



Please write clearly in block capitals.

Centre number

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Candidate number

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Surname

Forename(s)

Candidate signature

AS LAW

Paper 1

Tuesday 15 May 2018

Afternoon

Time allowed: 1 hour 30 minutes

Materials

- You will need no other materials.

Instructions

- Use black ink or black ball-point pen.
- Fill in the boxes at the top of this page.
- Answer **all** questions. You must answer the questions in the spaces provided. Do **not** write on blank pages.
- Do all rough work in this book. Cross through any work you do not want to be marked.
- Questions should be answered in continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Information

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 80.

For Examiner's Use	
Question	Mark
1 – 10	
11	
12	
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TOTAL	








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Only **one** answer per question is allowed.

For the multiple-choice questions, completely fill in the circle alongside the appropriate answer.

CORRECT METHOD  WRONG METHODS    

If you want to change your answer you must cross out your original answer as shown. 

If you wish to return to an answer previously crossed out, ring the answer you now wish to select as shown. 

0 1 Which **one** statement best defines **direct** intention by D as to a consequence?

- A** D does not realise that the consequence may result from her conduct but a reasonable person would.
- B** D realises that the consequence may result from her conduct.
- C** D realises that the consequence will result from her conduct.
- D** D wants the consequence to result from her conduct.

[1 mark]

0 2 Select the **one** statement that best defines the meaning of actual bodily harm in the offence under s47 Offences Against the Person Act 1861.

- A** Cuts and bruises
- B** More than merely trivial personal injury
- C** Personal injury
- D** Serious violence

[1 mark]



0 3 Select the **one** correct statement about strict liability offences.

- A** D must be proved to have foreseen the risk of any necessary consequence.
- B** D must be proved to have intended any necessary consequence.
- C** If an act must be proved, it need not be a voluntary act.
- D** It is not necessary to prove that D was negligent.

[1 mark]

0 4 Which is the **one** correct statement about the 'thin skull' ('take your victim as you find him/her') principle?

- A** It does not apply to personal injury offences.
- B** It may make it easier to prove causation.
- C** It only applies if D knew about V's weakness ('thin skull').
- D** It only applies to strict liability offences.

[1 mark]

0 5 Select the **one** correct statement about criminal liability.

- A** All criminal offences can be committed with proof that D was reckless.
- B** All criminal offences require proof that D committed an act.
- C** In some cases, D will be guilty of an offence of causing injury to V, even though he intended injury only to X.
- D** There is no criminal liability if mens rea was not present at the start of any actus reus.

[1 mark]



0 6 Which **one** of the following statements about the role of magistrates is **false**?

- A** Magistrates deal with all summary offences.
- B** Magistrates hear bail applications.
- C** Magistrates sentence offenders up to a maximum of 3 years' imprisonment for a single offence.
- D** Magistrates sometimes sit with a judge in the Crown Court and hear appeals.

[1 mark]

0 7 Select the **one** correct statement about offences triable either way.

- A** The accused can always insist on being tried in the Crown Court.
- B** They include all the minor offences.
- C** They include all the most serious offences.
- D** They must be tried in a Magistrates' Court.

[1 mark]

0 8 Select the **one** correct statement about the meaning of 'distinguishing' by a court.

- A** A court does not agree with the law decided in an earlier precedent.
- B** A court does not apply a precedent from an earlier case because significant facts were different.
- C** A higher court overrules a precedent decided in an earlier case by a lower court.
- D** An appeal court changes the result of a case on appeal.

[1 mark]



0 9

Select the **one** practice which would be in breach of the rule of law.

- A** Judges cannot decide cases involving members of their own family.
- B** The Government cannot dismiss a judge on grounds only that it does not approve of the judge's interpretation of the law.
- C** The law is not usually applied differently to members of different ethnic groups.
- D** The Prime Minister cannot be prosecuted for minor criminal offences.

[1 mark]

1 0

D pleaded guilty to an offence of causing grievous bodily harm with intent to V under s18 Offences Against the Person Act 1861. Select the **one** statement which describes the factor that the judge would treat as **least** important when deciding on sentence.

- A** D had previous convictions for personal injury offences.
- B** D knew that V was widely suspected of child abuse.
- C** D planned the attack.
- D** D pleaded guilty.

[1 mark]

10

Turn over for the next question

Turn over ►



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1 1

Explain the meaning of ratio decidendi in the doctrine of precedent. Illustrate your answer by reference to a relevant civil law or criminal law case.

[3 marks]

Extra space

3

1 2

Ade unexpectedly pushed Beth, causing her to fall into Claire and knock Claire over. Suggest why **Beth** did not commit the actus reus of battery against Claire.

[3 marks]

Extra space

3



1 3

Diana was concerned that Erin was spreading false rumours about her on social media. She sent a message to Erin saying, "Next time I see you, you are dead." Erin became depressed and afraid to go out.

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- Advise Diana as to her liability for the offence of assault occasioning actual bodily harm against Erin (s47 Offences Against the Person Act 1861).
- Assess the contributions of different sources of law to the rules that you have explained and applied in examining Diana's criminal liability.

[12 marks]



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1 4

During a political protest rally, Falon went onto the roof of a building and threw bricks into the crowd below. One brick struck Greg, a protester, and fractured his skull.

- Assuming Greg's fractured skull to be grievous bodily harm, advise Falon as to her liability for the offence of causing grievous bodily harm with intent to cause grievous bodily harm (s18 Offences Against the Person Act 1861).
- Assess the options available to Falon to obtain legal advice and representation in any investigation and prosecution.

[12 marks]



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In question 15 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1	5
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Hasan shared a house with Ivan and Jon. While Hasan was ironing clothes downstairs, Ivan and Jon were both asleep upstairs. Hasan suddenly remembered that he had agreed to meet a friend. He stood the iron on a table near some papers but forgot to switch it off and then rushed out. When he returned, the downstairs rooms of the house were on fire. He realised that it must have been caused by the iron, but he panicked and ran out again without warning Ivan and Jon. Both Ivan and Jon woke up and managed to escape. However, Ivan's lungs were badly damaged by breathing in smoke, and Jon fell and cut his arms and legs climbing out of a window to escape.

Consider the criminal liability of Hasan for the injuries caused to Ivan **and** to Jon.

[20 marks]



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1 3

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END OF QUESTIONS



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