



# Topic Tests

for A Level OCR Law

Paper 1B: Criminal Law

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# Contents

<b>Product Support from ZigZag Education .....</b>	<b>ii</b>
<b>Terms and Conditions of Use .....</b>	<b>iii</b>
<b>Teacher’s Introduction.....</b>	<b>1</b>
<b>Write-on Tests.....</b>	<b>2</b>
1. Rules and theory and general elements of criminal liability.....	2
<i>Topic Test 1.1: An outline of the rules of criminal law and an overview of the theories of criminal law.....</i>	2
<i>Topic Test 1.2: Actus reus .....</i>	5
<i>Topic Test 1.3: Mens rea .....</i>	8
2. Fatal offences against the person .....	11
<i>Topic Test 2.1: Murder – actus reus and mens rea .....</i>	11
<i>Topic Test 2.2: Voluntary manslaughter: defences of loss of control and diminished responsibility.....</i>	14
<i>Topic Test 2.3: Involuntary manslaughter: unlawful act manslaughter and gross negligence manslaughter .....</i>	17
3. Non-fatal offences against the person.....	20
<i>Topic Test 3.1: Assault and battery.....</i>	20
<i>Topic Test 3.2: Assault occasioning actual bodily harm .....</i>	23
<i>Topic Test 3.3: Wounding and grievous bodily harm.....</i>	26
4. Offences against property.....	29
<i>Topic Test 4.1: Theft.....</i>	29
<i>Topic Test 4.2: Robbery and burglary .....</i>	32
5. Mental capacity defences .....	35
<i>Topic Test 5.1: Insanity and automatism.....</i>	35
<i>Topic Test 5.2: Intoxication .....</i>	38
6. General defences .....	41
<i>Topic Test 6.1: Self-defence .....</i>	41
<i>Topic Test 6.2: Duress by threats, duress by circumstances, necessity.....</i>	44
<i>Topic Test 6.3: Consent.....</i>	47
7. Preliminary offences .....	50
<i>Topic Test 7.1: Attempts – actus reus and mens rea, impossibility .....</i>	50
<b>Non-write-on Tests.....</b>	<b>53</b>
1. Rules and theory and general elements of criminal liability.....	53
<i>Topic Test 1.1: An outline of the rules of criminal law and an overview of the theories of criminal law.....</i>	53
<i>Topic Test 1.2: Actus reus .....</i>	54
<i>Topic Test 1.3: Mens rea .....</i>	55
2. Fatal offences against the person .....	56
<i>Topic Test 2.1: Murder – actus reus and mens rea .....</i>	56
<i>Topic Test 2.2: Voluntary manslaughter: defences of loss of control and diminished responsibility.....</i>	57
<i>Topic Test 2.3: Involuntary manslaughter: unlawful act manslaughter and gross negligence manslaughter .....</i>	58
3. Non-fatal offences against the person.....	59
<i>Topic Test 3.1: Assault and battery.....</i>	59
<i>Topic Test 3.2: Assault occasioning actual bodily harm .....</i>	60
<i>Topic Test 3.3: Wounding and grievous bodily harm.....</i>	61
4. Offences against property.....	62
<i>Topic Test 4.1: Theft.....</i>	62
<i>Topic Test 4.2: Robbery and burglary .....</i>	63
5. Mental capacity defences .....	64
<i>Topic Test 5.1: Insanity and automatism.....</i>	64
<i>Topic Test 5.2: Intoxication .....</i>	65
6. General defences .....	66
<i>Topic Test 6.1: Self-defence .....</i>	66
<i>Topic Test 6.2: Duress by threats, duress by circumstances, necessity.....</i>	67
<i>Topic Test 6.3: Consent .....</i>	68
7. Preliminary offences .....	69
<i>Topic Test 7.1: Attempts – actus reus and mens rea, impossibility .....</i>	69
<b>Mark Scheme .....</b>	<b>70</b>

# 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 Section B: Criminal Law. It allows the students to put their legal knowledge to the test on a majority of this specification unit. As each test progresses, 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 can be used for in-class activities, as homework or as an extra resource during revision. This resource allows students to track their progress and identify their strengths, as well as gaps in their knowledge, on the key aspects of the unit.

