**Matr. number ........................ Exam Date…………........... Name .............................................. CREDITS: 6 CFU 🞎 / 3 CFU 🞎 Time: 90 minutes / 60 minutes Points: 90 / 60**

Please complete the information above. Also write today’s date and your name NOW on your separate ANSWER SHEET. You must write ALL YOUR ANSWERS on your separate answer sheet.

Write clearly and copy the Exercise letter (A, B etc) and your answers accurately onto your answer sheet, as in the examples. ***Write each answer on a separate line.***

## **6 CFU: you will complete the entire paper / 3 CFU: you will complete Exercises C and G, you will omit Exercise D, and select 6 elements each from Exercises A, B, E and F.**

**Exercise A DEFINITIONS I *10 points / 6 points (select 6)***

***Select the correct term from the alternatives below (a-k)***

***🡺 EXAMPLE: ON YOUR ANSWER SHEET, WRITE:* Exercise A 1. = k) Treaty law *etc.***

|  |  |
| --- | --- |
| 1. A major source of international law
2. # 12 citizens who pronounce a criminal verdict
3. @@@ Direct consultation of the electorate on an issue
4. ### Killing with malice aforethought
5. @@ The grounds for a judicial decision
6. \*\*\* Application of the law in concrete cases
7. \* To request re-examination of a judgment
8. ## The mental element in a crime
9. § To create a legal provision (by a legislature)
10. \*\* A binding practice of the UK constitution
11. @ Members of the UK Upper Chamber
 | 1. **To appeal \*7**
2. **Convention \*\*10**
3. **Enforcement \*\*\*6**
4. **Jury #2**
5. **Mens rea ##8**
6. **Murder ###4**
7. **Peers @11**
8. **Ratio decidendi @@5**
9. **Referendum @@@3**
10. **To enact §9**
11. **Treaty law**
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**Exercise B SEE BELOW  *20 points / 12 points (select 6)***

***Provide a simple, correct definition or explanation in English for each term below, possibly using examples from the course. 🡺 EXAMPLE: On your answer sheet, write:* Exercise B 1. A beneficiary is a person who receives property left to him or her under a will OR: 1. A beneficiary is a person designated to receive property in a will OR: 1. In Shakespeare’s will, his daughter Judith was a beneficiary because he left her a sum of money**

|  |
| --- |
| 1. **A beneficiary**
2. **A bill**
3. **The executive**
4. **Multilingualism (EU)**
5. **To sentence**
6. **An arbitrator**
7. **Binding**
8. **A Convention right**
9. **To arrest**
10. **Freedom to manifest religion**
11. **The European Communities Act 1972**
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**Exercise C Acronyms and Institutions *10 points / 10 points***

***PART ONE - Write the correct term in full (numbers 2-6).***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise C 1. = Security Council Resolution**

**1. SC Res**

**2. ECHR European Convention on Human Rights**

**3. UN United Nations**

**4. TEU Treaty on European Union**

**5. PM Prime Minister**

**6. HRA Human Rights Act**

***PART TWO - Give the full name of the appropriate body or institution (numbers 8-12).***  *For an extra point give the name of the individual who currently holds the office, if appropriate.*

***🡺 EXAMPLE: On your answer sheet, write:* Exercise C 7. = The Council of Europe**

1. **Association of 47 European states today which established the ECHR.**
2. Leader of the UK government. The Prime Minister (+1 Theresa May)
3. Principal judicial organ of the UN which sits at The Hague, NL. The International Court of Justice
4. **Elected representatives of the House of Commons. Members of Parliament (MPs)**
5. This European judicial organ was established by an important human rights convention. The European Court of Human Rights
6. The capital of this country, part of the UK, is Edinburgh**. Scotland**

**Exercise D Collocations  *10 points / 0 (omit)***

***PART ONE - Select the most appropriate alternative (numbers 2-6).***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise D 1. = panel**

1. **Mandela describes in his autobiography how the verdict was reached by a \_\_\_\_\_\_\_\_\_\_ of 3 judges.**

***jury/panel/gang/group***

1. The Vienna Convention on the Law of Treaties \_\_\_\_\_\_\_\_\_\_ rules on the interpretation of treaties.

 *drafts/lays down/ratifies/enacts*

1. Article 2 ECHR \_\_\_\_\_\_\_\_\_\_ everyone’s right to life.

 *guards / grants /safeguards/supports*

1. The accused was found guilty of \_\_\_\_\_\_\_\_\_\_ an offence under the Hunting Act.

 *committing/doing/making/getting*

1. The \_\_\_\_\_\_\_\_\_\_ of binding precedent operates in all common law legal systems.

 *rule/doctrine/principle/code*

1. The Prime Minister is \_\_\_\_\_\_\_\_\_\_ by the Queen. *awarded/chosen/designated/appointed*

***PART TWO - Complete the sentence with the most appropriate word or phrase (numbers 8-12).***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise D 7. = not guilty**

