

Thursday 24 May 2012 – Afternoon

AS GCE LAW

G151/01 English Legal System

Candidates answer on the Answer Booklet.

OCR supplied materials:

- 16 page Answer Booklet
(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.
- 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.
- If you use additional sheets of paper, fasten these securely to the Answer Booklet.
- Write the numbers of the questions you answer on the front of your Answer Booklet.
- 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 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.

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 various roles undertaken by lay magistrates in both criminal **and** civil matters. [18]
- (b)* Discuss the advantages of using lay magistrates in both criminal **and** civil matters. [12]
- Total marks [30]**
- 2 (a) Describe the different forms of legal advice **and** assistance offered by the Criminal Defence Service. [18]
- (b)* "The rules relating to public funding in criminal cases in the Magistrates' and Crown Courts are unfair."
- Discuss the extent to which this is true. [12]
- Total marks [30]**
- 3 (a) Describe the education and training of barristers and how problems a client has with their barrister are dealt with. [18]
- (b)* Discuss whether the 2010 changes have improved the way complaints about barristers **and** solicitors are dealt with. [12]
- Total marks [30]**
- 4 (a) Describe the different community sentences available for adult and young offenders. [18]
- (b)* Discuss how the different aims of sentencing are used in relation to young offenders. [12]
- Total marks [30]**
- 5 (a) Describe the jurisdiction of the civil courts and the three track system at first instance. [18]
- (b)* Discuss whether the track system **and** other recent reforms have improved the running of the civil courts. [12]
- Total marks [30]**

SECTION B

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

- 6 (a) Describe how the **Bail Act 1976** (as amended) is applied to a suspect awaiting trial. [18]

(b)* Philip has been charged with the serious offence of causing grievous bodily harm. He has three previous convictions for minor assaults and always complied with his bail conditions. His family has just moved out of the area but he has a steady job as an electrician locally.

Explain which factors **and** conditions are likely to be considered when making a decision regarding bail for Philip. [12]

Total marks [30]

- 7 (a) Describe the powers of the police under **Police and Criminal Evidence Act 1984** (as amended) to stop and search on the street **and** make further searches at the police station. [18]

(b)* Paul has been arrested on suspicion of the theft of a pair of earrings. Fingerprints are taken by force. He is strip searched by a male officer accompanied by a female officer. He is told to remove all his clothes. As nothing is found an intimate search is done by a doctor and the earrings are found during this search.

Explain whether or not Paul's treatment at the police station was lawful. [12]

Total marks [30]

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