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Centre number		Candidate number	
Surname			
Forename(s)			
Candidate signature			

A-level **LAW**

Paper 1

Tuesday 4 June 2019

Morning

Time allowed: 2 hours

Materials

· You will need no other materials.

Instructions

- Use black ink or black ball-point pen.
- Fill in the boxes at the top of this page.
- Answer all questions. You must answer the questions in the spaces provided. Do not write on blank pages.
- If you need extra space for your answer(s), use the lined pages at the end of this book. Write the question number against your answer(s).
- Do all rough work in this book. Cross through any work you do not want to be marked.
- Questions should be answered in continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

For Examiner's Use		
Question	Mark	
1–5		
6		
7		
8		
9		
10		
11		
TOTAL		

Information

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 100.



Only one answer per question is allowed. For each answer completely fill in the circle alongside the appropriate answer. CORRECT METHOD WRONG METHODS WRONG METHODS WRONG WETHODS WRONG WETHODS If you want to change your answer you must cross out your original answer as shown. If you wish to return to an answer previously crossed out, ring the answer you now wish to select
as shown.
0 1 Which one of the following statements about mens rea is false? [1 ma
A Direct intention requires the defendant to aim to cause a consequence.
B Mens rea is the mental element of an offence.
C Mens rea must be proven in all criminal cases.
D Recklessness requires the defendant to foresee the risk of a consequence.
0 2 Which one of the following statements about gross negligence manslaughter is true ? [1 mag
A The defendant must commit an unlawful act against the victim.
B The defendant must have foreseen a risk of death.
C The defendant must have wanted to cause the victim serious harm.
D The defendant's act or omission must create a risk of death.



	Turn over for the next question			
	D Magistrates can try triable-either-way offences.	0		
	C Magistrates can try indictable-only offences.	0		
	B Magistrates can try cases within the Youth Court.	0		
	A Magistrates can sit on appeals in the Crown Court.	0		
0 5	Which one of the following statements about the jurisdiction of lay m	agistrates is	false? [1 mark]	
	D Stating that a legal rule in an earlier case is wrong	0		
	C Speculating what a decision would have been if the facts were different	0		
	B Overruling a previous decision made by the Court of Appeal	0		
	A Not following a previous decision because the facts in the present case are materially different	0		
	jadiolal procedent.		[1 mark]	
0 4	Which one statement best describes the method of 'distinguishing' v judicial precedent?	vithin the do	ctrine of	
	D The golden rule gives the judge no discretion as the words of the statute must be followed exactly.	0		
	C The golden rule enables the judge to avoid an interpretation which would lead to an absurd result.	0		
	B The golden rule directs the judge to look at the gap in the law which the statute intended to cover.	0		
	A The golden rule allows the judge to take account of Parliament's purpose in passing the statute.	0		
	interpretation is correct?		[1 mark]	
0 3	Which one of the following statements about the use of the golden re	ule within st	atutory	outsi b



Explain what is meant by the purposive approach to statutory interpretation.	[5 m
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0	7

Alfred was in a supermarket when he saw Bert. Alfred was still annoyed with Bert because of a recent argument between them.

Alfred suddenly picked up a can of beans from a shelf and threw it towards Bert. Alfred's aim was poor. The can missed Bert and hit Charlie, another shopper.

the mens rea of an offence against Charlie.	[5 marks]
	[5 Illaiks]
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Turn over for the next question

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Whilst walking through the park, Earl saw Faraz jogging. As Faraz ran closer to Earl, Earl felt angry and punched Faraz, knocking him over. Faraz fell backwards, hit his head on the ground and temporarily lost consciousness.

Before the incident Earl, a diabetic, had not taken his insulin for several days. When questioned by the police, Earl said that he remembered walking through the park, but could not remember anything about the incident with Faraz.

Assume that Earl would be guilty of an offence of assault occasioning actual bodily harm in relation to the incident with Faraz, unless he could successfully plead the defence of insanity.

