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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 14 JUNE 2011: 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, centre number and candidate number in the boxes on the first page. Please write clearly and in capital letters.**
- **Use black ink. Pencil may be used for graphs and diagrams only.**
- **Read each question carefully. Make sure you know what you have to do before starting your answer.**
- **Write your answer to each question in the space provided. Additional paper may be used if necessary but you must clearly show your candidate number, centre number and question number(s).**
- **Answer ALL the questions.**

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 (*).**

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Answer ALL questions.

- 1 (a) Some laws are made by delegated legislation which is where the Government allows law to be made by bodies other than themselves.**

Identify THREE reasons why we need delegated legislation.

Reason 1 _____

Reason 2 _____

Reason 3 _____

_____ **[3]**

(b) Match the type of criminal offence to the most appropriate criminal court which would hear the case. Place the appropriate NUMBER next to each letter in the grid below.

CRIMINAL COURT	
A	Either the Magistrates' court or the Crown court
B	Crown court
C	Magistrates' court

CRIMINAL OFFENCE	
1	Sam is charged with battery after he pushes Sonja onto the floor during an argument
2	Amy is charged with theft after she steals several expensive television sets from a shop
3	Ruksana is charged with robbery after she steals money from a post office using a gun

A	
B	
C	

[3]

[Total: 6]

2 (a) Identify THREE reasons from the list below which the police cannot use on its own to carry out a stop and search, under the POLICE AND CRIMINAL EVIDENCE ACT 1984.

- the suspect's race
- the suspect is a teenager
- the suspect is in a public place
- the suspect is carrying stolen items in a jacket pocket
- the suspect is acting suspiciously
- the suspect is wearing a tracksuit

Reason 1 _____

Reason 2 _____

Reason 3 _____ **[3]**

(b) (i) Identify THREE items of information which a police officer must give to a suspect during an arrest.

Item 1 _____

Item 2 _____

Item 3 _____ **[3]**

(ii) A police officer must have reasonable grounds for believing it is necessary to arrest a suspect. Explain THREE reasons why it may be necessary to carry out an arrest.

Reason 1 _____

Reason 2 _____

Reason 3 _____

[6]

(iii) A person is entitled to certain rights when questioned during an interview at a police station. Identify THREE rights a suspect is entitled to during a police interview.

Right 1 _____

Right 2 _____

Right 3 _____ **[3]**

(c) Discuss ONE way in which the HUMAN RIGHTS ACT balances the rights of an individual with the police's powers to investigate crime.

_____ **[3]**

[Total: 18]

- 3 (a) (i) Criminal offences can be classified into summary, triable either way or indictable offences. Discuss key features of each of these classifications of criminal offence.

Summary _____

Triable either way _____

Indictable _____

[6]

(ii) Identify the THREE types of criminal sentences available for adult offenders.

Type 1 _____

Type 2 _____

Type 3 _____ [3]

(b) (i) Identify the most appropriate aim of sentencing for each of the following THREE statements. Fill in the table with the most appropriate aim from the list below.

- **deterrence**
- **reparation**
- **reform**
- **punishment of the offender**
- **protection of the public**

	STATEMENT	MOST APPROPRIATE AIM
A	The cycle of offending is broken through educating, training or other help.	
B	Offenders are allowed to provide remedies for their victims, for example, to help fix damage caused.	
C	Offenders are prevented from committing further offences by sending them to prison.	

[3]

(ii) Explain TWO features of each of the following community sentences available for young offenders.

ACTION PLAN ORDER

Feature 1 _____

Feature 2 _____

SUPERVISION ORDER

Feature 1 _____

Feature 2 _____

ATTENDANCE CENTRE ORDER

Feature 1 _____

Feature 2 _____

_____ [6]

[Total: 18]

4 (a) Identify **THREE** of the requirements which have to be met before a person is qualified to sit on a jury.

Requirement 1 _____

Requirement 2 _____

Requirement 3 _____

_____ [3]

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

- Magistrates'
- Civil
- twelve
- nine
- silence
- private

Juries are used mainly in the criminal courts, but

are sometimes used in the _____

courts. In criminal cases they sit in groups of

_____ and decide the verdict of the

trial in _____ .

[3]

(c) Following the CRIMINAL JUSTICE ACT 2003 certain types of people who were previously excused from jury service, for example, doctors, solicitors and barristers, have become eligible to sit on juries.

Explain why allowing a solicitor to sit on a jury has been criticised.

[3]

(d) (i) Identify whether each of the following statements about juries is true or false by putting a TICK in the correct box.

	TRUE	FALSE
A person who has served on a jury in the last two years is permanently disqualified from jury service.		
A person who has served a suspended sentence of imprisonment in the last 10 years will be disqualified from jury service for 10 years.		
A person who has served a term of imprisonment of five years or more will be permanently disqualified from jury service.		

[3]

(ii)* Discuss TWO advantages of using juries in criminal cases.

[6]

[Total: 18]

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