



ICM

DECEMBER 2016

AN OUTLINE OF LEGAL HISTORY

Instructions to candidates:

- a) Time allowed: Three hours (plus an extra ten minutes' reading time at the start – do not write anything during this time)
 - b) Answer any FIVE questions
 - c) All questions carry equal marks. Marks for each question are shown in []
1. Analyse the development of the **Common Law** in Britain after 1066, including the development of **judicial precedent** and its effect on the English legal system today. [20]
 2. Explain, using examples, what was meant in the fifteenth century by the word **chattel**; analyse how stolen chattels could be recovered, using an action in **detinue**. [20]
 3. Explain the changes brought about by the **Judicature Acts** 1873 and 1875, and analyse why they were needed. [20]
 4. Giving examples, explain the difference between implied terms and express terms within a contract. Can implied terms ever be avoided? [20]
 5.
 - a) What is a **tort**?
 - b) Selina was walking along a corridor at work, when she suddenly slipped on a wet patch where the cleaner had just washed the floor but failed to display any warning signs; Selina broke her arm and smashed her glasses. Explain briefly what she would have to prove to succeed in a claim for the tort of **negligence**. [20]
 6. Giving examples, explain what is meant by **nuisance**. Outline the remedies for nuisance. [20]
 7. What limits were imposed on women by the term '**unity of person**'? How was this changed in 1935? [20]
 8. Explain the different **trial procedures**, including possible appeals, which a defendant will go through under the English criminal system if accused of:
 - a) murder
 - b) causing criminal damage
 - c) driving without insurance [20]