and source!!!

**Please see me for any help needed!**

Paper break down-

Q1 – 15m describe – 12 for content + 3 QWC.

Q2 – 3x5mQ – apply – State answer, say why and explain further, case and source.

Q3- 15m describe 15 content marks.

Q4 – 15m evaluate/discuss – 12 content marks + 3 QWC.