

# LNAT

# MINI-PAPER

# MOCK EXAMINATION 1

## National Admissions Test for Law (LNAT)

The test has 2 separate sections, A and B. The real test is described below. This mini paper includes three examples of the multiple choice question.

### Section A: Multiple Choice

This section is divided into 12 sub sections; each sub section has between 3 and 4 questions.

You should answer all 42 multiple choice questions in Section A, selecting one of the possible answers listed for each question.

Time allowed: 95 minutes

### Section B: Essay

This section has 5 essay questions.

You should select and answer one question in Section B. Your answer should be no more than 750 words long.

Time allowed: 40 minutes

# MULTIPLE CHOICE SECTION 1

## 2:1 degree is worth around £80k more

Students who slack at university will earn around £80,000 less in their lifetime than their counterparts who work harder, an official Government study has concluded. Economists, working on behalf of the Department of Business, estimate that men who get a 2:2 degree will earn just £65,000 more in their working life than if they had left school after 'A' levels. In contrast men who get either a First or a 2:1 will be £141,000 richer than if they had gone straight into the workforce. Women fair marginally better - with an average female graduate earning an additional £100,000 for a 2:2 over her non-university educated counterpart - but the premium for a better degree is still £85,000. Given most students now face repayable university tuition fees of £27,000 and can claim living costs loans of around £21,000 over three years, the study raises serious questions about the financial sense for some students going to university in the first place - if they are not prepared to put in the hours. A student in London claiming the maximum in loans and fees and getting a 2:2 at the end of their three years at university would, over their lifetime, be only £15,000 better off than if they had not gone to university at all.

The findings are contained in an official Government research paper released to coincide with 'A' level results. Carried out by academics at the universities of Lancaster and Kent it found that going to university in general still made financial sense despite the high cost. They estimated that the return to a degree relative to two or more A-levels but no degree was 23 per cent for men and 31 per cent for women.

But within that there were marked discrepancies. Students studying medicine at university will be over £400,000 richer than if they had got another job after school compared to students studying mass communications who will only earn £3,000 extra. Women who study economics will make nearly £1 million more over their lifetimes while for men the figure is only £300,000. Women with degrees are more likely to follow similar career structures to men - something not seen in women who leave school without a higher education qualification.

Interestingly the study found no evidence that the expansion of higher education in the late 1980s and early 1990s had had any appreciable effect on differential earnings. One of the authors of the study, Professor Ian Walker from Lancaster University, said the reason for this might be because of the increasing premium put on skills - particularly the "computerisation of the workforce". "There have been huge technological changes in the workplace over the last 30 years or so which has favoured the skilled worker," he said. "What we are seeing is increasing financial returns for skill." Professor Walker speculated that the difference in earnings between those students who got 2:2s and those who got higher class degrees might be down to a general willingness to put in effort. "Every year we take on around 800 first year economics undergraduates," he said. "They have all got 'A's and 'B's in their exams and are smart kids. Yet I know from past experience that 40 per cent of them are not going to do well in their degrees. What I can't say is which ones they will be. "Some think that they can learn economics in two weeks at the end of the year. I'm not saying economics is hard but that rarely works. "It is possible that it is an attitude that they repeat in the work place." Universities and Science Minister David Willetts said the report showed that university was still worthwhile despite the increases in cost. "As students discover their A-Level results this new data highlights just what a great long-term investment university is," he said. "A degree remains one of the best pathways to achieving a good job and a rewarding career - as well as a hugely enjoyable experience for most students."

