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Centre Number						Candidate Number				
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**OXFORD CAMBRIDGE AND RSA EXAMINATIONS
GENERAL CERTIFICATE OF SECONDARY EDUCATION**

B141

LAW

**The Nature of Law, Criminal Courts and
Criminal Processes**

TUESDAY 15 JUNE 2010: Morning

DURATION: 1 hour

SUITABLE FOR VISUALLY IMPAIRED CANDIDATES

Candidates answer on the Question Paper

OCR SUPPLIED MATERIALS:

None

OTHER MATERIALS REQUIRED:

None

READ INSTRUCTIONS OVERLEAF

INSTRUCTIONS TO CANDIDATES

- **Write your name clearly in capital letters, your Centre Number and Candidate Number in the boxes on the first page.**
- **Use black ink. Pencil may be used for graphs and diagrams only.**
- **Read each question carefully and make sure that you know what you have to do before starting your answer.**
- **Answer ALL the questions.**
- **Write your answer to each question in the space provided. Additional paper may be used if necessary but you must clearly show your Centre Number, Candidate Number and question number(s).**

INFORMATION FOR CANDIDATES

- **The number of marks is given in brackets [] at the end of each question or part question.**
- **The total number of marks for this paper is 60.**
- **Your quality of written communication is assessed on the question marked with an asterisk (*).**

- 1 (a) Stephanie is a law student determined to do well in her exams. She knows there are three main ways in which law is made.

Help Stephanie revise by matching the type of law to the law making body below.

LAW MAKING BODY	
A	Parliament
B	Case law and the doctrine of precedent
C	European law

TYPE OF LAW	
1	Judges reform the law of murder when a case shows them that the present law does not do justice and is out of date.
2	A regulation is passed which says that instead of asking for a pint of lager in a pub customers will have to ask for a half-litre.
3	A statute is passed to say no one can buy alcohol until they are 21 years old.

Place the correct number next to each letter in the grid below.

A	
B	
C	

[3]

**(b) Law is one of the basic elements of a society.
Explain THREE reasons why we need law.**

Reason 1 _____

Reason 2 _____

Reason 3 _____

_____ [3]

[Total: 6]

2 (a) Identify THREE powers from the list below which the police have under the POLICE AND CRIMINAL EVIDENCE ACT 1984 in respect of a suspect held at the police station.

- grant bail
- conduct searches
- detain suspect
- sentence
- convict
- take samples

Power 1 _____

Power 2 _____

Power 3 _____

_____ [3]

(b) Faye goes up to a woman at a bus stop and takes the woman’s mobile phone. PC Jones, a plain-clothes police officer, is on duty nearby and hears the woman shout, “Give me my phone back!” PC Jones runs over to help. He thinks he sees Faye put something under the woolly hat she is wearing and he grabs Faye’s arm aggressively. PC Jones tells Faye to take off her hat but Faye swears at him, punches him in the face as she does not realise he is a police officer because he is not wearing a uniform, and she runs away. PC Jones does not make any record of what happened in his police notebook.

(i) Identify THREE items of clothing which a police officer is entitled to ask a suspect to remove if they are to be searched in a public place.

Item 1 _____

Item 2 _____

Item 3 _____

_____ **[3]**

(ii) Explain TWO reasons why PC Jones' actions are not lawful.

Reason 1 _____

Reason 2 _____

[6]

(c) People have different attitudes to police powers. Some think the police have too many powers. Other people believe that they need their powers to do their job and keep people safe.

(i) Listed below are THREE methods by which the law tries to balance individual rights with police powers.

Explain how each of these methods work.

POLICE AND CRIMINAL EVIDENCE ACT 1984
and Codes of Practice

Complaints Procedures

HUMAN RIGHTS ACT 1998

[3]

3 (a) (i) Identify the most appropriate sentence for each of the following THREE scenarios. Fill in the table with the most appropriate sentence from the list below.

- **suspended sentence**
- **community order**
- **electronic tagging**
- **disqualification from driving**
- **mandatory life sentence**

Scenario		Most appropriate sentence
A	Gary, aged 30, has been convicted of murder after he stabbed a man who was rude to Gary's girlfriend. The man died.	
B	Candice, aged 17, has been repeatedly harassing her neighbours by shouting abuse through their letter box.	
C	William, aged 25, is drunk and is caught speeding on his motorbike.	

[3]

- (ii) Select TWO sentences from the list in 3(a)(i).
Explain how each sentence works.

Sentence 1 _____

Explanation: _____

Sentence 2 _____

Explanation: _____

_____ [6]

(b) Whenever a criminal pleads guilty or is convicted of an offence an important part of the criminal process is for the court to decide on a sentence. There are several aims relating to sentencing which try to explain the reason why a particular sentence is given.

(i) Identify any THREE aims of sentencing.

Aim 1 _____

Aim 2 _____

Aim 3 _____

_____ **[3]**

4 (a) Magistrates are one of the types of lay people found in the criminal justice system and there are about 29,000 of them sitting in magistrates' courts.

(i) Identify THREE of the requirements which have to be met before a person can be appointed as a magistrate.

Requirement 1 _____

Requirement 2 _____

Requirement 3 _____

_____ **[3]**

(ii) Read the following passage and fill in the missing words from the list below.

- **qualified**
- **tribunals**
- **juror**
- **lay**
- **trials**
- **qualified lawyer**

_____ magistrates usually

sit in groups of three and deal with all

summary _____ .

Sometimes the case is heard by a district

judge who is a _____ and

sits alone.

[3]

(b) Dmitri has been charged with theft which is an offence triable either way.

Explain THREE reasons why Dmitri may prefer to have his case dealt with in the magistrates' court.

Reason 1 _____

Reason 2 _____

Reason 3 _____

_____ **[3]**

(c) (i) Magistrates are sometimes said to be middle-aged, middle class and middle minded. Identify whether the following statements about magistrates are true or false by putting a tick in the correct box.

	TRUE	FALSE
You can be a magistrate when you are 18 years old		
You need to have A levels to be a magistrate		
If you vote for the Labour party you are more likely to be chosen as a magistrate		

[3]



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