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Oxford Cambridge and RSA

Wednesday 6 June 2018 – Morning**GCSE LAW****B142/02** Civil Courts and Civil Processes. Civil Liberties and Human Rights

Candidates answer on the Question Paper.

OCR supplied materials:

None

Other materials required:

None

Duration: 1 hour

Candidate forename						Candidate surname					
Centre number						Candidate number					

INSTRUCTIONS TO CANDIDATES

- **Write** your name, centre number and candidate number in the boxes above. 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.
- Write your answer to each question in the space provided. If additional space is required, you should use the lined page(s) at the end of this booklet. The question number(s) must be clearly shown.
- 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 **60**.
- This document consists of **16** pages. Any blank pages are indicated.

BLANK PAGE

Question 1 begins on page 3

PLEASE DO NOT WRITE ON THIS PAGE

3

Answer **all** questions.

- 1 Alternative Dispute Resolution (ADR) can be used to resolve a dispute rather than going to court.

Identify **four** types of ADR.

Type 1

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Type 2

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Type 3

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Type 4

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[4]

Turn over for the next question

4

- 2 Select the correct source of legal advice to match the most appropriate definition.
Write the appropriate **number** next to each **letter** in the grid below.

[3]

A	
B	
C	

Source of legal advice	
A	State funded legal advice and assistance.
B	Law Centres.
C	Conditional Fee Agreements.

Definition	
1	Sometimes referred to as 'no-win, no-fee' arrangements.
2	Only available if claimants pass means and merits test.
3	Advice offered in social welfare law such as debt and welfare benefits.
4	Legal advice provided under an insurance policy.

- 3 One advantage of tribunals is that they are quicker than civil courts.

Explain **two** other advantages of tribunals.

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[6]

5

4 Read the passage below and fill in the missing words from the following list.

- Admit
- Defendant
- Issue
- Lawyer
- Liability
- Questionnaire
- Remedy
- Serve
- Settle
- Tracks
- Trial

When starting a claim in the civil courts, a claimant must a claim form. This is served on the who has three choices. He can ignore the claim, he can the claim or he can defend the claim. If he defends it, the court will send out a to ask for more information from both sides. This information is used to allocate the case to one of three The case will continue to where the judge will decide on liability.

[6]

5 An individual must pass certain stages of training to become a legal executive.

Identify any **three** of those stages.

- 1
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- 2
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- 3
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[3]

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- 6 Explain one **advantage** of using a barrister rather than a solicitor in a civil court case.

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- 7 Discuss **one** reason why people who work in the legal profession are not representative of ordinary society.

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- 8 The statements below are about the appointment process for judges.

Identify whether each statement is true or false by putting ticks in the correct boxes. [3]

Statement		True	False
i	Appointments are not openly advertised.		
ii	The process of sifting produces a short-list of people to be called for interview.		
iii	All candidates must complete a range of exercises including role-play as part of the selection process.		

7

- 9 A judge in a civil case has a number of roles when managing both pre-trial matters and the trial itself.

Explain **two** of the roles that a judge must carry out.

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Turn over for the next question

- 10** In the following scenarios, a basic freedom may have been interfered with. Identify the **most appropriate** type of basic freedom by putting a tick in the correct box.

- (a) James has been unlawfully stopped and searched by the police on his way home from school.

Freedom of association and assembly	Freedom of expression	Freedom of information	Freedom of thought, belief and religion	Freedom of the person

[1]

- (b) Katrina has been told she cannot stand on the pavement outside an abortion clinic handing out 'pro-life' leaflets.

Freedom of association and assembly	Freedom of expression	Freedom of information	Freedom of thought, belief and religion	Freedom of the person

[1]

- (c) Jenna has converted to Islam and is told that she cannot wear a hijab (a veil covering the head and chest) in her classes in school.

Freedom of association and assembly	Freedom of expression	Freedom of information	Freedom of thought, belief and religion	Freedom of the person

[1]

- (d) Harry believes women should stay at home and not work. He is told that he cannot state these views in class.

Freedom of association and assembly	Freedom of expression	Freedom of information	Freedom of thought, belief and religion	Freedom of the person

[1]

- (e) Adam is told that he cannot see the file that his school have made about him which includes details of when he was suspended for fighting.

Freedom of association and assembly	Freedom of expression	Freedom of information	Freedom of thought, belief and religion	Freedom of the person

[1]

- 11 Discuss **two** reasons why the right to publicly display religious beliefs can be restricted.

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- 12 Explain **three** different ways that a person can complain about the work done for them by their solicitor.

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[6]

- 13** In 2014, criminal lawyers staged a two-day walk out to protest at the severe cuts to criminal legal aid fees. This walk out led to widespread disruption of criminal cases in England and Wales. It was argued that these cuts restricted the defendant's rights under the Human Rights Act 1998.

Discuss **two** reasons why the cuts could be considered in breach of the Human Rights Act 1998.

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END OF QUESTION PAPER

[illegible]

This image shows a blank sheet of white paper designed for handwriting practice. It features a series of evenly spaced horizontal dashed lines across its entire width. A single vertical solid line runs down the left side of the page, creating a narrow margin. The rest of the page is open space between the dashed lines, intended for writing practice.

This image shows a blank sheet of white paper designed for handwriting practice. It features a solid black vertical line on the left side, creating a narrow margin. The rest of the page is filled with evenly spaced, horizontal dashed lines for writing. There are no other markings or text on the page.

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