

**OXFORD CAMBRIDGE AND RSA EXAMINATIONS
ADVANCED SUBSIDIARY GCE**

G151

LAW

English Legal System

THURSDAY 14 JANUARY 2010: Morning

DURATION: 2 hours

SUITABLE FOR VISUALLY IMPAIRED CANDIDATES

Candidates answer on the Answer Booklet

OCR SUPPLIED MATERIALS:

16 page Answer Booklet

OTHER MATERIALS REQUIRED:

None

READ INSTRUCTIONS OVERLEAF

INSTRUCTIONS TO CANDIDATES

- **Write your name clearly in capital letters, your Centre Number and Candidate Number in the spaces provided on the Answer Booklet.**
- **Use black ink. Pencil may be used for graphs and diagrams only.**
- **Read each question carefully and make sure that 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.**

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 and your use of appropriate legal terminology (QWC). These questions are marked with an asterisk (*).**

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 jurisdiction of BOTH the High Court AND the County Court in civil cases including the track system. [18]**
- (b)* Discuss the advantages AND disadvantages of the small claims track. [12]**

Total marks [30]

- 2 (a) Describe the various types of publicly funded advice AND representation available in criminal cases. [18]**
- (b)* Discuss the problems associated with the funding of criminal cases. [12]**

Total marks [30]

3 (a) Describe the qualifications, selection AND training of judges. [18]

(b)* Discuss whether or not the changes to the selection of judges is leading to a wider cross section of people becoming judges. [12]

Total marks [30]

4 (a) Describe the various roles lay magistrates play in BOTH criminal AND civil cases. [18]

(b)* Discuss the advantages of having lay magistrates in the English legal system. [12]

Total marks [30]

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

(b)* Discuss whether the balance of interests between crime prevention AND individual rights is maintained by the current rules on stop and search on the street. [12]

Total marks [30]

SECTION B

Answer AT LEAST one question from this section.

- 6 (a) Describe how it is decided in which court a criminal trial of an adult offender will be heard. Include all categories of offence. [18]
- (b)* Pedro is pleading not guilty to a charge of the theft of a wallet from his colleague's desk at work. Theft is a triable either way offence.

Discuss the matters Pedro should consider when choosing in which court to be tried. [12]

Total marks [30]

- 7 (a) Describe the custodial AND community sentences available for adult offenders convicted in both the Magistrates' Court and the Crown Court. [18]
- (b)* Dimitri, who has two previous convictions for minor assaults, broke a shop window whilst drunk and has been convicted of criminal damage in the Magistrates' Court.

Explain which aims of sentencing are likely to be considered when deciding the sentence for Dimitri AND suggest possible sentences. [12]

Total marks [30]

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