

ADVANCED GCE**LAW**

Criminal Law Special Study

G154

Candidates answer on the Answer Booklet

OCR Supplied Materials:

- 16 page Answer Booklet
- Clean copy of the Special Study Materials

Other Materials Required:

- None

Friday 25 June 2010**Morning****Duration: 1 hour 30 minutes****INSTRUCTIONS TO CANDIDATES**

- Write your name clearly in capital letters, your Centre Number and Candidate Number in the spaces provided on the Answer Booklet.
- Use black ink. Pencil may be used for graphs and diagrams only.
- Read each question carefully and make sure you know what you have to do before starting your answer.
- Answer **all** questions.
- Write the numbers of the questions you answer on the front of your Answer Booklet.
- Do **not** write in the bar codes.
- You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.

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 **80**.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering questions **1** and **2** you will be assessed on the quality of your written communication and your use of appropriate legal terminology (QWC). These questions are marked with an asterisk(*).
- Candidates are reminded that they are able to use the information given in the sources to support their own knowledge and understanding, evaluation, analysis, and application of the law. Where candidates wish to extract from the source in this way they should use quotation marks or accurately cite lines of the source. Candidates who merely 'lift' information from the source materials without using it to support further knowledge, evaluation, analysis or application, will receive little or no credit. You are expected to demonstrate understanding of the areas(s) of law and the development of law and to use legal methods and reasoning to analyse legal material, to select appropriate legal rules and apply these in order to draw conclusions.
- This document consists of **4** pages. Any blank pages are indicated.

You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.

In answering questions use the source materials **and** your knowledge of the subject.

Answer **ALL** questions.

1* Discuss the significance of the decision in the joined appeals of *R v Ireland; R v Burstow* [Source 3 pages 3-4 Special Study Material] to the development of the law on non-fatal offences. **[16]**

2* In Source 6 [page 7 lines 36-38 Special Study Material] Susan Nash argues that *“Public policy and public interest considerations will become increasingly important in deciding whether it is appropriate to criminalise consensual activity, giving rise to even greater uncertainty in the area.”*

Discuss how accurately the above statement reflects the way in which the courts have developed the defence of consent in non-fatal offences against the person. **[34]**

3 Consider whether or not a conviction for a non-fatal offence against the person is possible in each of the following situations:

(a) Arnie and Buster are in a professional boxing contest. Arnie gets angry because he is losing the match and he bites off Buster’s ear. **(10)**

(b) Connor and Daisy, a married couple, regularly bite each other during sexual activity as they say it adds to the excitement. They never actually pierce the skin but they often suffer bruising as a result. **(10)**

(c) Eric and Frank decide to settle an argument about who is the toughest by arm wrestling over broken glass. Eric forces Frank’s arm onto the glass, and Frank suffers cuts as a result of which he requires a few stitches. **(10)**

[30]

[Total marks 80]

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