Students have the opportunity to practise their knowledge of law, explain how the law is applied and evaluate specific areas of criminal law.

- **Section A** will test the students' knowledge of criminal law, its case precedents and statutes.
- **Section B** will test the students' knowledge of the law and how it is applied in particular scenarios.
- **Section C** will test the students' knowledge of criminal law and will also allow the student to evaluate certain areas of criminal law.

The subjects covered in this resource include the nine areas set in the OCR specification for H018/H418, Paper 1 Section B. These will link with other topics in the OCR H418 specification – e.g. the Nature of Law (Papers 3 and 4) covering Justice in the Legal System.

Please note that the critical evaluation of the areas listed in the ninth area of the specification has been included within preceding topic test sections for consistency of study and revision, e.g. evaluation of non-fatal offences is contained in Topic Test 3, evaluation of intoxication is contained within Topic Test 5. It would be impossible to include these topics following the OCR specification exactly as there would, for example, be no relevant content to include in questions 1–5.

However, apart from the Section C questions that do cover the topics specified in the OCR specification for evaluation, there are other Section C questions and answers which cover topics not specified for evaluation. These questions and answers may be treated as extension tasks to expand the students' knowledge, understanding and application of these areas of law. For example, the Section C question under Test 1.2 covers factual and legal causation, which is not in the OCR specification for evaluation, but is a relevant question to enhance the student's appreciation of this area of the specification.

We hope you and your students enjoy this resource and that it proves of assistance and support to your students to achieve the results they deserve.

## Remember!

Always check the exam board website for new information, including changes to the specification and sample assessment material.

# 1. Rules and theory and general elements of

## Topic Test 1.1: An outline of the rules of criminal law an overview of the theories of criminal law

### SECTION A

1. List the **two** main sources of UK criminal law.



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2. Which body brings most prosecution cases in the UK criminal courts?

3. In which court do all criminal cases commence and what other court hears the



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4. Who has the burden of proof in a criminal case, what is the standard of proof a

5. Apart from punishment, list two other aims of sentencing in the Criminal Justice



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SECTION B

Nancy is caught shoplifting in a local store, when leaving with goods in her bag for which she claims she had forgotten her bank card and was going to return to the shop and pay. The shop were in the shop with her, to support her defence.

6. a) Explain in which court Nancy's case will be heard first. In which court (of the two) will the case be finally heard?



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- b) Should Nancy ask her supporting witnesses to attend court and, if so, what would you expect them to do if they do attend court?



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- c) If Nancy is found guilty, what powers do the courts have in deciding what to do with her?



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# 1. Rules and theory and general elements of

## Topic Test 1.1: An outline of the rules of criminal law an overview of the theories of criminal law

### SECTION A

1. List the **two** main sources of UK criminal law.
2. Which body brings most prosecution cases in the UK criminal courts?
3. In which court do all criminal cases commence and what other court hears the appeals?
4. Who has the burden of proof in a criminal case, what is the standard of proof and what is the standard of proof beyond reasonable doubt?
5. Apart from punishment, list **two** other aims of sentencing in the Criminal Justice Act 2003.

### SECTION B

Nancy is caught shoplifting in a local store, when leaving with goods in her bag for which she claims she had forgotten her bank card and was going to return to the shop and pay for the goods. She has a friend who was in the shop with her, to support her defence.

6. a) Explain in which court Nancy's case will be heard first. In which court (of the two) will the case be finally heard?  
b) Should Nancy consider supporting witnesses to attend court and, if so, what would they have to do if they do attend court?  
c) If Nancy is found guilty, what powers do the courts have in deciding what sentence to impose?

### SECTION C

7. Discuss the aims and purposes of criminal law in the UK.

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## **Preview of Questions Ends Here**

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# Mark Scheme

## Section B: 10-mark Scenario-based Questions

Knowledge (4), application (4) and analysis (6)		
	0 marks	No relevant answer given.
<b>Level 1</b>	1–2	Limited application of legal rules to a given scenario. Limited argument which is minimal in detail and is unstructured. Minimal legal terminology is used.
<b>Level 2</b>	3–5	Basic application of legal rules to a given scenario. Basic argument which may lack detail in places and is partially structured. Some legal terminology is used.
<b>Level 3</b>	6–7	Good application of legal rules to a given scenario. Good argument which is detailed but not fully developed in places. Some legal terminology is used.
<b>Level 4</b>	8–10	Excellent application of legal rules to a given scenario. Excellent argument which is accurate, fully developed and detailed. Extensive legal terminology is used.

