

OXFORD CAMBRIDGE AND RSA EXAMINATIONS
A2 GCE
G154/01
LAW

Criminal Law Special Study
QUESTION PAPER

MONDAY 18 JUNE 2018: Afternoon

DURATION: 1 hour 30 minutes
plus your additional time allowance

MODIFIED ENLARGED

Candidate forename		Candidate surname	
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Centre number						Candidate number				
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Candidates answer on the Question Paper.

OCR SUPPLIED MATERIALS:

Clean copy of the Pre-release Special Study Material

OTHER MATERIALS REQUIRED:

None

READ INSTRUCTIONS OVERLEAF



INSTRUCTIONS TO CANDIDATES

Write your name, centre number and candidate number in the boxes on the front page. Please write clearly and in capital letters.

Use black ink. HB pencil may be used for graphs and diagrams only.

Answer ALL the questions.

Read each question carefully. Make sure you know what you have to do before starting your answer.

You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.

Write your answer to each question in the space provided. If additional space is required, you should use the lined page at the end of this booklet. The question number(s) must be clearly shown.

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 80.

Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering questions 1 and 2 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 (*).

Candidates are reminded that they are able to use the information given in the sources to support their own knowledge and understanding, evaluation, analysis, and application of the law. Where candidates wish to extract from the source in this way they should use quotation marks or accurately cite lines of the source. Candidates who merely ‘lift’ information from the source materials without using it to support further knowledge, evaluation, analysis or application, will receive little or no credit. You are expected to demonstrate understanding of the area(s) of law and the development of law and to use legal methods and reasoning to analyse legal material, to select appropriate legal rules and apply these in order to draw conclusions.

You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.

In answering questions use the source materials AND your knowledge of the subject.

Answer ALL questions

1* Discuss the relevance of the case of *R v Bowen* [Source 5 pages 10–11 Special Study Material] to the development of the law on duress by threats. [16]

Start writing your answer to Question 1 below. Start writing your answer to Question 2 on page 12. Start writing your answer to Question 3 on page 29.

1*	

You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.

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2* In Source 3 [page 6 lines 1–5 Special Study Material] Ben Fitzpatrick states: ‘Duress operates as a concession to human weakness. The defendant elects one evil, the apparent breaking of the law, when faced with a choice of two evils, the other dilemmatic choice being to suffer serious injury or death.’

Discuss, in light of the above statement, the extent to which the defence of duress by threats has been restricted by the appellate courts. [34]

Start writing your answer to Question 2 below. Start writing your answer to Question 3 on page 29.

2*	

You are reminded of the importance of including relevant knowledge from ALL areas of your course, where appropriate, including the English Legal System.

In answering questions use the source materials AND your knowledge of the subject.

3 Consider whether the defence of duress by threats is, or is not, available in each of the following situations:

- (a) Alison, 35, who owes a large sum of money to Boris, robs a bank. She claims she only carried out the robbery because Boris threatened that unless she pays the money back in a week's time, he will reveal to her parents that she is secretly married to Lucy. Alison's parents have forbidden her to be involved with Lucy or else Alison will be cut out of their will. [10]**
- (b) Chantelle, a secondary school teacher, steals an important exam paper from the school's safe. She claims that she only carried out the theft because David, another teacher at the school, had threatened her during lunch that he would 'stab one of her pupils to death' if she did not get the exam paper for him by the end of the school day. [10]**
- (c) Elsie, who is pregnant, is a member of a street gang who have a reputation for carrying out criminal activities to control their area. One day, Elsie shoots dead the leader of a rival gang in another part of the city. She claims that she only carried out the killing because Frank, another member of her gang, who has several convictions for violence, threatened that he would kill her if she did not carry out the attack. [10]**

[30]

Start writing your answer to Question 3 below.

Write the letter of the part question (a), (b) or (c) in the margin.

[illegible]

ADDITIONAL ANSWER SPACE

If additional space is required, you should use the following lined page(s). The question number(s) must be clearly shown in the margin(s).

[illegible]



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