*Independent, 15 August 2013*

- (1) Which of the following is merely an assertion?
- (a) Women will always earn more than men, regardless of the degree
  - (b) The degree subject should be taken into account upon comparing the degree results
  - (c) A degree is worthless under the current circumstances
  - (d) All students who earn a 2:2 will be poorer than their 2:1 counterparts
  - (e) Students in London should not attend university
- (2) What is implied by the use of the study by the author, as a comparison over time?
- (a) The expansion of higher education access did not have a significant effect on differential earnings
  - (b) New graduates are more financially stable, in present day
  - (c) Students thrived during the economic changes of the 1980's
  - (d) Females have not seen a significant increase in their earnings during the past three decades
  - (e) A degree is worth less than in the 1980's.
- (3) Based on the article, what is the author's main conclusion?
- (a) Every individual should gain access to education
  - (b) Degrees are necessary for a thriving modern workforce
  - (c) Individuals who receive a 2:2 are lazy
  - (d) There is a demonstrated benefit of gaining a 2:1 over a 2:2
  - (e) Discrepancies exist in relation to the stage that a student leaves education, in relation to income
- (4) Which of the following weakens the writer's argument?
- (a) Students who get a 2:2 will see an increase in their earnings, in comparison to those who have not attended university
  - (b) It is irrelevant to taken into account the subject of study
  - (c) Women who have attended university are more likely to act as a counter-part to a male worker
  - (d) Technological advances have favoured the skilled worker
  - (e) Some students will not work as hard as others

# MULTIPLE CHOICE SECTION 2

## Parliamentary Power

The basic principle of the British constitution can be said to be a very simple one. It is encapsulated in the assertion that Parliament is the sovereign lawmaker. This concept of Parliamentary sovereignty was articulated by A.V. Dicey, an Oxford law professor of the 19th Century, who still wields great influence in British Constitutional law. According to Dicey, the idea contained two elements. The positive limb is that Parliament can make or unmake any law whatsoever by the ordinary process of an Act passed by a majority vote in the Houses of Parliament and Lords and given Royal assent. The negative limb proposes that an Act of parliament cannot be challenged in any British court. Since there is no higher law than an Act of Parliament there is no means by which to declare an Act illegal or unconstitutional.

The positive limb of Dicey's theory seems to say that there is nothing that Parliament cannot do however it is apparent that there is an obvious flaw to this assertion. If there were nothing that Parliament could not do it would follow that Parliament could give its sovereignty up. This question has led to the development of two opposing theories. The continuing theory of Parliamentary sovereignty maintains that Parliament is a perpetual institution and that its unconfined legislative power is created afresh every time it meets regardless of its previous enactments. This is Dicey's position. The self-embracing theory of Parliamentary sovereignty on the other hand asserts that Parliamentary sovereignty does include the power to bind itself and its successors. This is achieved by a process which has become known as 'entrenching a measure within the legal system.'

Jennings, a strong advocate of the self-embracing theory, argues that entrenchment is possible and that this can be shown by the two limbs of Dicey's own theory. He argues that since there is no statute which articulates the rule in Dicey's positive limb, it must be a so-called common law rule. If, according to this current rule of recognition, an Act of Parliament is the highest form of law then Parliament could legislate to change this rule of recognition so that the courts are required to accept, for example, that certain laws are safe from repeal by a simple majority vote thus successfully limiting the manner and form of future Parliamentary process.

*The Times Law, 26<sup>th</sup> August 2013*

- (1) Dicey's theory can be best summed up as:
  - (a) It is illegal for Parliament to try to confine its legal powers
  - (b) While at any given moment Parliament has unlimited legal power it is limited by the procedural process imposed on it by its predecessors
  - (c) Parliament has unlimited legislative supremacy with the one caveat that it cannot limit the unlimited power of the institution itself
  - (d) Parliament is subject to the regulation of its powers by the courts
  - (e) Acts of Parliament are not the highest form of law in the British constitution
  
- (2) Which conundrum can be inferred from the two limbs of Dicey's theory according to the passage?
  - (a) Since the courts cannot declare an Act of Parliament illegal, Acts of Parliament are not really laws at all
  - (b) For parliament to have ultimate legislative supremacy it must be limited from doing away with its own unlimited legislative powers
  - (c) No conundrum can be inferred