Advise Earl on whether he could successfully plead the defence of insanity.	[10 marks



Extra space		



Offences of strict liability	y do not require mens rea for at least part of the ac	us reus.
	ind significance of 'fault' within criminal law, and dis	
o which offences of stri	ict liability criminalise those who are not at 'fault'.	
		[15



9 Do not write outside the box Extra space





In Question **10** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1	0

Gail, a rather short-tempered person, was very annoyed when she lost her job at the same time as her neighbour, Harry, received a promotion in his job. Harry taunted Gail about this through a series of posts on social media. Shortly afterwards, whilst out walking, Gail saw Harry and his friend Ian. When they saw Gail they started to laugh and Harry shouted, "Off to get your unemployment benefits, loser?" She started to walk away but then picked up a heavy garden ornament, ran back and smashed Harry over the head with it. Harry died instantly.

lan feared that he too would be attacked. He pushed Gail into a busy road where she was hit by a speeding car. Gail suffered several deep cuts to her face and body and was left with permanent scarring.

Gail.	[30 ma	rks
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In Question 11 you are required to provide an extended answer which shows a clea	ır,
ogical and sustained line of reasoning leading to a valid conclusion.	

Daryl joined a gang which was well known in the area for stealing from local stores. Daryl was ordered to steal a laptop computer. When he refused, the leader of the gang told Daryl that if he did not do this, Daryl's young son would end up in hospital very soon.

Fran went to collect a laptop and mobile phone that she had ordered from a local store. Daryl followed her into the store and watched as Fran was handed a laptop and a mobile phone. She put the mobile phone straight into her bag and held the laptop as she paid the shopkeeper. When Fran left the shop, Daryl followed her and, remembering the earlier threat about his son, pushed her hard against the wall, snatched the laptop and ran down the street.

Later that evening, when Fran switched on the mobile phone, she realised that it was not the one she had ordered but a more expensive model, and so she decided to keep it.

Consider Daryl and Fran's criminal liability for property offences in relation to the laptop computer and the mobile phone.

Assess the ways in which Daryl and Fran may obtain legal advice about their cases before

trial.	[30 marks]



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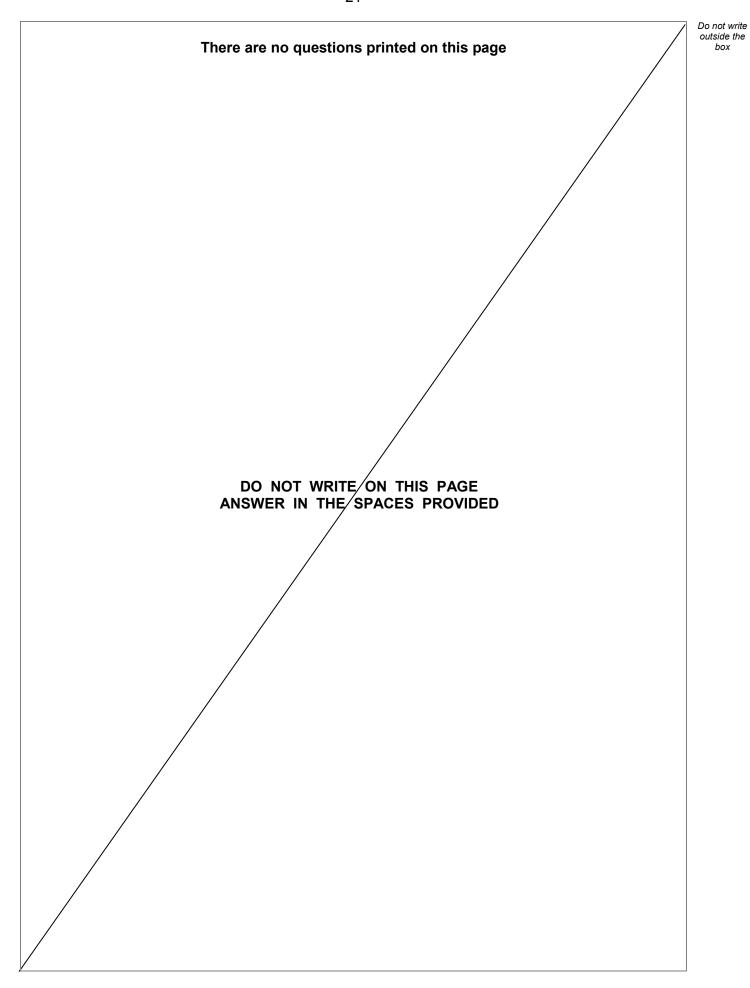






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END OF QUESTIONS	







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