

**Ollscoil na hÉireann, Gallimh
National University of Ireland, Galway**

Semester 1 Examinations, 2004/2005

Exam Code(s)	2BL, 3BL, 4BL, 1EM1, 1OA1, 1OL1
Exams(s)	2 nd 3 rd & 4 th LL.B Erasmus & Occasional
Module Codes(s)	LW115.I
Module(s)	Public Law I
Paper No.	1
Repeat Paper	No
External Examiner(s)	Dr. C. Harvey
Internal Examiner(s)	Mr. J. Forde
Instructions	Answer THREE questions
Duration	TWO Hours
Department	Law
No. of AnswerBooks	
Requirements:	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	

1. Write a concise note on any **two** of the following, making reference to appropriate case law:
 - (a) the definition of bias under Irish Law;
 - (b) the categories of bias
 - (c) the doctrine of necessity in the context of bias.
2. Some days ago, Mary a teacher at St. Brendan's Secondary School, was informed by the Principal that several complaints had been made against her by certain pupils. The Principal refused to specify the exact nature of the complaints, but said that they all related to "*grossly insensitive remarks*" which Mary was alleged to have made in class. The Principal said that he would bring the matter to the attention of the Board of Management when it met the next day and would inform Mary of their decision. The following evening, the Principal handed Mary a letter informing her that the Board, having considered the allegations against her, had decided to suspend her without pay for a period of four weeks. Advise Mary of any grounds on which she might challenge this decision by way of judicial review.
3. Write an essay on the doctrine of legitimate expectations, including in your answer a discussion of whether a claim of legitimate expectation, if upheld, can give rise to a substantive benefit or merely to a procedural right.
4. "Public bodies and Courts are still under no general obligation to give reasons for their decisions". Discuss.
5. Joe, Angela, Peter and Anne while trainee doctors all took up table tennis as a hobby. The four of them were admitted to the hall on Saturday afternoon after inspection by the Matron. The hall which is attached to the hospital, and is open to all members of staff, was found to be in good order. Later on that afternoon all four left in a hurry as they were called to an emergency. The Matron who admitted them to the hall had in the meantime gone off duty. That evening at 11 pm the security guard was about to lock up the hall when he noticed that the table tennis table had been damaged. All four denied the charge of malicious damage, there were no other witnesses nor was there a CCTV camera in operation in or about the hall. All four were found guilty of malicious damage by the disciplinary board who concluded that as they were the only persons to use the hall during the period of the damage they were responsible for the damage. As a result all four were dismissed. They claim that the decision of the hospital authorities to dismiss them was unreasonable and they wish to challenge the decision by way of judicial review on this ground. Advise them as to the likelihood of success in challenging the hospital authorities decision.