

**ADVANCED SUBSIDIARY GCE**

**LAW**

English Legal System

**G151**

Candidates answer on the answer booklet.

**OCR supplied materials:**

- 16 page answer booklet  
(sent with general stationery)

**Other materials required:**

None

**Wednesday 19 January 2011**

**Afternoon**

**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. Pencil may be used for graphs and diagrams only.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- Answer **four** questions, **at least** two from Section A and **at least** one from Section B.
- 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 organisation **and** work of **both** solicitors and barristers. [18]
- (b)\*** Discuss the advantages **and** disadvantages of solicitors **and** barristers being separate professions. [12]
- Total marks [30]**
- 2 **(a)** Describe the selection **and** tenure of the different types of judge. [18]
- (b)\*** Discuss the extent to which judges represent a sufficiently wide cross section of the population. [12]
- Total marks [30]**
- 3 **(a)** Describe **both** the selection **and** the training of lay magistrates. [18]
- (b)\*** Discuss the disadvantages of using lay magistrates to deal with criminal cases. [12]
- Total marks [30]**
- 4 **(a)** Describe **both** publicly funded legal representation in civil cases **and** conditional fee agreements. [18]
- (b)\*** Discuss how methods of funding affect access to justice in civil cases. [12]
- Total marks [30]**
- 5 **(a)** Describe **both** the custodial **and** community sentences available for **young** offenders. [18]
- (b)\*** Discuss the ways in which different sentences might prevent a **young** offender from further offending. [12]
- Total marks [30]**

**SECTION B**

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

- 6 (a) Describe how **both** the police **and** the courts decide on matters relating to the granting of bail since the Bail Act 1976. [18]

- (b)\* Simon is charged with the burglary of an antiques shop. He has three previous convictions for theft. He has previously complied with bail conditions. He lives locally with his wife and two children but plans to move to Spain.

Explain which factors are likely to be considered when making a decision whether or not to grant bail to Simon **and** what conditions may be imposed. [12]

**Total marks [30]**

- 7 (a) Describe the powers of the police to stop and search a person on the street. [18]

- (b)\* Malcolm is running down a busy street with a large bag. He is trying to catch a train in order to get to a concert on time. He is stopped by a police officer who identifies himself as PC Newman. He is asked to remove his shoes and his bag is searched. As nothing is found, Malcolm is told he can go.

Advise Malcolm on whether the police acted lawfully with regards to the stop and search. [12]

**Total marks [30]**

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