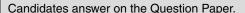


Tuesday 19 May 2015 – Morning

GCSE LAW

B141/01 The Nature of Law: Criminal Courts and Criminal Processes



OCR supplied materials:

None

Other materials required:

None

Duration: 1 hour



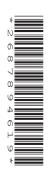
Candidate forename				Candidate surname					
Centre numbe	ər					Candidate nu	umber		

INSTRUCTIONS TO CANDIDATES

- Write your name, centre number and candidate number in the boxes above. Please write clearly and in capital letters.
- Use black ink. HB pencil may be used for graphs and diagrams only.
- Answer all the questions.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- Write your answer to each question in the space provided. 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 60.
- Your quality of written communication is assessed on the question marked with an asterisk (*).
- This document consists of 12 pages. Any blank pages are indicated.



Answer all questions.

1	(a)	The police have	certain powers	when detaining	g a suspect at a	a police station.
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Identify three of these powers.	
1	
2	
3	
	[3]

(b) Select the correct area of police powers which matches the most appropriate feature. Write the appropriate **number** next to each **letter** in the grid below.

Area of Police Powers		
A	Detention	
В	Arrest	
С	Stop and Search	

	Feature
1	Must be in a public place
2	Give evidence in court
3	Use the necessity test
4	To be able to consult the Codes of Practice

Α	
В	
С	

2	(a)	One way of classifying the law is by dividing it into civil and criminal law.
		Explain one difference between civil and criminal law.
		[3]
	(b)	Read the following passage.
		Fill in the missing words from the list below.
		 area common classic elected experts source
		nestic laws in England and Wales are passed in a variety of ways depending upon the
		netimes known as law or precedent. This has been
		cised as being undemocratic since the judges who create this type of law are not
		[3]

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(c)	(i)	There are a series of stages that a bill must pass through during the legislative process in the House of Commons .
		Identify any three of these stages.
		1
		2
		3 [3]
	(ii)	Explain two criticisms of the process of using legislation to pass laws.
		1
		2
		[6]

(iii)	Explain one advantage of using an Order in Council to pass laws.
	[3:

3	(a)	The Duty Solicitor Scheme provides an essential support facility for people accused of criminal acts.
		One feature of this scheme is the right to free initial advice at the police station. Identify three other features.
		1
		2
		3

[3]

(b)	When a suspect is charged with a criminal offence, their trial will be dealt with in either the Magistrates' Court or the Crown Court. If it is a summary offence, the trial will be held in the Magistrates' Court.
	Discuss the basic criminal trial process where the defendant pleads not guilty in the Magistrates' Court.
	[6]

(c)	(i)	When sentencing a defendant, a magistrate or judge will look at whether there were any
		aggravating or mitigating factors when the crime was committed.

Write the most appropriate **factor** next to the correct statement in the table below.

Statement	Aggravating or Mitigating Factor
The use of homophobic language by the defendant.	
The victim of an assault was elderly and disabled.	
The defendant pleaded guilty at the beginning of the trial.	

[3]

(11)	There are various aims and objectives of sentencing. These aims and objectives are
	used differently depending on whether the defendant is a young offender or an adult
	offender.

Explain how the courts treat young offenders **and** adult offenders differently when considering the following aims.

Punishment of offenders	
	•
Reform of offenders	

(a)	Magistrates are an important and effective part of the criminal justice system.	
	Identify three roles of magistrates in court.	
	1	
	2	
	3	

(b) Identify whether the following statements in relation to magistrates are true or false by putting a **tick** in the appropriate box below.

Statement	True	False
A person can apply to be a magistrate up to the age of 70 years.		
A blind person cannot become a magistrate.		
The Lord Chancellor appoints magistrates on the advice of local advisory committees.		

[3]

(c)	Any citizen who wishes to be appointed as a magistrate must demonstrate that they have the six key qualities that were identified in 1998 by the then Lord Chancellor.
	Identify and explain two of these key qualities.
	1
	2
	[6]

(d)*	Brendan, aged 19 years, is a single parent and has recently lost his job. He has been charged with the theft of baby food from a local supermarket. Theft is a triable either way offence. This means Brendan can ask for the trial to be held in either the Magistrates' or Crown Court.
	Discuss two reasons why Brendan may not want his trial to be held in the Magistrates' Court .
	[6]

END OF QUESTION PAPER

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