

**Monday 21 January 2013 – Afternoon**

**AS GCE LAW**

**G151/01/1** English Legal System

**INSERT– QUESTION PAPER**

Candidates answer on the Answer Booklet.

**OCR supplied materials:**

- 24 page Answer Booklet

**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 additional space is required, you should use pages 23 and 24 of the Answer Booklet. If you use additional sheets of paper, fasten these securely to the 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 Write your answers to Question **1(a)** and **(b)\*** starting on page 2.
  - (a)** Describe **and** illustrate the different categories of criminal offence **and** the procedure for deciding where a triable either way offence should be tried. [18]
  - (b)\*** Discuss the advantages **and** disadvantages of being tried in the Magistrates' Court for a triable either way offence. [12]
  
- 2 Write your answers to Question **2(a)** and **(b)\*** starting on page 5.
  - (a)** Describe the work **and** organisation of barristers **and** solicitors. [18]
  - (b)\*** Discuss the extent to which the differences between barristers and solicitors have been reduced. [12]
  
- 3 Write your answers to Question **3(a)** and **(b)\*** starting on page 8.
  - (a)** Describe the qualifications **and** selection procedure for juries in criminal cases. [18]
  - (b)\*** Discuss the advantages **and** disadvantages of jury secrecy. [12]
  
- 4 Write your answers to Question **4(a)** and **(b)\*** starting on page 11.
  - (a)** Describe **and** illustrate the different methods of Alternative Dispute Resolution available to deal with civil cases. [18]
  - (b)\*** Discuss the **advantages** of using Alternative Dispute Resolution to solve civil disputes rather than using the courts. [12]
  
- 5 Write your answers to Question **5(a)** and **(b)\*** starting on page 14.
  - (a)** Describe the qualifications **and** selection procedure for judges at all levels. [18]
  - (b)\*** Discuss the **advantages** of replacing lay magistrates with judges. [12]

**SECTION B**

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

**6** Write your answers to Question **6(a)** and **(b)\*** starting on page 17.

**(a)** Describe the different custodial **and** community sentences available for adult offenders. **[18]**

**(b)\*** Carole, a 28-year-old drug addict, has been convicted of the serious offence of burglary of a house. She has two previous convictions for the theft of food from supermarkets. She has previously been fined, and given an unpaid work requirement of 40 hours.

Explain which aims of sentencing are likely to be considered when deciding the sentence for Carole **and** suggest **two** possible sentences with reasons. **[12]**

**7** Write your answers to Question **7(a)** and **(b)\*** starting on page 20.

**(a)** Describe the powers of the police to arrest a person on the street **and** any limitations on those powers. **[18]**

**(b)\*** Raymond has been reported to the police by members of the public who say they have seen him selling drugs. Two police officers approach Raymond and, without identifying themselves, they arrest him. Raymond asks why he has been arrested and one of the police officers says, "You know why!" Raymond is cautioned but then attempts to escape and is tackled to the ground.

Explain whether or not Raymond's arrest was lawful. **[12]**

**Copyright Information**

OCR is committed to seeking permission to reproduce all third-party content that it uses in its assessment materials. OCR has attempted to identify and contact all copyright holders whose work is used in this paper. To avoid the issue of disclosure of answer-related information to candidates, all copyright acknowledgements are reproduced in the OCR Copyright Acknowledgements Booklet. This is produced for each series of examinations and is freely available to download from our public website ([www.ocr.org.uk](http://www.ocr.org.uk)) after the live examination series.

If OCR has unwittingly failed to correctly acknowledge or clear any third-party content in this assessment material, OCR will be happy to correct its mistake at the earliest possible opportunity.

For queries or further information please contact the Copyright Team, First Floor, 9 Hills Road, Cambridge CB2 1GE.

OCR is part of the Cambridge Assessment Group; Cambridge Assessment is the brand name of University of Cambridge Local Examinations Syndicate (UCLES), which is itself a department of the University of Cambridge.