



Oxford Cambridge and RSA

A Level Law

H415/01 The legal system and criminal law

Practice Paper

Time allowed: 2 hours

You must have:

- Printed Answer Booklet

INSTRUCTIONS

- Write your name, centre number and candidate number in the spaces provided on the Answer Booklet. Please write clearly and in capital letters.
- Answer five questions in total:
Section A: answer one from questions 1–2 and one from questions 3–4
Section B: choose Part 1 or Part 2 and answer the three questions below.

INFORMATION

- The total mark for this paper is **100**.
- The marks for each question are shown in brackets [].
- Quality of extended response will be assessed in those questions marked with an asterisk (*).
- This document consists of **4** pages.

SECTION A

The legal system

Answer **two** questions (**one** from questions **1–2** and **one** from questions **3–4**)

Answer **one** question from questions **1–2**

- | | | |
|----------|--|-------------|
| 1 | Explain the training of barristers. | [10] |
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 | | |
| 2 | Describe how it is decided where the trial of a triable either way offence should be held. | [10] |

Answer **one** question from questions **3–4**

- | | | |
|----------|---|-------------|
| 3 | Discuss the benefits of using modern technology in legal services. | [15] |
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 | | |
| 4 | Discuss the advantages of using lay magistrates in criminal trials. | [15] |

SECTION B**Criminal law**

Choose Part 1 **or** Part 2.

Part 1

Answer the **three** questions below.

The first two questions are based on the scenarios below. The scenarios are **not** related.

Kevin is a retired professional footballer. Despite having no qualifications or experience, he sets himself up as a physiotherapist at a sports injury clinic. His first client, Cassandra, has suffered a foot injury while jogging. He persuades her that she would benefit from a full body massage, telling her that he is an expert. Cassandra agrees, and Kevin begins to massage her leg before moving onto her injured foot. However, while he is massaging her foot, he presses so hard that Cassandra screams out in pain. Kevin shouts, 'Oh shut up or I'll do it again, you stupid woman!' She is so scared and traumatised by this that she reluctantly allows Kevin to finish the massage. Later, Cassandra finds out Kevin is unqualified and as a result she is diagnosed with depression. She refuses to leave her house for several weeks.

McKenzie is the leader of a violent criminal drugs gang. Connor is a member of the gang but wants to leave. McKenzie reluctantly agrees to him leaving, but only after Connor obtains money from Hector, who owes the gang money. Connor says that he doesn't want to do it, but McKenzie says if he doesn't, he will break Connor's grandmother's legs. McKenzie gives him a week to get the money. Connor knows Hector keeps a large sum of money at his house, so decides to go there later that night. Hector is asleep but is woken up when Connor breaks in. Hector creeps downstairs and sees Connor, who panics and tries to run off. Hector grabs him and hits him several times with a baseball bat. Connor is taken to hospital with serious injuries.

- 5 Advise whether Kevin is liable for any non-fatal offences against Cassandra and whether he will be successful, or not, in raising the defence of consent. **[25]**

- 6 Advise whether Connor can avoid liability for any offences by using the defence of duress by threats **and** whether Hector can avoid liability by using the defence of self-defence if charged with the injury to Connor. **[25]**

Essay question on criminal law

- 7* 'The offence of involuntary manslaughter fails to meet the requirements of a modern society and needs to be reformed urgently.'

Discuss the extent to which this statement is accurate.

[25]

Part 2

Answer the **three** questions below.

The first two questions are based on the scenarios below. The scenarios are **not** related.

Andrew is a soldier who is at home on leave visiting his mother. She complains about her neighbour's teenage son, Bradley, who frequently has parties that go on late into the night. That night, there is another party. Andrew goes next door and finds Bradley sitting in the living room, which is in near darkness and very crowded. Andrew asks Bradley to turn the music down, but Bradley laughs and says, 'Get lost soldier-boy!' Irritated, Andrew goes and gets his gun and returns to the living room. There he fires two shots: one he aims at Bradley which hits him in the chest, and another into the corner of the room to frighten the other party-goers. Mavis, who is sitting in the corner, is hit in the face by the second bullet and dies as a result. Andrew is unaware that he has hit Mavis, but thinking he has killed Bradley, takes him to a nearby quarry and dumps the body. Bradley dies an hour later due to blood loss as a result of the gunshot wound.

Thomas is at the beach. There are a number of surfers, and one of them, Richard, has left his surfboard while he goes to buy an ice-cream. Thomas decides to take his surfboard but as he approaches, Richard's dog starts to bark at him, so Thomas decides to leave the surfboard where it is. Further down the beach, Thomas sees his maths teacher, Mr Smith, who always makes fun of him in class. Thomas picks up a large rock and throws it at him, but at the same time, Mr Smith bends over to tie his shoelace and the rock misses him. Thomas runs off up the beach and sits down in a deckchair. Beside him is Jill who is sunbathing and has left her handbag next to her. Thomas decides to steal her purse, but when he puts his hand in her handbag there is nothing inside.

- 8 Advise whether Andrew is criminally liable for the murder of both Bradley and Mavis. Do NOT consider any defences. [25]
- 9 Advise whether Thomas is guilty of any attempted offences. [25]

Essay question on criminal law

- 10* 'The offence of involuntary manslaughter fails to meet the requirements of a modern society and needs to be reformed urgently.'

Discuss the extent to which this statement is accurate. [25]

END OF QUESTION PAPER

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