**7. How does the defendant plead: guilty or \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ?**

1. **A victim can make a/an APPLICATION to the ECtHR, but must exhaust domestic remedies first.**
2. Citizenship of the EU was ESTABLISHED **by the Treaty of Maastricht.**
3. **In a civil case, the claimant takes action against the DEFENDANT .**
4. The case of *Pepper v Hart* is a binding PRECEDENT established by the House of Lords.
5. **The superior courts MAY issue a declaration of incompatibility under s.4 HRA.**

**Exercise E RELATED WORDS  *10 points / 6 points (select 6)***

***Identify one term that does NOT belong in the group.***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise E 1. = Act**

1. **Contract**: \* clauses \* duties \* parties \* Act \* agreement \*
2. **Appeal**: \* precedent \* appellant \* case of first instance \* respondent \* Court of Appeal **\***
3. **Civil case:** \* plaintiff \* prosecutor \* defendant \* claimant \* judge \*
4. **Common law:**  \* precedent \* statute \* case law \* hierarchy \* law reports \*
5. **Court:** \*Royal Assent \*judge **\*** parties \* proceedings \* judgment **\***
6. **Death penalty:** \* abolition \* death sentence \* capital punishment \* life sentence \* moratorium\*
7. **EU:**  \* ECJ \* European Parliament \* Commission \* Member State \* Security Council **\***
8. **Fair trial:** \* defence \* reasonable time \* arbitrary decision-making \* impartial judge \* rule of law \*
9. **Will:** \* contracting party \* testator \* testament \* estate \* bequeath \*
10. **UK devolution:**\*Scottish Parliament\* reserved matters\* devolved powers\* federalism\* referendum\*
11. **House of Commons: \* elected body \* Prime Minister \* Lower House \* Speaker \* Upper House \***

**Exercise F WORD FAMILIES  *10 points / 6 points (select 6)***

***Insert the correct form of the term in the blank space.***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise F 1. = judiciary**

1. **JUDGE: All the judges in the legal system are known collectively as the \_\_\_\_\_\_\_\_\_\_\_.**
2. FREE: Everyone has the right to FREEDOM of thought, conscience and religion.
3. INVESTIGATE: In the UK, INVESTIGATING crime is the task of the police.
4. JUST: The law lords were appointed as the first JUSTICES of the Supreme Court.
5. LAW: It is not LAWFUL to carry firearms without a licence.
6. LEGISLATE: Power to pass laws is vested in the LEGISLATURE/LEGISLATOR.
7. PUNISH: Imprisonment is one of the most serious forms of PUNISHMENT for crime.
8. RULE: A national court may make a reference for a preliminary RULING to the ECJ.
9. SENTENCE: The judge is responsible for SENTENCING a convicted offender**.**
10. SIGN: A SIGNATORY state is one that has signed an international treaty.
11. STATUTE: The English courts are responsible for STATUTORY interpretation.

**Exercise G WRITTEN COMMENT  *20 points / 20 points***

**Select ONE of the following topics, and write from 100 to 150 words in answer to the question. Take care to express yourself in appropriate language, and to include relevant legal aspects.**

1. Discuss the use of English as an international legal language, with specific reference to one or more international organisations and treaties you have studied.

2. In the UK constitution, h**ow does a politician become Prime Minister, and what is the PM’s role?**

3. *The Queen reigns but does not rule*. Explain this maxim with illustrations from the modern constitutional monarchy.

4. **Discuss the establishment of the Supreme Court of the United Kingdom and explain its importance in the English common law system.**

5. Discuss the evolution of the death penalty in European human rights law, starting from Article 2 ECHR (1950).

6. Discuss the establishment of EU citizenship with reference to the Treaties, and give details of citizens’ rights.

**KEY (EXAMPLES OF SOME POSSIBLE ANSWERS) Exercise B DEFINITIONS II**

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| --- |
| 1. **A beneficiary *See Example***
2. **A bill is a proposal of law; it becomes an Act when it receives the Royal Assent.**
3. **The executive is one of the three state organs (or powers), the government; government policies are developed and implemented by the executive.**
4. **Multilingualism (EU) is the EU language policy based on equality among the 24 official languages.**
5. **To sentence – to condemn to punishment for a crime / to decide and order punishment for a crime. E.g. the judge sentenced the defendant to three years’ imprisonment**
6. **An arbitrator is an independent third party appointed by parties (to a contract, etc) to resolve disputes out of court**
7. **Binding – an adjective, having compulsory legal force E.g. a binding precedent is one that must be followed in a later similar case**
8. **A Convention right is one of the rights and freedoms protected in Section 1 of the ECHR (and incorporated in UK law by the Human Rights Act 1998)**
9. **To arrest – to deprive a person of his liberty E.g. The police officer arrested the suspect and took him to the police station for questioning.**
10. **Freedom to manifest religion is protected in Article 9 ECHR; it is a qualified right, so may be restricted E.g. the right to dress in a certain way or to wear a religious symbol like a crucifix**
11. **The European Communities Act 1972 is the UK Act of Parliament that gave effect to the UK’s obligations as a member of the EC (now EU); it is a common law constitutional statute**
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