

486/02

LAW - LW6

OPTION 02 – CRIMINAL LAW AND JUSTICE

A.M. THURSDAY, 21 June 2007

(1 hour)

ADDITIONAL MATERIALS:

In addition to this examination paper, you will need an 8 page answer book.

Instruction to candidates

- Candidates are required to answer this compulsory question.

Information for candidates

- The question carries 25 marks.
- Candidates are reminded of the need for good English and clear presentation. All questions should be answered in continuous prose. The quality of written communication will be assessed in all answers.
- Candidates are reminded that this paper is designed to test knowledge and skills developed from the study of all areas within AS and the A2 elected option. Candidates should bear this in mind when answering this synoptic question.

LW6

Option 02 – Criminal Law and Justice

Answer **all** parts of the following question. All parts carry equal marks.

Read the following source material carefully before answering the questions based upon it.

Robert, a 21 year old man of African Caribbean descent, volunteered to help his elderly neighbour Irene undertake a shopping trip to town. Irene can only walk with the aid of a stick, so Robert carried Irene's handbag for her, while supporting her with his other arm. On their way to catch the bus home, Irene slipped on some wet leaves and fell over, banging her head on the pavement. PC Dogg saw the incident from a distance, and assumed that he was witnessing the mugging of an old lady by a youth. He immediately ran to the scene and arrested Robert, while using his radio to summon help. When Robert demanded to know why he was being arrested, PC Dogg replied: "Because you're scum". Irene was taken by ambulance to hospital, and Robert was taken to the police station, where he was placed directly in a cell. Robert asked to be allowed to contact his family and speak to a solicitor, but both requests were refused. After nine hours in the cell, Robert was subjected to a harrowing interview which lasted more than 24 hours. Irene had suffered only minor concussion, but was unable to remember the incident or to reject the suggestion, put to her by the police, that Robert had knocked her down. After Robert had been in custody for 39 hours, he was charged with assault occasioning actual bodily harm (which is an either-way offence) and told that he might have to stand trial at the Crown Court.

- (a) Advise Robert as to whether the correct procedures for arresting and detaining a suspect were followed by the Police in his case. [5]
- (b) Robert has been told that he is being prosecuted. Explain the criteria that may have been employed in making this decision. [5]
- (c) Robert's first court appearance was in the magistrates court. Outline the role of this court in dealing with his case. [5]
- (d) Robert is concerned about what is meant by trial by jury. Explain to him how a jury is selected and how it reaches its decision. [5]
- (e) Robert wants to make a complaint about the behaviour of the Police. Advise him as to whether there is any procedure which would enable him to do this. [5]