- (d) While parliament may appear sovereign there must be limits on its power otherwise it would be dangerously undemocratic
  - (e) The positive limb conflicts with the negative limb so as to make a nonsense of Dicey's theory as Jennings points out in the final paragraph
- (3) Which of the following is not true of Jennings' argument?
- (a) Through the ordinary Parliamentary process, the procedure of creating an Act of Parliament can be altered so as to bind future Parliaments
  - (b) His theory invalidates the second limb of Dicey's theory
  - (c) Dicean Parliamentary supremacy is a common law rule
  - (d) Acts of Parliament are the highest form of law
  - (e) It is an argument in favour of the self-embracing theory of Parliamentary Sovereignty
- (4) What does the 'self-embracing' theory assert?
- (a) Parliament has a confined legislative power
  - (b) Parliamentary sovereignty does include the power to bind itself and its successors
  - (c) Royal Assent is the most fundamental aspect of Parliamentary action
  - (d) The Supreme Court is not a necessary institution
  - (e) Parliamentary sovereignty does include the power to bind itself and its successors.

# MULTIPLE CHOICE SECTION 3

## Vodafone Shares

British mobile phone giant Vodafone is about to complete one of the biggest corporate deals in history, selling its stake in American Verizon Wireless for \$130 billion (£84 billion) – but it will pay no UK capital gains tax on the profits. Shares in Vodafone rocketed to a 12-year high in anticipation of the deal, climbing almost 4 per cent to 214.1p, giving it a stock market capitalisation of £104 billion — even though the Verizon Wireless stake alone is worth £84 billion.

Confirmation of the sale was expected within hours, once Verizon's board had met.

The deal, the third biggest takeover in stock market history, is a major coup for Vodafone chief executive Vittorio Colao, who is set to return more than half the £84 billion to shareholders. Those close to the company expect it to pay virtually no tax on the profits because of UK exemption rules on substantial shareholdings in subsidiaries — a move that has delighted City investors but is likely to dismay some tax campaigners.

Some believe the rest of Vodafone, described by some as “rump Vodafone”, could be worth substantially more than £20 billion, as it still has operating profits of £5.5 billion and revenues of £44 billion. Jerry Ellis, analyst at Jefferies bank, put a £59 billion figure on Vodafone's non-Verizon assets. However, observers said they needed to see the full details of any sale before putting an accurate value on the company. The £84bn payment will be a mixture of cash and stock is likely to be staggered over several years.

Colao is likely to have a war chest of nearly £40 billion for acquisitions but there is speculation Vodafone could become a takeover target amid a frenzy of consolidation across the sector. The Vodafone boss has spoken recently about expanding beyond voice and text into data and other communications services as consumers increasingly look to one provider for phone, fixed-line broadband and TV. He bought broadband and pay-TV firm Kabel Deutschland in June.

Victor Basta at Magister Advisors said: “The biggest question for Vodafone today is ‘what's next?’” He warned the company “must evolve — and quickly” to embrace more valuable services, rather than being just a “digital drug mule” that carried other companies' valuable content.

Benedict Evans, analyst at research firm Enders, said the timing of Colao's sale of Verizon Wireless, America's biggest mobile network, looked smart as he has held out for years for a high price. “One could argue that the US market is peaking, with smartphones starting to top out and Softbank about to shake it up,” said Evans in a note, although he cautioned that Vodafone's remaining businesses, particularly in Europe, still faced a tough climate.

*Independent, 2<sup>nd</sup> September 2013*

(1) What is inferred by the writer as to his opinion of the deal?

- (a) The deal is unpopular with shareholders
- (b) It is a reputational advantage for Vodafone
- (c) The substantial purpose of the deal was to benefit Vittorio Colao
- (d) The deal benefits directly the shareholders
- (e) A demonstration of the ability to tax avoid in UK

(2) What is the writer's underlying conclusion as to why the deal happened?

- (a) The company will benefit from a sale that consists of both cash and stock
- (b) The key being that the company will pay no capital gains tax
- (c) The most important factor is that the company can expand into other products

- (d) The beneficial factors for Vittorio Colao
- (e) Both (b) and (c)
- (f) All of the above

**TURN OVER TO SEE THE  
ANSWERS...**



# ANSWERS:

## Section 1

- 1) B
- 2) A
- 3) E
- 4) B

## Section 2

- 1) C
- 2) D
- 3) D
- 4) E

## Section 3

- 1) C
- 2) E