

Modified Enlarged 18pt

OXFORD CAMBRIDGE AND RSA EXAMINATIONS

Wednesday 6 October 2021 – Afternoon

A Level Law

H415/01 The legal system and criminal law

Time allowed: 2 hours

plus your additional time allowance

**YOU MUST HAVE:
the OCR 12-page Answer Booklet**

READ INSTRUCTIONS OVERLEAF



INSTRUCTIONS

Use black ink.

Write your answer to each question in the Answer Booklet. The question numbers must be clearly shown.

Fill in the boxes on the front of the Answer Booklet.

Answer FIVE questions in total:

Answer ONE question from Questions 1 and 2 and ONE question from Questions 3 and 4 in Section A.

Choose ONE Part in Section B. Answer the THREE questions for that part.

INFORMATION

The total mark for this paper is 100.

The marks for each question are shown in brackets [].

Quality of extended response will be assessed in questions marked with an asterisk (*).

ADVICE

Read each question carefully before you start your answer.

SECTION A

The legal system

Answer TWO questions (ONE from questions 1–2 and ONE from questions 3–4).

Answer ONE question from questions 1–2.

- 1 Explain the training required to become a solicitor. [10]**

- 2 Describe the routes of appeal available in civil cases. [10]**

Answer ONE question from questions 3–4.

- 3 Discuss the problems facing a person wanting to join the legal profession. [15]**

- 4 Discuss the advantages of using alternative dispute resolution to solve a civil dispute. [15]**

SECTION B

Criminal law

Choose PART 1 or PART 2.

PART 1

Answer the THREE questions below.

The first two questions are based on the scenarios below. The scenarios are NOT related.

Anika and Ben both work on a building site. One morning, Ben shouts at Anika, “Get me a sandwich, or there’ll be trouble!” Later while they are both fitting a door, Anika slams the door shut to give Ben a fright. However, Ben’s hand is in the doorway and his thumb is broken. The next day, they are working on some scaffolding on the second floor of a house. In revenge for his broken thumb, Ben has hidden Anika’s new and expensive electric drill. When she realises this, he laughs at her. Annoyed, Anika pushes Ben off the scaffolding and he falls breaking his back.

Charlie and Leo are teenage brothers who have inherited a substantial amount of money in their grandfather’s will. The inheritance is to be divided equally between them. The terms of the will state that if one of the brothers dies before the money is paid, then the other brother will inherit all of the money. Charlie decides to kill his brother by poisoning the water Leo takes to bed with him every night. The next night, Leo drinks some of the poisoned water and dies in his sleep. In the morning, their mother, Eve, thinking Leo is simply asleep, takes his water and drinks some herself. The poison kills her later that day.

Charlie knows his mother tidies his brother's room every morning.

- 5 Advise whether Anika or Ben are liable for any non-fatal offences against the person in relation to each other. [25]**

- 6 Advise whether Charlie is liable for the murder of Leo and his mother, Eve. [25]**

Essay question on criminal law

- 7* 'The defence of duress by threats is essential but, in its current form, too restrictive.' Discuss the extent to which this statement is accurate. [25]**

PART 2

Answer the THREE questions below.

The first two questions are based on the scenarios below. The scenarios are NOT related.

James is a waiter in a restaurant. His main role is to collect food orders from the serving hatch to the kitchen and take the food to customers sat at tables. Waiters are not allowed in the kitchen. One night while waiting for the first order, James reaches through the hatch and helps himself to an unopened bottle of beer. Later, James notices Nina, a customer who knows she is banned from the restaurant, is sitting at a table. James asks her to leave but she smashes him over the head with a dinner plate knocking him unconscious. As he falls, James drops the bottle of beer. Nina picks up the bottle and runs out of the restaurant.

Layla is the organiser of a music festival and supervises the safety of the main stage. Kofi is responsible for building the main stage but has allowed his inexperienced apprentices to build the stage without supervising them. On the morning of the festival, Layla is busy being interviewed by a television company and forgets to check the stage. The apprentices haven't fitted the stage properly and during a performance the stage collapses killing two festivalgoers and injuring another. Sarah, a paramedic, takes the injured festivalgoer to her ambulance. She misdiagnoses how serious the injury is and goes for her lunch. The festivalgoer bleeds to death in the ambulance while she is away.

- 8 Advise whether James is criminally liable for burglary and whether Nina is liable for burglary and robbery. [25]**
- 9 Advise whether Layla, Kofi and Sarah are criminally liable for gross negligence manslaughter. [25]**

Essay question on criminal law

- 10* 'The defence of duress by threats is essential but, in its current form, too restrictive.' Discuss the extent to which this statement is accurate. [25]**

END OF QUESTION PAPER



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