

# Tuesday 17 May 2016 – Afternoon

# **AS GCE LAW**

G151/01 English Legal System

### **QUESTION PAPER**

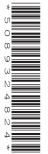
Candidates answer on the Answer Booklet.

### OCR supplied materials:

 12 page Answer Booklet (OCR12) (sent with general stationery)

Other materials required:

None



# **INSTRUCTIONS TO CANDIDATES**

- Write your name, centre number and candidate number in the spaces provided on the Answer Booklet. Please write clearly and in capital letters.
- Use black ink. HB pencil may be used for graphs and diagrams only.
- Write your answers on the lined pages in the Answer Booklet. The question numbers must be clearly shown.
- Answer four questions; at least two from Section A and at least one from Section B.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- Additional paper may be used if necessary but you must clearly show your candidate number, centre number and question number(s).
- Do not write in the bar codes.

### INFORMATION FOR CANDIDATES

- The number of marks is given in brackets [ ] at the end of each question or part question.
- The total number of marks for this paper is 120.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering part **(b)** questions you will be assessed on the quality of your written communication (QWC) including your use of appropriate legal terminology. These questions are marked with an asterisk (\*).
- This document consists of 4 pages. Any blank pages are indicated.

# **INSTRUCTION TO EXAMS OFFICER/INVIGILATOR**

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**Duration:** 2 hours

### Answer four questions.

Answer at least two from Section A and at least one from Section B.

You are advised to spend 30 minutes on each question, 20 minutes on (a) and 10 minutes on (b).

### **SECTION A**

Answer at least two questions from this section.

- 1 (a) Describe the custodial **and** community sentences available to adult offenders convicted in the Crown Court. [18]
  - (b)\* Discuss the extent to which adult sentences achieve the aim of protecting the public. [12]
- 2 (a) Describe the jurisdiction of the three divisions of the High Court and the routes of appeal from this court.
  - (b)\* Discuss the advantages of using the civil court system to resolve a dispute. [12]
- 3 (a) Describe and give examples of the three categories of criminal offence. Detail where each category of offence would be tried. Include pre-trial and trial procedures for deciding on the trial venue.
  [18]
  - (b)\* Discuss the factors a defendant will need to take into consideration when deciding whether or not to elect to be tried in the Crown Court or the Magistrates' Court. [12]
- 4 (a) Describe how the courts decide whether or not to grant a suspect bail including any conditions that may be imposed. [18]
  - (b)\* Discuss whether the balance of interests between public safety **and** a suspect's right to liberty are adequately protected by the rules on bail. [12]
- 5 (a) Describe the different ways in which civil legal advice is available to a person who is not eligible for public funding. [18]
  - (b)\* "Government cuts to both civil **and** criminal legal aid funding have resulted in many people being denied access to justice."

Discuss the extent to which this statement is true. [12]

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### **SECTION B**

Answer at least one question from this section.

- 6 (a) Describe when juries are used and their role in criminal courts and civil courts. [18]
  - (b)\* The following people have received a summons for jury service. Alfie is 18 years old and is related to the defendant. Beatrice has served a 12-year custodial sentence. Charlie served four years for burglary in 1978 and is currently being treated for depression.

Explain whether Alfie, Beatrice and Charlie can be jurors.

[12]

- 7 (a) Describe the powers of the police to detain and take samples from a suspect at a police station and any limitations on those powers. Do not discuss interviews and searches. [18]
  - (b)\* Michelle is 16 years old. She was arrested on suspicion of arson. She was interviewed on her own for eight hours without a break. Two female officers stripped her completely naked looking for a lighter. Nothing was found so they intimately searched her.

Explain to Michelle whether or not her treatment was lawful.

[12]

# **END OF QUESTION PAPER**

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