

**ADVANCED SUBSIDIARY GCE
LAW**

English Legal System

FRIDAY 23 MAY 2008

G141

Afternoon
Time: 2 hours

Additional materials (enclosed): Answer Booklet (8 page)

Additional materials (required):
None



INSTRUCTIONS TO CANDIDATES

- Write your name in capital letters, your Centre Number and Candidate Number in the spaces provided on the Answer Booklet.
- Read each question carefully and make sure you know what you have to do before starting your answer.
- Answer **four** questions, **at least** two from Section A and **at least** one from Section B.
- 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 for each question is given in brackets [] at the end of each question or part question.
- The total number of marks for this paper is **120**.
- **Candidates are reminded of the need to write in continuous prose where appropriate. You will be assessed on the quality of your written communication and your use of appropriate legal terminology (QWC).**

This document consists of **4** printed pages.

Answer **four** questions.

Answer **at least** two from Section A and **at least** one from Section B.

You are advised to spend 30 minutes on each question, 20 minutes on (a) and 10 minutes on (b).

SECTION A

Answer **at least** two questions from this section.

- 1 (a) Describe the different methods of Alternative Dispute Resolution available to deal with civil cases. [18]
- (b) Discuss the advantages and disadvantages of using **arbitration** rather than using the courts. [9]
- QWC [3]
Total marks [30]
- 2 (a) Describe the role of juries in **both** criminal and civil cases. [18]
- (b) Discuss the arguments **for** retaining juries. [9]
- QWC [3]
Total marks [30]
- 3 (a) Describe the theory of the separation of powers using examples to illustrate your answer. [18]
- (b) Discuss why the theory of the separation of powers is important to judicial independence. [9]
- QWC [3]
Total marks [30]
- 4 (a) Describe the custodial, community and other sentences available for **adult** offenders convicted in the Crown Court. [18]
- (b) Discuss which types of sentence would be most appropriate where the main aims of sentencing are rehabilitation and reform. [9]
- QWC [3]
Total marks [30]
- 5 (a) Describe the ways in which a client can make a complaint about their solicitor or barrister or otherwise claim compensation. [18]
- (b) Discuss whether the current system for clients to make such complaints is satisfactory. [9]
- QWC [3]
Total marks [30]

SECTION B

Answer **at least** one question from this section.

- 6 (a) Describe the powers of the police to stop and search a person on the street. [18]
- (b) Luke is running through a park, where an anti-war protest is taking place. He is trying to get to a football match on time. He is carrying a sports bag. Two police officers stop him and ask to search him and his bag.

Explain to Luke whether the police have the power to stop and search him in this situation. [9]

QWC [3]

Total marks [30]

- 7 (a) Describe the different appeal routes available to the defence from both the Magistrates' Court and the Crown Court. [18]
- (b) Brian has been convicted in the Crown Court of the theft of a laptop computer worth £2000 and sentenced to 2 years imprisonment. He wishes to appeal against the conviction because a new witness has come forward. He also wishes to appeal against the sentence which he considers too harsh.

Advise Brian in this situation. [9]

QWC [3]

Total marks [30]

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