

**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**



**MODIFIED LANGUAGE**

**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 which court will hear a criminal trial. 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** describe how it is applied in the English legal system, using examples to illustrate your answer. [18]
- (b)\*** Discuss how much recent reforms in selection have strengthened the independence of the judiciary. [12]
- Total marks [30]**
- 5 **(a)** Describe **both** the qualifications jurors must have **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 the aims of sentencing. Describe the factors that are taken into account when sentencing an individual. [18]

(b)\* Lewis (aged 25 years) has been convicted in the Crown Court of a serious violent offence. 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. 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. Describe 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. No-one is told where he is. A male police officer strip searches him 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]**

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