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Cambridge Assessment International Education

Cambridge International AS & A Level

LAW **9084/22**

Paper 2 Criminal Law **October/November 2025**

1 hour 30 minutes

You must answer on the enclosed answer booklet.

You will need: Answer booklet (enclosed)

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 [ ].

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

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Section A

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

1 **(a)** Peter is a tennis fan, and he wants to go and watch a match where the world champion will be competing. A ticket for the match is £100, and Peter cannot afford to buy one. In the days before the match, Peter visits the site where it will be played and discovers a hole in the fence which he can climb through. On the day of the match, Peter climbs through the hole and sits and watches the match. A security guard asks to see his ticket. Peter says that his brother has it and that he will be back from buying some food in a few minutes.

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

(b) Celeste is in charge of the accounts on a farm which she runs with her brother, Anton. They employ temporary workers for three months to pick produce on the farm. Anton tells the workers that he will pay them £5000 each for the work. The workers agree to this. At the end of three months, Anton tells Celeste to pay the workers. She pays them £3000 each. They complain to Anton, and he discovers that Celeste has taken the rest of the money and spent it on a car.

Explain how the source material will apply to Anton and Celeste. [10]

(c) Helen is a student and the carer for her mother. She has the details of her mother's credit card account, which she uses to pay her mother's bills. Helen's favourite TV series is going to be shown on a streaming service which costs £10 per month. Helen wants to watch the series, but cannot afford the subscription. Helen creates an account for the streaming service using her own name but her mother's credit card details. The series lasts for three months. Helen pays the full amount of £30 for this time and then she cancels the streaming account. She also gives her mother £15.

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

Section B

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

EITHER

2 **(a)** Describe the aggravated offence of s1(2) Criminal Damage Act 1971. [5]

(b) Evaluate the fairness of using causation to create criminal liability. [25]

OR

3 **(a)** Describe **two** custodial sentences for young offenders. [5]

(b) Evaluate the effectiveness of the law of blackmail. [25]

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Source material for Question 1

Fraud Act 2006

Section 4 Fraud by abuse of position

(1) A person is in breach of this section if he—
(a) occupies a position in which he is expected to safeguard, or not to act against, the financial interests of another person,
(b) dishonestly abuses that position, and
(c) intends, by means of the abuse of that position—
  (i) to make a gain for himself or another, or
  (ii) to cause loss to another or to expose another to a risk of loss.

(2) A person may be regarded as having abused his position even though his conduct consisted of an omission rather than an act.

Section 11 Obtaining services dishonestly

(1) A person is guilty of an offence under this section if he obtains services for himself or another—
(a) by a dishonest act, and
(b) in breach of subsection (2).

(2) A person obtains services in breach of this subsection if—
(a) they are made available on the basis that payment has been, is being or will be made for or in respect of them,
(b) he obtains them without any payment having been made for or in respect of them or without payment having been made in full, and
(c) when he obtains them, he knows—
  (i) that they are being made available on the basis described in paragraph (a), or
  (ii) that they might be,
but intends that payment will not be made, or will not be made in full.

***R v Marshall* (2009)**
M was the joint manager of a residential care home where the victim was a resident. The victim had severe learning difficulties. She had a bank account over which she could not exercise any proper control. The defendant made several withdrawals and used the money for her own benefit.

Held: M was convicted under s4.

***R v Kapitene* (2010)**
K, an illegal immigrant, applied for a job at a cleaning company. He signed a declaration stating that he was legally entitled to remain in the UK and showed his employers a Congolese passport containing his details, his photograph and an immigration stamp indicating that he had ‘indefinite leave’ to remain in the UK. He began work as a cleaner.

Held: K’s ‘gain’ was the wages he was paid by the company. The victim’s ‘loss’ was the wages paid out.

***R v Barton and Booth* (2020)**
Barton ran a luxury nursing home. Booth was the general manager of the home. Over the years, the pair abused their position to befriend, manipulate and isolate residents at the home in order to profit from them. A jury convicted the defendants of various dishonesty offences. They appealed on the correct test to be used for dishonesty.

Held: The Court of Appeal held that the correct test to follow was the *Ivey v Genting Casinos* test: whether an ordinary, honest person, armed with the same factual knowledge and beliefs as the defendant, would consider the conduct dishonest.

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