

OXFORD CAMBRIDGE AND RSA EXAMINATIONS
A2 GCE
G154/01
LAW

Criminal Law Special Study

FRIDAY 14 JUNE 2013: Morning
DURATION: 1 hour 30 minutes
plus your additional time allowance

MODIFIED ENLARGED

Candidate forename		Candidate surname	
-------------------------------	--	------------------------------	--

Centre number						Candidate number				
--------------------------	--	--	--	--	--	-----------------------------	--	--	--	--

Candidates answer on the Question Paper.

OCR SUPPLIED MATERIALS:

Clean copy of the Special Study Materials

OTHER MATERIALS REQUIRED:

None

READ INSTRUCTIONS OVERLEAF

INSTRUCTIONS TO CANDIDATES

- **Write your name, centre number and candidate number in the boxes on the first page. Please write clearly and in capital letters.**
- **Use black ink. HB pencil may be used for graphs and diagrams only.**
- **Answer ALL the questions.**
- **Read each question carefully. Make sure you know what you have to do before starting your answer.**
- **You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.**
- **Write your answer to each question in the space provided. Additional paper may be used if necessary but you must clearly show your candidate number, centre number and question number(s).**

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 80.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering questions 1 and 2 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 (*).
- Candidates are reminded that they are able to use the information given in the sources to support their own knowledge and understanding, evaluation, analysis, and application of the law. Where candidates wish to extract from the source in this way they should use quotation marks or accurately cite lines of the source. Candidates who merely ‘lift’ information from the source materials without using it to support further knowledge, evaluation, analysis or application, will receive little or no credit. You are expected to demonstrate understanding of the area(s) of law and the development of law and to use legal methods and reasoning to analyse legal material, to select appropriate legal rules and apply these in order to draw conclusions.
- Any blank pages are indicated.

You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.

In answering questions use the source materials AND your knowledge of the subject.

Answer ALL questions.

1* Discuss the relevance of the case of Hennessy [Source 2 pages 4–6 Special Study Materials] to the development of the law in relation to insanity. [16]

**Start writing your answer to question 1 below.
Start writing your answer to question 2 on page 10.
Start writing your answer to question 3 on page 23.**

1*	

You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.

In answering questions use the source materials AND your knowledge of the subject.

2* In Source 6 [page 14 lines 3–6 Special Study Materials] Reed and Fitzpatrick state: “Unless the defendant has established some evidence that he was acting in a totally automatic state, there is no issue to be left to the jury”.

Discuss the difficulties that a defendant faces in raising the defence of automatism in court in the light of the above statement. [34]

**Start writing your answer to question 2 below.
Start writing your answer to question 3 on page 23.**

2*	

[illegible]

[illegible]

You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.

In answering questions use the source materials AND your knowledge of the subject.

- 3 Consider whether a defence of insanity OR automatism is most likely in each of the following situations:**
- (a) Abdul suffers from epilepsy but knows that he can control his condition by taking medication at the correct times. Whilst visiting the supermarket, he realises he has forgotten to take his medication, but decides he can do without it. Later, at the till, Abdul has an epileptic fit and hits out uncontrollably. He knocks over a bottle which breaks on the floor, cutting another customer's leg. (10)**
 - (b) Luke is a diabetic who must take his insulin each morning and eat something shortly afterwards. One morning he is late for work. He takes his insulin intending to stop at the local shop to buy a sandwich to eat immediately. However, Luke forgets to stop at the shop. Later on his journey to work he gets involved in an argument with a pedestrian, Katya, and punches her in the face bruising her cheek. Luke says he cannot remember anything after leaving his house. (10)**
 - (c) Ethan is at the doctors having a medical examination of his leg which was injured in a football match. The doctor tests Ethan's reflexes by hitting his knee with a medical hammer. This causes Ethan's leg to violently jerk forward, kicking the doctor in the face breaking her nose. (10)**

[30]

Start writing your answer to question 3 below.

Write the number of the part question (a), (b) or (c) in the margin.

[illegible]

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.

