

**OXFORD CAMBRIDGE AND RSA EXAMINATIONS
AS GCE**

G151/01/I

LAW

English Legal System

INSERT – QUESTION PAPER

MONDAY 21 JANUARY 2013: Afternoon

DURATION: 2 hours

plus your additional time allowance

MODIFIED ENLARGED 18pt

Candidates answer on the Answer Booklet.

OCR SUPPLIED MATERIALS:

24 page Answer Booklet

OTHER MATERIALS REQUIRED:

None

READ INSTRUCTIONS OVERLEAF

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. HB pencil may be used for graphs and diagrams only.
- Answer **FOUR** questions, **AT LEAST** two from Section A and **AT LEAST** one from Section B.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- If additional space is required, you should use pages 23 and 24 of the Answer Booklet. If you use additional sheets of paper, fasten these securely to the 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 **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 (*).

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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 Write your answers to Question 1(a) and (b)* starting on page 2.**
 - (a) Describe AND illustrate the different categories of criminal offence AND the procedure for deciding where a triable either way offence should be tried. [18]**
 - (b)* Discuss the advantages AND disadvantages of being tried in the Magistrates' Court for a triable either way offence. [12]**
- 2 Write your answers to Question 2(a) and (b)* starting on page 5.**
 - (a) Describe the work AND organisation of barristers AND solicitors. [18]**
 - (b)* Discuss the extent to which the differences between barristers and solicitors have been reduced. [12]**

- 3 Write your answers to Question 3(a) and (b)* starting on page 8.**
- (a) Describe the qualifications AND selection procedure for juries in criminal cases. [18]**
 - (b)* Discuss the advantages AND disadvantages of jury secrecy. [12]**
- 4 Write your answers to Question 4(a) and (b)* starting on page 11.**
- (a) Describe AND illustrate the different methods of Alternative Dispute Resolution available to deal with civil cases. [18]**
 - (b)* Discuss the ADVANTAGES of using Alternative Dispute Resolution to solve civil disputes rather than using the courts. [12]**
- 5 Write your answers to Question 5(a) and (b)* starting on page 14.**
- (a) Describe the qualifications AND selection procedure for judges at all levels. [18]**
 - (b)* Discuss the ADVANTAGES of replacing lay magistrates with judges. [12]**

SECTION B

Answer AT LEAST one question from this section.

6 Write your answers to Question 6(a) and (b)* starting on page 17.

(a) Describe the different custodial AND community sentences available for adult offenders. [18]

(b)* Carole, a 28-year-old drug addict, has been convicted of the serious offence of burglary of a house. She has two previous convictions for the theft of food from supermarkets. She has previously been fined, and given an unpaid work requirement of 40 hours.

Explain which aims of sentencing are likely to be considered when deciding the sentence for Carole AND suggest TWO possible sentences with reasons. [12]

7 Write your answers to Question 7(a) and (b)* starting on page 20.

(a) Describe the powers of the police to arrest a person on the street AND any limitations on those powers. [18]

(b)* Raymond has been reported to the police by members of the public who say they have seen him selling drugs. Two police officers approach Raymond and, without identifying themselves, they arrest him. Raymond asks why he has been arrested and one of the police officers says, “You know why!” Raymond is cautioned but then attempts to escape and is tackled to the ground.

Explain whether or not Raymond’s arrest was lawful. [12]

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