



**GCE A level**

1253/02

**LAW – LA3**

**UNIT 3: Understanding Substantive Law:  
Freedom, The State and The Individual  
OPTION 2: Criminal Law and Justice**

P.M. FRIDAY, 18 January 2013

1½ hours

#### **ADDITIONAL MATERIALS**

You will need a WJEC 20 page answer booklet (pink), which has been specifically designed for this examination paper. No other style of answer booklet should be used. Should you run out of space, use a standard 4 page continuation booklet.

#### **INSTRUCTIONS TO CANDIDATES**

Use black ink or black ball-point pen. Do not use gel pen or correction fluid.

Answer **two** questions.

Write your answers in the separate answer book provided.

Use both sides of the paper. Write only within the white areas of the book.

Write the question number in the two boxes in the left hand margin at the start of each answer.

Leave at least two line spaces between each answer.

#### **INFORMATION FOR CANDIDATES**

Each question carries 25 marks.

The number of marks is given in brackets at the end of each question or part-question.

Candidates are reminded of the need for good English and clear presentation. All questions should be answered in continuous prose. The quality of written communication will be assessed in all answers.

*You are reminded of the importance of including knowledge from all areas of the course where appropriate including the Legal System of England and Wales. Part (b) of each question will test understanding of the connections between the different elements of the subject.*

## Option 2: Criminal law and Justice

*Answer two questions.*

1. Study the text below and answer the questions based on it.

Janice works in Mandy’s beauty salon. One of the treatments available at the salon is a tank full of so-called “doctor fish”. Customers sit with their feet in the tank, and the harmless little fish nibble away any hard skin from their feet. Mandy gave Janice the unpleasant job of cleaning out the dirty tank every day. To pay Mandy back for being so mean to her, Janice bought a number of small loach from a pet shop, and surreptitiously put them in the tank. The loach looked very similar to the “doctor fish” but were capable of inflicting a nasty bite. Janice knew that Mandy often used the tank herself, and hoped that one of the loach would bite her. However, one of the customers, Anna, used the tank first, and was bitten on the toe. Anna’s toe became infected, but she felt silly telling her doctor that she had been bitten by a fish, so she delayed seeking treatment until the pain became unbearable. By this time the infection had spread throughout Anna’s bloodstream, and she died.

- 1 1** In the light of reported case law and other sources of law, consider whether Janice might be criminally liable for Anna’s death. [14]
- 1 2** Explain what sources of legal advice and funding may be available to Janice if she is tried in the Crown Court. [11]

2. Study the text below and answer the questions based on it.

Following a heavy fall of snow, Ed and Dean went out to have some fun playing tricks on their neighbours. Ed found a stick and used it to write “We’re coming to get you” in the snow on old Mrs Evans’ front lawn. Mrs Evans saw this message, and felt very frightened. Meanwhile, Dean piled up a large heap of snow against Mrs Jones’ front door. When Mrs Jones opened the door, the heap of snow fell on top of her. After that, Ed and Dean went to the local park, where they started a snowball fight. Ed put a sharp stone in the middle of a snowball and threw it at Dean. The snowball missed Dean but hit Mrs Thomas, who was out walking her dog, and inflicted a deep cut to her face. Ed and Dean ran off, but were spotted by PC Lucy Frost, who chased after them. PC Frost caught up with Dean and grabbed him by the arm. Dean pushed her away, causing her to slip and fall over in the snow. PC Frost fell awkwardly, and suffered a serious injury to her spine.

- 2 1** In the light of reported case law and other sources of law, consider whether Ed and Dean may have committed any criminal offences. [14]
- 2 2** Explain how a jury would be selected if Ed or Dean were to be tried at the Crown Court. [11]

3. Study the text below and answer the questions based on it.

Nelly was feeling depressed, so her friend Lorna invited Nelly round to her flat for the evening. The girls shared a bottle of wine, and Lorna gave Nelly some of her own Valium tablets which had been prescribed by her doctor. The girls then settled down to watch a vampire movie on TV. Both girls fell asleep on the sofa before the movie was over. The mixture of the tablets with the alcohol caused Nelly to experience a terrifying hallucination in which Lorna had turned into a vampire and was trying to kill her. When Nelly woke up, she discovered that while she was unconscious she had strangled Lorna.

**3****1** In the light of reported case law and other sources of law, consider whether Nelly might have any defence to a charge of murder. [14]

**3****2** Explain the route of appeal from the Crown Court if Nelly is convicted. [11]

4. Study the text below and answer the questions based on it.

Mungo walked down the street whistling happily because he had just secured his first job to train as a professional photographer. The noise annoyed PC Zap, who tapped Mungo on the shoulder and told him to be quiet. Mungo said, "I'm not breaking any law, am I?" PC Zap replied: "Let's find out, shall we?", and proceeded to carry out a thorough search of Mungo's clothing and bag. In the bag, PC Zap found a well used but obviously expensive camera. PC Zap thought that this was highly suspicious, so he arrested Mungo in order to carry out further enquiries. At the police station, Mungo was put in a cell while waiting to be interviewed. During that time he made several requests to be allowed to phone his family and speak to a solicitor, but each time he was told that the police were too busy. After 12 hours in the cell, Mungo was interviewed by detectives who were investigating a number of burglaries. Mungo explained repeatedly that the camera had been lent to him by his new employer but as it was now the middle of the night, he was told that he would have to remain in custody until the police could confirm his story. Mungo was released on police bail after spending a total of 38 hours in custody.

**4****1** In the light of reported case law and other sources of law, consider the legality of the actions of the police. [14]

**4****2** Explain the powers of the police to grant bail. [11]

**END OF PAPER**