

LAW I

Candidates should answer **THREE** questions

1. Why study Roman Law?
2. Does the principle of good faith have a future in English contract law?
3. Should the availability of insurance be relevant to the reach and scope of tort liability?
4. To what extent are contracting parties able to stipulate the remedial consequences of breaches of their contract? To what extent should they be?
5. 'In principle, the sight of something for which the defendant is responsible may be so offensive as to amount to a nuisance' (LORD LEGGATT, *Fearn and others v Board of Trustees of the Tate Gallery* [2023] UKSC 4). Discuss.
6. Should English law recognise the remedial constructive trust?
7. 'The doctrine of consideration cannot be explained by philosophy but only by history.' Discuss.
8. Is the law relating to the assignment of contractual rights in need of reform?
9. 'Compensation for the breach of an obligation generally seeks to place the claimant in the position he would have been in if the obligation had been performed. Equitable compensation for breach of trust is no different in principle: it aims to provide the pecuniary equivalent of performance of the trust' LORD TOULSON in *AIB Group (UK) plc v Mark Redler & Co Solicitors* [2014] UKSC 58. Discuss.
10. Is there any general principle which underpins the law of restitution for unjust enrichment?'
11. Can private law be decolonised?
12. Is the public interest relevant to private law?
13. If no theory of tort can explain all the features of tort law, does the problem lie with the theory or with the law?

[OVER]

14. Why was there no Reception of Roman law in England?
15. Does any area of law pay sufficient regard to intergenerational fairness?
16. Should Artificial Intelligence have a role in the justice system?
17. Should the law of bankruptcy protect creditors or debtors?
18. How well can courts reach conclusions about peoples' intentions?
19. 'The legal system of every society faces essentially the same problems, and solves these problems by quite different means though very often with similar results' (KONRAD ZWEIGERT and HEIN KÖTZ). Discuss.
20. What is the purpose of obiter dicta?
21. Should appellate courts give single judgments?

LAW II

Candidates should answer **THREE** questions

1. If the Human Rights Act 1998 were to be replaced, what should replace it?
2. How important has the Freedom of Information Act 2000 been in securing public accountability?
3. Does jurisprudence have a coherent theory of public law?
4. 'Historians of international law must accept that the validity of our histories lies not in their correspondence with "facts" or "coherence" with what we otherwise know about a context, but how they contribute to emancipation today' (MARTTI KOSKENNIEMI). Discuss.
5. What should the employment status be of those working in the 'gig economy'?
6. In what ways, if any, is Britain's imperial past relevant to modern constitutional law?
7. 'Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all' (JOHN RAWLS). Discuss.
8. Is international law toothless?
9. Should the law be reformed to allow assisted suicide?
10. 'The Supreme Court's prorogation judgment, Cherry/Miller (No 2), weaponises parliamentary accountability in order to expand judicial review to supervise the political relationship between Parliament and government' (RICHARD EKINS). Discuss.
11. Is 'access to justice for all' a false hope?
12. Is the Rule of Law too vague to satisfy its own requirement of legal certainty?
13. Is the compulsory treatment of people with mental disorders compatible with their human rights?

14. What responsibility should tech companies have for policing the internet?
15. Can the state justly contract out the exercise of its coercive power over the individual?
16. Are the courts generally more attentive to minority interests than legislatures?
17. How is a court to determine what is best for a child's welfare?
18. Does human rights lawyering within an unjust legal order risk legitimating the illegitimate?
19. Should the law criminalise people for what they might in future do?
20. Is employment law fit for purpose?
21. Should transgender men who give birth be regarded in law as the fathers or the mothers of their children?