



**GCE A level**

1254/02

**LAW – LA4**

**UNIT 4: Understanding Law in Context:  
Freedom, The State and The Individual  
OPTION 2: Criminal Law and Justice**

P.M. TUESDAY, 17 June 2014

2 hours 30 minutes

#### **ADDITIONAL MATERIALS**

In addition to this examination paper, you will need a 12 page answer book.

#### **INSTRUCTIONS TO CANDIDATES**

Use black ink or black ball-point pen.

Answer **two** questions from Section A and **one** question from Section B.

#### **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.

You are reminded that assessment will take into account the quality of written communication used in your answers.

***You are reminded that this paper contains a synoptic element in Section B and will test understanding of the connections between the different elements of the subject.***

**Option 2: Criminal Law and Justice**

**SECTION A**

*Answer two questions from this section.*

1. “The Crown Prosecution Service is the indispensable heart of the criminal justice system.”  
Discuss. [25]
  
2. Critically examine the distinction between insanity and automatism as defences to a criminal charge. [25]
  
3. Evaluate the criteria used by the courts in deciding whether Parliament intends an offence to be one of strict liability. [25]
  
4. To what extent does the youth justice system make allowances for the immaturity of young people who are accused of committing offences? [25]

**SECTION B**

*Answer one question from this section.*

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

“A woman from Abergavenny whose bail conditions banned her from entering every shop in England and Wales admitted breaching them after being captured on CCTV entering a Tesco store. In mitigation, her solicitor told Cwmbran magistrates court that the defendant had gone into town with her sister, and that her sister had left her outside the store in charge of one of her children, who ran into the store. The breach occurred when the defendant entered the store in pursuit of the child. Her solicitor described the bail condition as an odd condition which could cause somebody to starve to death. The court renewed the defendant’s bail upon the same conditions, with the added condition that she must sleep at her sister’s address.”

*Adapted from the South Wales Argus, 4<sup>th</sup> October 2012.*

- (a) Explain the powers of courts to grant conditional bail. [11]
- (b) Evaluate the importance of bail in the criminal justice system. [14]

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

“The law of England and Wales is unusual among modern societies in that it lacks a criminal code. The Law Commission in 1989 produced a draft criminal code, but it was in many ways simply a statement of the existing law, together with some proposals for reform which were open to criticism. Accordingly, the Law Commission adopted a policy of reviewing areas of the criminal law one by one, so that they could be modernised before being assembled into a Criminal Code. In its 10<sup>th</sup> Programme the Law Commission took the opportunity to reconsider whether projects with codification as their outcome were realistic. It removed mention of codification of the criminal law from its programme, and introduced a new item of undertaking projects to *simplify* the criminal law. However, the Law Commission has reiterated its commitment to the eventual codification of the criminal law at some time in the future.”

*Adapted from the Law Commission’s website (visited 8/10/2012)*

- (a) Explain the arguments for codification of the criminal law. [11]
- (b) Evaluate the effectiveness of law reform agencies in bringing about law reform in England and Wales. [14]

**END OF PAPER**