

Wednesday 8 June 2016 – 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	
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Centre number						Candidate number				
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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 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 **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

Answer **all** the questions.

1 Complete the following sentences. Use the most appropriate words from the list below.

- balance of probabilities
- claimant
- county court
- damages
- defendant
- guilty
- liable
- small claims court
- sue

The person who starts a civil case is known as a

A person starting a civil case will a defendant.

The lowest court a civil case can start in is

An appeal from the lowest civil court would be heard in the

The standard of proof in a civil case is the

One possible outcome of a civil case is that the defendant is

An example of the most likely remedy in a civil case is

[7]

- 2 Civil cases are allocated to the appropriate court and track depending on how much they are worth.

Identify the most appropriate court in each of the following situations and explain why.

For (a), (b), (c) and (d) put a tick in the correct box and give a reason for your answer.

- (a) Martha has not paid a bill of £7000 owed to her builder and he has taken action against her.

High Court Queen's Bench Division	County Court Fast track	County Court Multi-track	High Court Chancery Division	County Court Small Claims track

Reason

..... [2]

- (b) Jamil has a personal injury claim worth £3000 as a result of a road traffic accident that was not his fault.

High Court Queen's Bench Division	County Court Fast track	County Court Multi-track	High Court Chancery Division	County Court Small Claims track

Reason

..... [2]

- (c) Harry wants to bring a claim against the local newspaper who published a story that was untrue, accusing him of being a convicted thief.

High Court	County Court	County Court	High Court	County Court
Queen's Bench Division	Fast track	Multi-track	Chancery Division	Small Claims track

Reason

..... [2]

- (d) John has brought a claim for medical negligence against his local hospital after they amputated the wrong finger in an operation. He has been told that his claim is worth £30 000.

High Court	County Court	County Court	High Court	County Court
Queen's Bench Division	Fast track	Multi-track	Chancery Division	Small Claims track

Reason

..... [2]

- 3 Select the correct type of Alternative Dispute Resolution (ADR) which matches the most appropriate description. Write the appropriate **number** next to the **letter** in the grid below.

A	
B	

	Type of ADR
A	Mediation
B	Conciliation

	Description
1	Negotiation with the help of an active third party.
2	The informal resolution of a dispute by the parties with no third party involvement.
3	Negotiation with the help of a neutral third party.
4	A formal process where the parties agree to be bound by the decision of a third party.

[2]

4 Discuss **two** advantages of civil litigation over Alternative Dispute Resolution (ADR).

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[6]

5 Identify any **three** features of an employment tribunal.

1

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2

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3

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[3]

6 There are different sources of legal funding available in civil law.

(a) Define what is meant by privately funded legal representation.

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..... [1]

(b) Explain **one** advantage of privately funded legal representation.

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.....
..... [2]

7 Natassia wants to enter the legal profession. Identify **and** explain **two** reasons why she may consider training as a legal executive rather than as a solicitor.

1

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2

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[4]

- 8 The Woolf Reforms were intended to ensure all cases were dealt with 'justly' or fairly. This is known as the 'overriding objective'. Judges in civil cases are now in charge of how cases are managed.

Discuss one way in which judges can achieve the overriding objective through case management.

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..... [3]

Question 9 begins on page 10

9 Read the following passage and fill in the **most appropriate** missing words from the list below.

- awards
- convictions
- divisions
- evidence
- law
- leave
- precedent
- tracks

The role of judges alters according to whether they are appeal court judges or trial judges and also, if trial judges, whether they are dealing with criminal or civil cases. Court of Appeal judges develop the law through and statutory interpretation. In criminal cases, they can overturn and in civil cases, they can make or alter In courts of first instance, judges generally rule on all points of and give legal direction on points of evidence. In criminal trials, judges deal with applications for bail and if the defendant is found guilty, the judge will sentence them. In civil trials, the judge will use allocation questionnaires to allocate cases to appropriate and will hear the case and decide liability. First instance judges can also consider granting to appeal to higher courts. [6]

10 Explain, giving an example for each one, the meaning of the following terms.

Absolute Rights

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Limited Rights

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Qualified Rights

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.....

[6]

11 Article Four states ‘No one shall be held in slavery or servitude.’ and ‘No one shall be required to perform forced or compulsory labour.’

Identify **three** situations where this right may be restricted.

1

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2

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3

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[3]

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).

A large area of lined paper for writing. It consists of a vertical solid line on the left side, creating a margin. To the right of this line, there are numerous horizontal dotted lines extending across the width of the page, providing space for writing answers.

A large rectangular area with a solid vertical line on the left side and horizontal dotted lines extending across the page, providing a grid for writing answers.



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