



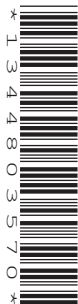
Oxford Cambridge and RSA

Thursday 23 May 2024 – Afternoon

A Level Law

H418/01 The legal system and criminal law

Time allowed: 2 hours



You must have:

- the OCR 12-page Answer Booklet

INSTRUCTIONS

- Use black ink.
- Write your answer to each question in the Answer Booklet. The question numbers must be clearly shown.
- Fill in the boxes on the front of the Answer Booklet.
- Answer **five** questions in total:
Answer **one** question from Questions 1 and 2 and **one** question from Questions 3 and 4 in Section A.
Choose **one** Part in Section B. Answer the **three** questions for that part.

INFORMATION

- The total mark for this paper is **80**.
- The marks for each question are shown in brackets [].
- Quality of extended response will be assessed in questions marked with an asterisk (*).
- This document has **4** pages.

ADVICE

- Read each question carefully before you start your answer.

SECTION A

The legal system

Answer Question 1 **or** Question 2. Then answer Question 3 **or** Question 4.

Answer Question 1 **or** Question 2.

- 1 Explain how civil cases are allocated to the appropriate track. [8]
- 2 Describe the role of juries in criminal courts. [8]

Answer Question 3 **or** Question 4.

- 3 Discuss the problems with government funding of criminal cases. [12]
- 4 Discuss the benefits of using ADR to solve a civil dispute. [12]

SECTION B**Criminal law**

Choose **Part 1** or **Part 2**.

Part 1

Answer the **three** questions.

The first two questions are about the scenarios. The scenarios are **not** related.

Heidi is at a theme park where actors take on the roles of characters from horror movies. She is walking through the 'Haunted House' attraction when Kobe, one of the actors, decides to give Heidi a real fright. He jumps out of a wardrobe holding a long knife. He raises it over his head and shouts, "I'm going to cut you up!" Heidi is so shocked she runs away but she trips. Still holding the knife, Kobe runs to try and help Heidi but she is so scared she punches him in the arm. Kobe drops the knife which cuts his knee badly. He is taken to hospital and needs major surgery to repair his knee.

Ryan has a key to his friend Sam's house so he can look after it when Sam is away. Sam has told Ryan he can go into any room in the house except his office. Ryan knows Sam has a new laptop and decides to steal it. He believes Sam is away and enters the house using the key he has been given. He goes upstairs and finds the laptop in Sam's bedroom. As Ryan is coming back downstairs he is shocked to see Sam. Ryan runs at Sam, punches him in the head and knocks him unconscious. In his panic to get away Ryan runs into Sam's office where he sees Sam's wallet on the desk. Ryan grabs the wallet and runs out of the house.

- 5** Advise whether Kobe and Heidi are criminally liable for any non-fatal offence against the person. Do **not** discuss any defences. **[20]**
- 6** Advise whether Ryan is criminally liable for burglary. **[20]**
- 7*** 'The defence of intoxication strikes a fair balance between clear legal principle and public policy.'
Discuss the extent to which this statement is accurate. **[20]**

Part 2

Answer the **three** questions.

The first two questions are about the scenarios. The scenarios are **not** related.

Dev, aged 30, is married to Yana. Yana is exceptionally tidy and often criticises Dev for being too messy. Whenever Dev cooks, Yana complains about the state of the kitchen, becoming so angry she is verbally and physically abusive. As a result Dev suffers from panic attacks. One evening Dev has made so much mess Yana calls Dev a worthless idiot. She picks up a knife, screams “Tidy this mess now or you’ll regret it!” and leaves the room. Dev has a panic attack and sits on the floor shaking. Ten minutes later Yana returns, shouting “Haven’t you cleaned this up yet?” Dev picks up a heavy coffee pot and hits Yana over the head with it, killing her instantly.

Annika works as a teacher in a school. She has epilepsy and knows that she must take her medication at regular intervals during the day, but on this day she has failed to take any. During a meeting with Hugo her headteacher, Annika pours a glass of water but has a sudden sneezing fit. The glass flies from her hand, hitting Hugo in the face. At lunchtime, feeling dizzy, she picks up a sandwich in the canteen. When Darcie asks Annika for the money she punches her and runs off without paying. Hugo is alarmed at Annika’s behaviour and sends her home for the day. Annika takes double her normal dose of medication and leaves. She becomes very drowsy whilst driving home and crashes into a neighbour’s parked car, badly damaging it.

8 Advise whether Dev can avoid liability for the murder of Yana by using the defence of loss of control. Do **not** discuss the offence of murder. [20]

9 Advise whether Annika can avoid liability for any criminal offences by using the defences of insanity or automatism. [20]

10* ‘The defence of intoxication strikes a fair balance between clear legal principle and public policy.’

Discuss the extent to which this statement is accurate. [20]

END OF QUESTION PAPER

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