



## ADVANCED SUBSIDIARY GCE

### LAW

English Legal System

# G151

Candidates answer on the Answer Booklet

**OCR Supplied Materials:**

- 8 page Answer Booklet

**Other Materials Required:**

None

**Monday 12 January 2009**

**Afternoon**

**Duration: 2 hours**



#### INSTRUCTIONS TO CANDIDATES

- Write your name clearly in capital letters, your Centre Number and Candidate Number in the spaces provided on the Answer Booklet.
- Use black ink. Pencil may be used for graphs and diagrams only.
- Read each question carefully and make sure that you know what you have to do before starting your answer.
- Answer **four** questions, **at least** two from Section A and **at least** one from Section B.
- If you use additional sheets of paper, fasten these securely to the Answer Booklet.
- Write the numbers of the questions you answer on the front of your Answer Booklet.
- 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 in continuous prose where appropriate. In answering part **(b)** questions you will be assessed on the quality of your written communication and your use of appropriate legal terminology (QWC). These questions are marked with an asterisk (\*).
- This document consists of **4** pages. Any blank pages are indicated.

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 **both** publicly funded legal representation in civil cases **and** conditional fee agreements. [18]
- (b)\* Discuss the problems of providing access to justice to all those who need a remedy in civil cases. [12]
- Total marks [30]**
- 2 (a) Describe **both** the training of barristers **and** how complaints about barristers are made and dealt with. [18]
- (b)\* Discuss the advantages and disadvantages of the current system of training barristers. [12]
- Total marks [30]**
- 3 (a) Describe the different methods of Alternative Dispute Resolution (ADR) available to deal with civil cases. [18]
- (b)\* Discuss the advantages and disadvantages of using mediation and conciliation rather than using the courts. [12]
- Total marks [30]**
- 4 (a) Describe **both** the qualifications required for jurors **and** the procedure for selecting a jury. [18]
- (b)\* Discuss the arguments for retaining juries. [12]
- Total marks [30]**
- 5 (a) Describe the powers of the police to arrest a person on the street. [18]
- (b)\* Discuss the extent to which the rights of the individual are adequately protected during arrest on the street. [12]
- Total marks [30]**

**SECTION B**

Answer **at least** one question from this section.

- 6 (a) Describe how it is decided whether or not to grant bail to a person awaiting trial. [18]

(b)\* Damien is charged with the serious offence of robbery. He is alleged to have used a knife. He has two previous convictions for theft. He has kept to previous bail conditions. He lives locally with his wife and two children.

Explain which factors and conditions are likely to be considered when making a decision whether or not to grant bail to Damien. [12]

**Total marks [30]**

- 7 (a) Describe **both** the aims of sentencing **and** the factors which are taken into account when sentencing an individual. [18]

(b)\* Bethan (aged 16) has been convicted of the serious offence of robbery. She has several convictions for theft and has previously been given a Supervision Order and an Attendance Centre Order.

Explain which would be the main aims and factors likely to be used when deciding the appropriate sentence for Bethan. [12]

**Total marks [30]**



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