

# OCR

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)

##### Other materials required:

None

**Duration:** 2 hours



#### 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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