## Section C: 10-mark Essay Questions

Knowledge (4), application (4) and analysis (6)		
	0 marks	No relevant answer given.
<b>Level 1</b>	1–2	<ul style="list-style-type: none"> <li>Limited analysis of legal concepts and/or issues.</li> <li>The response has limited focus on the question.</li> <li>Discussion of any key points is minimal.</li> </ul>
<b>Level 2</b>	3–5	<ul style="list-style-type: none"> <li>Basic analysis and evaluation of legal concepts and issues.</li> <li>The response is partially focused on the question.</li> <li>Some of the key points are discussed and partially developed.</li> </ul>
<b>Level 3</b>	6–7	<ul style="list-style-type: none"> <li>Good analysis and evaluation of a range of legal concepts and issues.</li> <li>The response has a mainly consistent focus on the question.</li> <li>Most of the key points are well discussed and well developed.</li> </ul>
<b>Level 4</b>	8–10	<ul style="list-style-type: none"> <li>Excellent analysis and evaluation of a wide range of legal concepts and issues.</li> <li>The response is wide-ranging and has a well sustained focus on the question.</li> <li>The key points are fully discussed and fully developed.</li> </ul>

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# 1. Rules and theory and general elements of crime

## Topic Test 1.1: An outline of the rules of criminal law and an overview of

### Section A

1. Acts of Parliament and judge-made case precedents.
2. The Crown Prosecution Service (CPS).
3. The magistrates' court and the Crown Court.
4. The prosecution (from the CPS) must prove the case 'beyond reasonable doubt' (i.e. the defendant is guilty). In a few occasions, the 'reverse onus' applies, i.e. the defendant must prove insanity or the defendant to prove the defence on the 'balance of probabilities'.
5. Choose two from: reduction in crime (deterrence), rehabilitation, public protection, etc.

### Section B

6.
  - a) The case will first be heard in the magistrates' court. The case will then remain there or, if the magistrates' court considers it to be a serious case, transferred to the Crown Court.
  - b) Nancy must ask her supporting witnesses to attend the court. Without the court witnesses' evidence, their evidence cannot be used. The witnesses would have to attend court. They would then be asked to tell their story and then be cross-examined by the prosecution.
  - c) The courts have a variety of sanctions available. They can release (discharge) Nancy on bail, order (attend courses, rehabilitation, etc.), or give a prison sentence (perhaps suspended).

### Section C

7. Criminal law is often described as 'retributive' justice. This is a theory that justice is done on those who have committed a criminal offence. This is regarded as a morally acceptable conduct – whether of a major or minor nature.

There are alternatives to punishment; for example, the aim to deter others from committing offences, to educate and prevent others from offending in the future, e.g. rehabilitation with drug treatment, or to provide alternative ways that avoid a court hearing, e.g. attending driving courses after a licence is suspended.

Criminal law also imposes some control over society and behaviour. For example, society's attitude to drink-driving is very different from society's attitude in the mid-1960s, when the drink-driving laws were introduced. The Department of Justice states the purpose of criminal law is to deliver justice to all.

'Fault' is generally presumed to form the basis of liability under criminal law. Fault means that the defendant must have intended their conduct and the effect and consequences of that conduct on the victim(s) and must have been aware of it (i.e. what is in their mind when they commit the criminal act) is, in law, called *mens rea* (i.e. the defendant's mind). The two main types of *mens rea* are the defendant's intention to conduct the criminal act or recklessness as to their conduct and its likely consequences.

Sometimes, a defendant is guilty of a crime when no *mens rea* is required. These are called strict liability offences. An example is not wearing a seat belt. Strict liability offences are generally to cover situations where there is a potential danger to public health, safety or morals.

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## **Preview of Answers Ends Here**

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