

OXFORD CAMBRIDGE AND RSA EXAMINATIONS

Advanced GCE

LAW

2571

Criminal Law 1

Thursday **19 JANUARY 2006** Morning 1 hour 30 minutes

Additional materials:
16-page Answer Booklet

TIME 1 hour 30 minutes

INSTRUCTIONS TO CANDIDATES

- Write your name, Centre number and candidate number in the spaces provided on the answer booklet.
- Answer **two** questions, one from Section A and one from Section B.
- Read each question carefully and make sure you know what you have to do before starting your answer.
- If you use additional sheets of paper, fasten these securely to the answer booklet.
- Write the numbers of the questions you answer on the front of your answer booklet.

INFORMATION FOR CANDIDATES

- The number of marks is given in brackets [] at the end of each question.
- The total number of marks for this paper is 100.
- **All questions should be answered in continuous prose. You are reminded, therefore, that you will be assessed on your ability to organise and present information and arguments logically and coherently, and to communicate clearly and accurately, taking into account grammar, punctuation and spelling.**

This question paper consists of 2 printed pages.

Answer two questions, one from Section A and one from Section B .

Section A

Answer one question from this Section.

- 1 'Many crimes would never occur unless those who commit the principal offence were aided in some way by others who also have something to gain from the evil deed. It is only right that those who help promote criminal activity are effectively dealt with.'

Critically consider how and why the law deals with those who assist in the commission of crime.

[50]

- 2 'Strict liability offences are necessary in a modern society. They promote high standards of behaviour, protect the public and guard against dangerous activities. In these circumstances it is fair that the prosecution do not have the difficult task of proving *mens rea* (a guilty mind).'

Discuss the validity of this statement using relevant cases to illustrate your answer. [50]

Section B

Answer one question from this Section.

- 3 Sarev owes Dipak £40,000 as the result of a gambling debt. When Sarev refuses to pay, Dipak is very angry and decides to frighten Sarev. One night, he cuts the brake fluid pipe beneath Sarev's car hoping that Sarev will be involved in a crash that will scare him into re-paying the debt. Outside Sarev's house there is a steep hill with a sharp bend at the bottom. Next morning Sarev drives down the hill but is unable to slow down as he approaches the sharp bend. The car collides at speed with a stone wall and Sarev is critically injured and knocked unconscious.

An ambulance arrives within ten minutes to take Sarev to hospital. The paramedics, John and Carol, who are the crew on the ambulance, fail to close the rear door of the ambulance correctly and, as it accelerates away, the stretcher on which Sarev is lying is thrown out on to the road. Sarev is run over and killed by a van driven by Ron that is travelling closely behind the ambulance.

Discuss Dipak's liability for the murder of Sarev.

[50]

- 4 Jane and Steve have been married for five years. Steve lost his job a year ago and has been unable to find employment since then. Jane is a successful hairdresser. Steve has lost self-confidence and has become so depressed that his doctor has placed him on medication.

One evening Jane arrives home at midnight and Steve instantly accuses her of having an affair. Jane denies it, laughs and says, "It would serve you right if I were, you've become the most boring man I have ever known." Steve falls into a depressed state again and goes to sleep that night by himself in the spare room. Two nights later Jane is again very late arriving home. Steve asks for an explanation but Jane just laughs at him and tells him not to be so jealous. Immediately Steve flies into a rage and punches Jane as hard as he can in the face. She falls backwards striking her head on the corner of a table and dies.

Discuss Steve's liability for Jane's death.

[50]