



Oxford Cambridge and RSA

Tuesday 17 May 2016 – Afternoon

AS GCE LAW

G151/01 English Legal System

QUESTION PAPER



Candidates answer on the Answer Booklet.

OCR supplied materials:

- 12 page Answer Booklet (OCR12) (sent with general stationery)

Duration: 2 hours

Other materials required:

None

INSTRUCTIONS TO CANDIDATES

- Write your name, centre number and candidate number in the spaces provided on the Answer Booklet. Please write clearly and in capital letters.
- Use black ink. HB pencil may be used for graphs and diagrams only.
- Write your answers on the lined pages in the Answer Booklet. The question numbers **must** be clearly shown.
- Answer **four** questions; **at least** two from Section A and **at least** one from Section B.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- Additional paper may be used if necessary but you **must** clearly show your candidate number, centre number and question number(s).
- Do **not** write in the bar codes.

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 **120**.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering part **(b)** questions you will be assessed on the quality of your written communication (QWC) including your use of appropriate legal terminology. These questions are marked with an asterisk (*).
- This document consists of **4** pages. Any blank pages are indicated.

INSTRUCTION TO EXAMS OFFICER/INVIGILATOR

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Answer **four** questions.

Answer **at least** two from Section A and **at least** one from Section B.

You are advised to spend 30 minutes on each question, 20 minutes on **(a)** and 10 minutes on **(b)**.

SECTION A

Answer **at least** two questions from this section.

- 1 (a) Describe the custodial **and** community sentences available to adult offenders convicted in the Crown Court. [18]
(b)* Discuss the extent to which adult sentences achieve the aim of protecting the public. [12]
- 2 (a) Describe the jurisdiction of the three divisions of the High Court **and** the routes of appeal from this court. [18]
(b)* Discuss the advantages of using the civil court system to resolve a dispute. [12]
- 3 (a) Describe **and** give examples of the three categories of criminal offence. Detail where each category of offence would be tried. Include pre-trial and trial procedures for deciding on the trial venue. [18]
(b)* Discuss the factors a defendant will need to take into consideration when deciding whether or not to elect to be tried in the Crown Court or the Magistrates' Court. [12]
- 4 (a) Describe how the courts decide whether or not to grant a suspect bail including any conditions that may be imposed. [18]
(b)* Discuss whether the balance of interests between public safety **and** a suspect's right to liberty are adequately protected by the rules on bail. [12]
- 5 (a) Describe the different ways in which civil legal advice is available to a person who is not eligible for public funding. [18]
(b)* "Government cuts to both civil **and** criminal legal aid funding have resulted in many people being denied access to justice."
Discuss the extent to which this statement is true. [12]

SECTION B

Answer **at least** one question from this section.

6 (a) Describe when juries are used and their role in criminal courts and civil courts. [18]

(b)* The following people have received a summons for jury service. Alfie is 18 years old and is related to the defendant. Beatrice has served a 12-year custodial sentence. Charlie served four years for burglary in 1978 and is currently being treated for depression.

Explain whether Alfie, Beatrice and Charlie can be jurors. [12]

7 (a) Describe the powers of the police to detain and take samples from a suspect at a police station and any limitations on those powers. Do **not** discuss interviews and searches. [18]

(b)* Michelle is 16 years old. She was arrested on suspicion of arson. She was interviewed on her own for eight hours without a break. Two female officers stripped her completely naked looking for a lighter. Nothing was found so they intimately searched her.

Explain to Michelle whether or not her treatment was lawful. [12]

END OF QUESTION PAPER



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