

ADVANCED SUBSIDIARY GCE

LAW

English Legal System

G151

Candidates answer on the answer booklet.

OCR supplied materials:

- 16 page answer booklet
(sent with general stationery)

Other materials required:

None

Friday 20 May 2011
Morning

Duration: 2 hours



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. Pencil may be used for graphs and diagrams only.
- Read each question carefully. Make sure 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 (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.

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 system of appeals in civil cases. [18]
 (b)* Discuss the problems of using the court system to solve civil disputes. [12]
Total marks [30]
- 2 (a) Describe how it is decided in which court a criminal trial will be heard. Include all categories of offence. [18]
 (b)* Discuss the advantages **and** disadvantages of choosing to be tried in the Crown Court when charged with a triable either way offence. [12]
Total marks [30]
- 3 (a) Describe the training, work **and** organisation of barristers. [18]
 (b)* Discuss the problems associated with the training of barristers. [12]
Total marks [30]
- 4 (a) Describe the theory of the separation of powers **and** its application in the English legal system, using examples to illustrate your answer. [18]
 (b)* Discuss the extent to which recent reforms in selection have strengthened the independence of the judiciary. [12]
Total marks [30]
- 5 (a) Describe **both** the qualifications required for jurors **and** the procedure for selecting a jury. [18]
 (b)* Discuss the arguments against keeping the jury system. [12]
Total marks [30]

SECTION B

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

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

(b)* Lewis (aged 25 years) has been convicted of a serious violent offence in the Crown Court. He has three previous convictions for minor offences. He has previously been given fines and a community order with a supervision requirement.

Explain which aims of sentencing are likely to be considered when deciding the sentence for Lewis **and** suggest **two** possible sentences. [12]

Total marks [30]

- 7 (a) Describe the powers of the police at the police station to **detain and interview** a person suspected of a serious offence, **and** any limitations on these powers. [18]

(b)* Barry is arrested on suspicion of the serious offence of robbery. He is taken to the police station and detained for 36 hours without anyone being notified of his whereabouts. He is given a strip search by a male police officer to search for stolen property. A female officer is also present. He is made to remove all of his clothes. Hair from his head and a sample of blood are taken from Barry by force.

Explain to Barry whether his treatment at the police station was lawful. [12]

Total marks [30]

**Copyright Information**

OCR is committed to seeking permission to reproduce all third-party content that it uses in its assessment materials. OCR has attempted to identify and contact all copyright holders whose work is used in this paper. To avoid the issue of disclosure of answer-related information to candidates, all copyright acknowledgements are reproduced in the OCR Copyright Acknowledgements Booklet. This is produced for each series of examinations and is freely available to download from our public website (www.ocr.org.uk) after the live examination series.

If OCR has unwittingly failed to correctly acknowledge or clear any third-party content in this assessment material, OCR will be happy to correct its mistake at the earliest possible opportunity.

For queries or further information please contact the Copyright Team, First Floor, 9 Hills Road, Cambridge CB2 1GE.

OCR is part of the Cambridge Assessment Group; Cambridge Assessment is the brand name of University of Cambridge Local Examinations Syndicate (UCLES), which is itself a department of the University of Cambridge.