

**ADVANCED GCE UNIT**

**2573**

**LAW**

Criminal Law Special Study

**THURSDAY 21 JUNE 2007**

Morning

Time: 1 hour 30 minutes

Additional materials: 16-page Answer Booklet  
Special Study Materials



**INSTRUCTIONS TO CANDIDATES**

- Write your name, Centre number and candidate number in the spaces provided on the answer booklet.
- Answer **all** questions.
- Read each question carefully and make sure you know what you have to do before starting your answer.
- If you use additional sheets of paper, fasten these securely to the answer booklet.
- Write the number to the questions that you answer on the front of your answer booklet.

**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 **100**.
- **All questions should be answered in continuous prose. You are reminded, therefore, that you will be assessed on your ability to organise and present information and arguments logically and coherently, and to communicate clearly and accurately, taking into account grammar, punctuation and spelling.**

This document consists of **2** printed pages.

You are reminded of the importance of including relevant knowledge from all areas of your course, where appropriate, including the English Legal System.

Answer **all** questions.

- 1 In Source 1 [page 3 lines 64-66 Special Study Materials] the author suggests that “...it is a truism that hard cases make bad law and the courts have, from time to time, been prepared to assume the authority to supply omissions left by the legislature.”

Consider the accuracy of the above statement in relation to decided cases using the literal rule **and** using the golden rule. [30]

- 2 Discuss the significance of the decision in *Jones and Smith* [Source 12 page 9 lines 7-13 Special Study Materials] to the development of the law on burglary. [15]

- 3 In Source 6 [page 6 lines 2-3 Special Study Materials] the authors suggest that “...very little [force] may be required to turn a case of theft into one of robbery...”

Discuss the circumstances in which courts will accept that the offence of robbery can be shown in the light of the above statement. [25]

- 4 Consider whether a conviction for burglary is possible in each of the following situations.

(a) Alex is passing Mary’s house. He sees that Mary has taken an apple pie out of the oven and has left it on the window sill to cool. The window is open so Alex decides that he will take the pie if he gets the chance. When Mary leaves the kitchen Alex takes the apple pie and eats it as he is walking away from Mary’s house. (10)

(b) Sid has been sacked by his employer, Mike. Sid is very annoyed and decides to break into Mike’s house and give Mike a good beating. When Sid gets into the house Mike is not there. In frustration Sid breaks all of Mike’s furniture before he leaves. (10)

(c) Norris has lived in a tent in his parents’ back garden for several years. Basil, who knows this, enters the tent in order to take Norris’ books. Norris is out at work on the night shift. The books are not in the tent so Basil steals Norris’ clothes instead. (10)

[30]

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