



ADVANCED SUBSIDIARY GCE

LAW

English Legal System

G151

Candidates answer on the Answer Booklet

OCR Supplied Materials:

- 16 page Answer Booklet

Other Materials Required:

None

Friday 28 May 2010

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 the qualifications **and** training of **both** barristers and solicitors. [18]
(b)* Discuss the problems associated with training for **both** barristers **and** solicitors. [12]
Total marks [30]
- 2 (a) Describe the roles of judges in civil cases **both** at first instance **and** in appeal courts. [18]
(b)* Discuss the advantages **and** disadvantages of replacing all lay magistrates with district judges. [12]
Total marks [30]
- 3 (a) Describe the different methods of Alternative Dispute Resolution available to deal with civil cases. [18]
(b)* Discuss the advantages **and** disadvantages of using arbitration rather than using the courts. [12]
Total marks [30]
- 4 (a) Describe the aims of sentencing **and** the factors that are taken into account when sentencing an individual. [18]
(b)* Discuss which sentences would be most appropriate when the main aim of sentencing is the prevention of crime. [12]
Total marks [30]
- 5 (a) Describe the qualifications **and** selection procedure for choosing a jury. [18]
(b)* Discuss the arguments for **and** against keeping the secrecy of the jury room. [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)* Kelly is suspected of having committed a robbery. She has several previous convictions for theft and credit card fraud. She lives with her three children and has complied with bail conditions in the past.

Explain which factors and conditions are likely to be considered when making a decision regarding bail for Kelly. [12]

Total marks [30]

7 (a) Describe the rights of a person, who is suspected of committing a serious offence, whilst detained, interviewed and searched at the police station. [18]

(b)* Matilda is arrested on suspicion of burglary. She is taken to the police station and given an intimate search by a female police officer to search for stolen credit cards. Fingerprints and a sample of blood are taken from Matilda by force. She is detained for 30 hours before she is allowed access to legal advice.

Explain whether Matilda's treatment at the police station was lawful. [12]

Total marks [30]

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