PRIFYSGOL ABERYSTWYTH UNIVERSITY

SEMESTER ONE EXAMINATIONS, 2025/26

DEPARTMENT OF LAW AND CRIMINOLOGY

LC20620 PUBLIC LAW

Time allowed: TWO hours

Answer TWO questions

Candidates are permitted to take ONE A4 page of handwritten or typed notes (both sides) into the examination.

Please state clearly which question(s) you are answering.

STUDENTS MAY SUBMIT ANSWERS TO THIS PAPER IN EITHER WELSH OR ENGLISH

Once seated, students may complete the front cover of the answer book(s) and the attendance slip ONLY.

DO NOT TURN THE EXAMINATION QUESTION PAPER OVER UNTIL INSTRUCTED TO DO SO.

1. Please explain what you understand is meant by the term ‘the rule of law’ and, with reference to legislation and judicial opinion, evaluate the extent to which it exists in the UK.

[50%]

2. Compare and contrast the powers of the Senedd with those of the UK Parliament and discuss whether or not the balance of power between the two should be adjusted.

[50%]

3. ‘The European Convention on Human Rights is by far the most effective international instrument currently in force for the protection of human rights.’

   Evaluate the accuracy of the above statement, providing facts and detailed reasons in your answer.

[50%]

4. ‘Constitutional law provides no effective limits on the leader of a political party which holds a simple majority of seats in the House of Commons.’

   Evaluate the extent to which the above statement is or is not correct.

[50%]

5. Section 8 of the (fictitious) Public Order Act 2026 (POA 2026) allows the Home Secretary to issue regulations that can limit protests deemed likely to cause “serious disturbance to public peace, government operations, or critical infrastructure.” The Home Secretary issues a regulation (‘the regulation’) which imposes a total ban on all protests within 2 miles of any government building in central London for the next 18 months. The maximum penalty for violating the regulation is a £10,000 fine and/or 2 years imprisonment.

The regulation impacts an ongoing protest by Lara, who has been protesting peacefully every evening near the Houses of Parliament. The Public Rights Party (PRP), a small party in opposition to the Government, held a protest yesterday in defiance of the order and several of its members and local councillors were subsequently arrested and charged.

Lara and the PRP approach you for advice on whether to apply for judicial review. Advise them on whether they can apply, on what grounds they might apply, and what remedies – if any – might be awarded.

[50%]

END OF PAPER