

**A LEVEL**

**Practice materials**

**LAW**

**H418**

For first teaching in 2020

**H418/03 Practice Paper and Mark Scheme**



Oxford Cambridge and RSA

# Practice Paper

## A Level Law

### H418/03 The nature of law and Human rights

**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 **four** questions in total:  
Answer **one** question using examples from your full course of study 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.

**2****SECTION A****The nature of law**

Answer **one** question using examples from your full course of study.

**1\*** 'The primary aim of any legal system is to achieve justice.'

Discuss the extent to which the law achieves justice.

**[20]**

**2\*** 'Law has the power to influence and change society.'

Discuss the extent to which law does influence and change society.

**[20]**

3

**SECTION B****Human rights 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** related.

Bethan and Ivor run a farm near the town of Frexham. They are also members of 'WindFree' – a pressure group which is campaigning against a proposal to build a large wind farm. The site of the proposed wind farm is on land next to their own farm. They argue that it will damage the natural beauty of the local environment. They plan a protest march through Frexham town centre and inform the police in advance. On the day of the march, they block the main road with their tractors. This causes severe disruption to traffic. The rest of the march continues into the town, but Bethan and Ivor are taken away by the police, forcing them to abandon the march.

Harry and Ewan are the leaders of another pressure group, 'Jobs4Frexham'. They are in favour of the development of the wind farm. They believe it will create new jobs as well as contributing to a cleaner environment. Harry and Ewan decide to disrupt the 'WindFree' march. They organise a group of twenty-five supporters and give them eggs to throw at the 'WindFree' supporters. Ewan also shouts abuse at Bethan and makes threatening gestures against Ivor. Harry and Ewan try to grab the protest signs being carried by the 'Windfree' protestors causing a physical disturbance. Harry and Ewan are arrested and taken into custody.

- 3 Advise Bethan and Ivor whether their rights under Article 11 have been breached. **[20]**
- 4 Advise Harry and Ewan what charges are likely to be brought against them under the Public Order Act 1986. **[20]**

**Essay question on human rights law**

- 5\* The right to freedom of expression has been described as a 'fundamental aspect of democracy'.

Discuss whether Article 10 and the courts have achieved a healthy balance between defending this right whilst allowing for the regulation necessary in a modern democracy. **[20]**

**Part 2**

Answer the **three** questions below.

The first two questions are based on the scenario below.

In April 2010 Xavier was convicted of belonging to a terrorist group and planning significant acts of terror. He was imprisoned for 12 years. Yasmin, an investigative journalist, uncovered evidence that completely contradicted the case against Xavier and in 2015 his case went to the Court of Appeal. His conviction was quashed on the grounds of being unsafe. Xavier was released immediately. However, in 2016 Yasmin discovered that the security services were continuing to monitor Xavier's emails and correspondence and had secretly searched Xavier's home on more than one occasion. She also found out that they were monitoring the emails of Xavier's wife, Monica, and his eldest son Raul, aged 14. When Xavier and his family search the property they find listening devices hidden in the furniture.

- 6 Advise Xavier whether the continued surveillance of both his own and his family's private correspondence, and the searches of his home have breached his rights under Article 8. [20]
- 7 Advise Xavier and his family which laws, **other than Article 8**, exist to protect them and what possible procedures they may take to enforce their rights. [20]

**Essay question on human rights law**

- 8\* The right to freedom of expression has been described as a 'fundamental aspect of democracy'.

Discuss whether Article 10 and the courts have achieved a healthy balance between defending this right whilst allowing for the regulation necessary in a modern democracy. [20]

**END OF QUESTION PAPER**

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