



Topic Tests

for A Level OCR

Paper 1A: The Legal System

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Teacher's Introduction

This resource has been created to support the learning and teaching of OCR H018/H418 AS and A level Law [Paper 1 – The Legal System and Criminal Law] but focusing on the Legal System. It allows students to put their legal knowledge to the test on every part of this specification unit. As the tests progress, the questions increase in depth and difficulty towards a final essay-style question. All questions come with answers and the essay questions also benefit from mark schemes.

Each topic test offers seven questions that are related to OCR H018/H418 AS and A level Law [Paper 1] specification and written to the mark requirements that students can expect in the exam. Note that although the Topic Test questions are not in exam format, the questions have been written with the intention of testing the range of assessment objectives and often borrow aspects that are similar to those in the exam.

Students have plenty of opportunity to practise their knowledge of law, how the law is applied, and how procedure rules are followed, and to evaluate areas of the legal system.

- **Part A** includes shorter-answer questions and will test the students' knowledge of the legal system, its rules and procedures.
- **Part B** includes longer-answer questions and will test the students' knowledge of the law and its procedures in particular scenarios. These scenarios are for testing the students' knowledge but are not typical of the type of question in the exam.
- **Part C** is an essay-based question and will test the students' knowledge of the legal system and allow the student to evaluate the legal system.

This resource should prove valuable to a student's revision. Each Topic Test can be used for in-class activities, as homework or as an extra resource during revision. It allows students to track their progress and identify their strengths, as well as gaps in their knowledge, on the key aspects of the unit.

The subjects covered in this resource include the Civil courts and alternative dispute resolution, Criminal courts and lay people [e.g. juries], Legal personnel [e.g. barristers] and Access to justice [i.e. how does an individual fund a court case, civil or criminal].

This resource will assist students in understanding the legal system but also enhance their understanding of the wider picture of law in society. This will link with other topics in the OCR H018/H418 specification – e.g. The nature of law [Papers 3 and 4] covering justice in the legal system.

Please note:

- Topic 3.4 [Judiciary evaluation and advantages of judicial independence] is included in Topic 3.3 as there is insufficient content in Topic 3.4 to create a separate topic.
- Topic 4.3 [Evaluation of access to justice] is included in Topic 4.2 as there is insufficient content in Topic 4.3 to create a separate topic.

We hope you and your students enjoy this resource and it proves to assist and support your students in achieving the results they deserve.

P Smith, June 2022

1. Civil Courts and the Other Forms of Dis

Topic Test 1.1: County court and high

PART A

1. State two areas of civil law which may be dealt with by the county court.

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2. What are the financial limits for claims to be made in the small claims track

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3. What are the financial limits for claims to be made in the fast track in the co

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4. State two areas of law covered by the Chancery Division of the High Court.

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5. What are the other two divisions of the High Court?

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PART B

6. Maria is walking to college, where she is a teacher. She is looking at messages on her phone but is also reading messages on his phone. By mistake, Luke drives onto the pavement and does not see the car coming towards her and she is badly injured when the car crashes. Maria has a physical injury, is off work for a year and can never again play her favourite sport of netball.

- 6. a) Advise Maria which area of law she will use in her claim and what defence Luke can use.

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- b) What pre-action protocols should be followed by both parties?

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- c) Which courts are appropriate for Maria's claim, and why?

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Preview of Questions Ends Here

This is a limited inspection copy. Sample of questions ends here to avoid students previewing questions before they are set. See contents page for details of the rest of the resource.

Topic Test 4.2

Part A

1. Choose two from, for example: car insurance, home insurance, building work insurance.
2. A 'no win, no fee' agreement.
3. Citizen's Advice Bureau, Law Centres, trade unions, insurance companies.
4. The lawyer will charge no fees for legal advice.
5. Yes, usually the winning party in a court case recovers their legal costs from the loser.

Part B

6. a) A solicitor and Sarina would agree on a fee. The solicitor would normally be charged for their work, but also set out the 'success fee' which the claimant must pay if the claim proves successful. It may also be agreed that the solicitor will charge nothing if Sarina wins the case, she pays the normal fee and then recovers it from John and/or his insurance company. The success fee is usually 'capped' at 25% of the damages [compensation] awarded.
b) For example, if Sarina agrees a normal fee of £2,000, she will not pay this if the claim fails. If the claim is agreed at an additional £1,000. If Sarina is awarded £100,000 damages, she will recover £2,000 damages, then she pays her lawyer £2,500 [being £2,000 normal fee + being 25% of the damages awarded].

Part C

7. Conditional fee agreements ['CFAs'] have benefited many claimants since being introduced. People who could not otherwise have afforded a lawyer to advise and represent them, can now do so. CFAs have changed the English legal system. Some areas of law have never been covered by legal aid [e.g. personal injury] so CFAs have filled that gap.

However, a claim that has a low value [e.g. a minor breach of contract, the purchase of a defective item, a minor injury] will not appeal to most litigation lawyers. These small claims will reduce the number of cases brought to court. This is linked in with the fact that, as a general rule, all successful claims made in the small claims track [claims below £10,000] do not allow the district judge to order the losing party to pay the successful party's legal costs.

Further, part of a CFA is that if the claim fails, the solicitor makes no charge for their work. The claimant must pay for their losses on their work – a profit is essential. Solicitors are, therefore, reluctant to take on cases with a low chance of success, and CFAs are usually only offered for cases with a good chance of success.

Finally, the Legal Aid, Sentencing & Punishment Act 2012 states that success fees [are] no longer claimable from the defendant by a successful claimant. This means the success fee is no longer available to take a case to court as they are having to pay their solicitor's success fee now.

The Citizens Advice Bureau (CAB) is a useful and effective source of legal advice. They provide free legal advice to many members of the public. They are well known. However, their advice is limited to their knowledge of the law, focusing on issues that affect vulnerable people, e.g. entitlement to housing, benefits, etc. They refer people to local solicitors for a lawyer, but this is limited as not all solicitors take on cases with a low chance of success.

Some towns have Law Centres – staffed by volunteers who give free legal advice. However, these are rare.

Trade unions have experts on the law – but usually limited to issues relating to employment. Legal representation is free but limited to members of the union – so not available to the general public.

Finally, the Pro Bono Unit offers free advice and representation on most areas of law. However, this is only available in London.

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Preview of Answers Ends Here

This is a limited inspection copy. Sample of answers ends here to stop students looking up answers to their assessments. See contents page for details of the rest of the resource.