SPECIMEN MATERIAL

Please write clearly, in block capitals.

Centre number | | | | | | Candidate number | | | | |

Surname _____

Forename(s) _____

Candidate signature _____

A-level
LAW

Paper 1

Specimen 2016 Time allowed: 2 hours

Instructions

- Use black ink or black ball-point pen.
- Fill in the boxes at the top of this page.
- Answer **all** questions. You must answer the questions in the spaces provided. Do **not** write on blank pages.
- Do all rough work in this book. Cross through any work you do not want to be marked.
- Questions should be answered in continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Information

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 100.

Only **one** answer per question is allowed.

For each answer completely fill in the circle alongside the appropriate answer.

CORRECT METHOD ● WRONG METHODS

If you want to change your answer you must cross out your original answer as shown.

If you wish to return to an answer previously crossed out, ring the answer you now wish to select as shown.

0 1 Which **one** of the following statements about strict liability offences is **false**?

A D cannot be guilty of a strict liability offence if she was not negligent ⬭

B D will not usually be guilty of a strict liability offence if his conduct was involuntary ⬭

C Some offences impose strict liability as to one actus reus element but require mens rea as to another element ⬭

D Strict liability is often imposed in 'regulatory' offences ⬭

[1 mark]

0 2 Which **one** of the following statements about the defence of insanity is **true**?

A The 'defect of reason' must be caused by an external factor ⬭

B The defence cannot succeed if D understood the nature and quality of his act ⬭

C The 'disease of the mind' can result from physical disease ⬭

D The burden of proof is on the Prosecution. ⬭

[1 mark]

0 3 Which **one** of the following kinds of statements made in a judgment in a case would best be described as 'obiter dicta'?

A Statements about the application of the law to the important facts in the case ⬭

B Statements about the important facts in the case ⬭

C Statements about the result of the case ⬭

D Statements about the application of the law to facts which are a little different from those in the case ⬭

[1 mark]

0 4 Which **one** of the following approaches to statutory interpretation gives judges the least discretion (power)?

A The golden rule ⬭

B The literal rule ⬭

C The mischief rule ⬭

D The purposive approach ⬭

[1 mark]

0 5 Which **one** of the following statements about jurors in criminal trials is correct?

A Jurors can consult the Internet to assist them in making decisions ⬭

B Jurors can discuss the case with other jurors in the trial ⬭

C Jurors can discuss the case with reporters after the trial is concluded ⬭

D Jurors cannot ask questions during the trial ⬭

[1 mark]

0 6 Explain **two** reasons why the ratio decidendi of a case may sometimes be difficult to establish. Use an example from civil or criminal law to illustrate **one** of your suggested reasons.

[5 marks]

0 7

Gemma intended to throw acid at Helen's face. She hid in a shop doorway. She was just taking the acid out of her bag as Helen approached, when she saw a police officer nearby. She put the acid back into her bag and walked away.

Assume that, if Gemma had thrown the acid at Helen's face and had burnt her with it, she would have committed an offence of causing grievous bodily harm with intent (Offences Against the Person Act 1861 s18).

Suggest why, in law, Gemma probably did not commit the actus reus of an attempt to commit that offence when she did not throw the acid.

[5 marks]

0 8

Jason had been drinking all evening in a bar and had become very unsteady on his feet. Kris accidentally bumped into Jason, spilling some drink over him. Jason, who was still holding his beer glass, immediately threw a punch at Kris. The glass broke and Kris suffered a cut to his face.

Advise Jason on whether he could avoid criminal liability for the injury to Kris by pleading intoxication.

[10 marks]

In question 9 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

0 9 In the defence of loss of control to a charge of murder, special rules apply where the loss of control may be related to sexual infidelity.

Examine the meaning of 'justice' and discuss the extent to which application of the special rules on sexual infidelity in the loss of control defence may achieve justice.

[15 marks]

In question 10 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 0

Marcus and Noah were walking home one night when they were confronted by Oliver and Perry. An argument developed during which Oliver took a knife from his pocket, stared at Marcus and began to move towards him. Marcus ran off, followed by Oliver. Realising that Oliver was catching him, Marcus tried to run across a busy road. He was struck by a lorry and killed instantly.

Oliver returned to find Perry attacking Noah with a baseball bat. When Perry dropped the bat, Noah punched and kicked him. Oliver picked up the bat and used it to strike Noah four or five times about the head. Oliver ran off, leaving Noah unconscious. Perry dragged Noah to a nearby hospital, dropping him three times on the way. Noah died in the hospital the next morning.

Consider the criminal liability of Oliver for the manslaughter of Marcus, and for the murder of Noah.

[30 marks]

Turn over for the next question

In question 11 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 1

Rav's bicycle was stolen from his back garden. Two months later, Rav was walking through a park when Sam rode past him on a bicycle which he then placed against the wall of a café whilst going inside to buy a drink. The bicycle was of a different colour from Rav's and had a different saddle but Rav was convinced that it was his bicycle. Rav was just starting to ride off on it when Sam came out of the café and tried to stop him. Rav said that he would punch Sam if he did not get out of the way. Sam stepped back and Rav rode off.

When he was well clear of the area, Rav stopped and examined the bicycle more carefully and realised to his horror that it was not his. He hastily dumped the bicycle on some waste land and hurried off. On his way home, he bought some food from a local shop. He gave the shopkeeper a £10 note but it did not occur to him until he got home that he had been given change from a £20 note. He decided to say nothing to the shopkeeper when he next saw him.

Consider Rav's criminal liability for property offences in relation to Sam's bicycle, and in relation to the excess change that he was given by the shopkeeper.

Assess the value of jury trial in determining Rav's criminal liability.

[30 marks]

Extra space

END OF QUESTIONS

There are no questions printed on this page

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