

SUMMER EXAMINATIONS 1998/1999

BACHELOR OF ARTS - (FIRST YEAR
OCCASIONAL STUDENTS

LEGAL PROCESS
PAPER I (LW100)

Professor W. Duncan
Ms. C. Gardiner

Time Allowed: **THREE** Hours. ERASMUS Students have 3½ 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)