

**OXFORD CAMBRIDGE AND RSA EXAMINATIONS
AS GCE
G151/01
LAW**

English Legal System

QUESTION PAPER

FRIDAY 22 MAY 2015: Morning

DURATION: 2 hours

plus your additional time allowance

MODIFIED ENLARGED 24pt

Candidates answer on the Answer Booklet.

OCR SUPPLIED MATERIALS:

**12 page Answer Booklet (OCR12)
(sent with general stationery)**

OTHER MATERIALS REQUIRED:

None

READ INSTRUCTIONS OVERLEAF

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).

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 (*).

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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