

OCR

Oxford Cambridge and RSA

Friday 22 May 2015 – Morning

AS GCE LAW

G151/01 English Legal System

QUESTION PAPER

Candidates answer on the Answer Booklet.

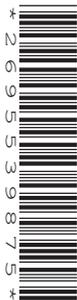
OCR supplied materials:

- 12 page Answer Booklet (OCR12)
(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.
- Write your answer on the lined pages in the Answer Booklet. The question numbers **must** be clearly shown.
- 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.
- Additional paper may be used if necessary but you **must** clearly show your candidate number, centre number and question number(s).
- 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 legibly and 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.

INSTRUCTION TO EXAMS OFFICER/INVIGILATOR

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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 theory of the separation of powers **and** how the judiciary has been reformed to comply with the theory. [18]
(b)* Discuss whether recent reforms have resulted in a completely independent judiciary. [12]
- 2 (a) Describe the qualifications required to sit on a jury **and** how a jury is selected. Include any challenges which may be undertaken. [18]
(b)* Discuss the disadvantages of using a jury in both civil **and** criminal cases. [12]
- 3 (a) Describe the way in which civil cases are allocated to different tracks **and** which types of case are heard in each of the different trial courts. [18]
(b)* Discuss the advantages **and** disadvantages of the Small Claims Court in light of recent reforms. [12]
- 4 (a) Describe the work of solicitors **and** how a complaint is made about the way a solicitor has handled a case. [18]
(b)* Discuss the extent to which it is easier to train and work as a solicitor than as a barrister. [12]
- 5 (a) Describe the role of the duty solicitor **and** other ways a person suspected of, or charged with, a crime can access legal help. [18]
(b)* 'The means test and the merits test for criminal funding limit the cost to the taxpayer but do not ensure justice.'
Discuss the accuracy of this statement. [12]

SECTION B

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

- 6 (a) Describe the role of the custody officer following a suspect's arrival at the police station **and** the powers of the police to search that suspect. [18]

(b)* Justin is arrested outside a jewellery shop by two plain clothes police officers. They had been informed by his ex-girlfriend that he was going to commit a robbery. Justin was so shocked at being arrested he struggled with the police officers and they wrestled him to the ground and handcuffed him. They took him to the police station without saying anything to him. He was interviewed at the police station in a cold room and he was not allowed access to a duty solicitor.

Explain whether or not Justin's treatment was lawful. [12]

- 7 (a) Describe the range of issues a court will take into consideration when deciding whether or not to release a suspect on bail **and** any conditions that may be set. [18]

(b)* Paul has been charged with a serious offence of fraud. He has one previous conviction for being drunk and disorderly and he complied with bail conditions for that offence. Paul has a full-time job and during the week lives in rented accommodation. At the weekends he returns home to his wife and children in another town.

Explain which issues will be considered when making the decision whether or not to give bail to Paul and explain what condition would be most appropriate. [12]

END OF QUESTION PAPER

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