



# Cambridge International AS & A Level

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**LAW**

**9084/02**

Paper 2 Criminal Law

**For examination from 2023**

SPECIMEN PAPER

**1 hour 30 minutes**



You must answer on the enclosed answer booklet.

You will need: Answer booklet (enclosed)

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## INSTRUCTIONS

- Answer **two** questions in total:
  - Section A: answer Question 1.
  - Section B: answer **one** question.
- Follow the instructions on the front cover of the answer booklet. If you need additional answer paper, ask the invigilator for a continuation booklet.

## INFORMATION

- The total mark for this paper is 60.
- The number of marks for each question or part question is shown in brackets [ ].

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This document has **4** pages. Any blank pages are indicated.

### Section A

Answer **Question 1(a), (b) and (c)** using **only** the source material provided.

- 1 (a) Connor has just been swimming at a pool where he is a member. In the changing room there is a screen with a sign which says, 'Keep out – staff only'. Connor goes behind the screen and sees a sports bag on the floor. As Connor reaches for the sports bag Magid appears. He says, 'Stop. Don't touch my bag!' Connor punches Magid so hard that he falls and breaks his arm. Connor runs off with Magid's sports bag.

Explain how the source material will apply to Connor. [10]

- (b) Marie, aged 30, often visits her father at his house. Marie's father has given her a door key so she can get into his house if he is out. Marie is in debt and she asks her father for some money but he refuses. Marie decides to break into a locked cupboard in her father's house where she hopes there is something which she can sell. The next day Marie expects her father to be out. She puts a hammer in her bag to break the cupboard door and goes into her father's house using the door key he gave her. Marie finds her father sitting in the kitchen so she has a meal with him and leaves.

Explain how the source material will apply to Marie. [10]

- (c) James walks past a shop every day where he sees an expensive jacket in the window. He really wants to buy the jacket but has very little money. After a week of watching the shop James notices that there is no security system. He goes into the shop to steal the jacket. Just as he gets inside, and before he gets to the jacket, the fire alarm sounds. Everyone, including James, has to leave the shop immediately.

Explain how the source material will apply to James. [10]

### Section B

Answer **one** question from this section **not** using the source material.

#### EITHER

- 2 (a) Describe the offence of making off without payment. [5]
- (b) Evaluate the role of intention in the criminal law. [25]

#### OR

- 3 (a) Describe two types of sentence that can be given to adult offenders who commit theft. [5]
- (b) Evaluate the extent to which the aims of sentencing are effective in reducing re-offending among young offenders. [25]

## Source material for Section A Question 1

### Section 9 Theft Act 1968

(1) A person is guilty of burglary if—

(a) he enters any building or part of a building as a trespasser and with intent to commit any such offence as is mentioned in subsection (2) below; or

(b) having entered any building or part of a building as a trespasser he steals or attempts to steal anything in the building or that part of it or inflicts or attempts to inflict on any person therein any grievous bodily harm.

(2) The offences referred to in subsection (1)(a) above are offences of stealing anything in the building or part of a building in question, of inflicting on any person therein any grievous bodily harm ... therein, and of doing unlawful damage to the building or anything therein.

(3) A person guilty of burglary shall on conviction on indictment be liable to imprisonment for a term not exceeding—

(a) where the offence was committed in respect of a building or part of a building which is a dwelling, fourteen years;

(b) in any other case, ten years.

#### ***R v Jones and Smith (1976)***

D stole two televisions from his father's house, which he had general permission to enter. He had left home but was allowed to visit.

Held: D was a trespasser if he entered premises knowing that or being reckless whether he was entering in excess of any permission that had been given to him to enter.

#### ***R v Walkington (1979)***

D went behind a counter in a large store and opened a till drawer. The counter was movable, but occupied a clearly identified area. It was empty so he slammed it shut. D was convicted for burglary. D claimed he did not realise that he was not allowed to go behind the counter and therefore had not entered as a trespasser.

Held: it is for the jury to decide whether the area physically marked out by a counter was sufficiently segregated to amount to a 'part of a building' from which the general public are excluded. It was clear that the public was impliedly prohibited from entering the counter area and D knew this.

#### ***R v Ryan (1996)***

D burgled a house but only got as far as being trapped by his neck with only his head and right arm inside a window. He was not in a position to steal.

Held: D need not have got so far into the building as to be able to accomplish his unlawful purpose.

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