
Examiner's report 2009

2650030 Common law reasoning and institutions Zone B (old syllabus)

Introduction

This was the last year of a division between new *Regulations* students – those who registered on or after 1 September 2007 – and old *Regulations* students. For this year **all** students also sat the new *Regulations* paper with its compulsory question.

Therefore **all** students should refer to that *Examiner's report*.

The papers only differentiated by question 1, which was on the jury (as below) for the old *Regulations* paper.

General remarks

There was a considerable absentee rate for this paper, probably reflecting the fact that candidates would have first registered three or more years ago: if you are still in the system, please note the requirements for the research essay and online research exercises that you now must do.

Specific comments on questions

Question 1

'The jury has outlived its purpose and can be discarded.' Discuss.

This is a topical question and was popular. It is in a very standard form and required a grasp of history: what was its purpose, and has that purpose been outlived? The question is virtually repeated as one of the research essay topics for 2009–10 which **all** students must do. It appears as question 4:

'4. The jury is an outmoded institution and ought to be discarded. The fact that many countries that once had the jury have abandoned it only reinforces this point.

'Discuss with reference to the use of the jury in England and Wales and the position in at least one other jurisdiction.'

It would be unwise to comment further in case these comments appear in the research essay!

**ALL OTHER QUESTIONS ARE THE SAME AS THE NEW *REGULATIONS* PAPER.
PLEASE REFER TO THAT.**