

SUMMER EXAMINATIONS 1998/1999

**BACHELOR OF ARTS - (PUBLIC AND SOCIAL POLICY)**

**LEGAL PROCESS**  
**PAPER I (LW101)**

**Professor W. Duncan**  
**Ms. C. Gardiner**

**Time Allowed: THREE Hours.**

**This paper carries 40% of the total marks for Legal Process**

1. Read the judgment of Keane J. in People v. McGinley [1998] 2 I.L.R.M. 234, which is supplied with this examination paper and answer the following questions:
  - a) State the material facts of the case  
(10 marks)
  - b) What was the decision of Keane J. in this case?  
(5 marks)
  - c) What were the issues of law that arose in the case and how did the judge deal with them?  
(15 marks)
  - d) On the basis of the judgment in this case, how do you think the courts would deal with a subsequent case in which the facts were similar except that the Gardai had received confidential information from a witness that the accused had threatened to injure the complainant and her family if they did not withdraw their complaint.  
(10 marks)