

Tuesday 16 May 2017 – Afternoon

AS GCE LAW

G151/01 English Legal System

QUESTION PAPER

Candidates answer on the Answer Booklet.

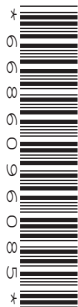
OCR supplied materials:

- 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 barcodes.

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 organisation and work of a barrister **and** the options available for a client to make a complaint. **[18]**
 (b)* Discuss the problems facing someone wishing to train as a barrister. **[12]**

- 2 **(a)** Describe how an individual becomes a lay magistrate **and** a member of a jury. **[18]**
 (b)* Discuss the advantages of using lay magistrates rather than professional judges. **[12]**

- 3 **(a)** Describe the powers of the police to stop and search **and** arrest a person on the street under the Police and Criminal Evidence Act 1984. **[18]**
 (b)* 'An individual's rights are adequately protected during searches at the station.'
 Discuss the accuracy of this statement. **[12]**

- 4 **(a)** Describe the qualifications, selection **and** training of inferior judges. **[18]**
 (b)* Discuss whether the training provided by the Judicial College makes sure that judges are adequately prepared for their role. **[12]**

- 5 **(a)** Describe the jurisdiction of the County Court **and** how it is decided which track a claim should be allocated to. **[18]**
 (b)* Discuss the disadvantages of using the courts to solve a civil dispute. **[12]**

SECTION B

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

- 6 (a) Describe the aims of sentencing **and** the aggravating factors that may be taken into account when sentencing. [18]

(b)* John, an 18-year-old alcoholic, has been found guilty of being drunk and disorderly. He has no previous convictions. Katie, aged 28, has been found guilty of the serious offence of inflicting grievous bodily harm. This is her third conviction for violence against others.

Explain which aims and factors are likely to be taken into account when sentencing both John and Katie **and** the most appropriate sentence in each case. [12]

- 7 (a) Describe how both the police **and** the courts decide whether or not to grant a suspect bail. [18]

(b)* Giovanna has been charged with manslaughter following her involvement in a fight. She has one previous conviction for minor criminal damage many years ago but failed to comply with bail conditions on that occasion. She currently runs a local business and owns her own home in Italy.

Explain which factors are likely to be considered when making a decision regarding bail for Giovanna and details of the most appropriate condition. [12]

END OF QUESTION PAPER

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