



GCE A LEVEL

A150U20-1



TUESDAY, 6 JUNE 2023 – AFTERNOON

LAW – A level component 2
Substantive Law in Practice

2 hours 15 minutes

ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen. Do not use gel pen or correction fluid.

Answer **three** questions in total, each question from a different section.

Section A – Law of Contract (private law)

Section B – Law of Tort (private law)

Section C – Criminal Law (public law)

Section D – Human Rights Law (public law)

The same three sections that you choose for this examination must also be chosen for the component 3 examination.

Write your answers in the separate answer booklet provided. Use both sides of the paper. Write only within the white areas of the booklet.

Write the question number in the two boxes in the left-hand margin at the start of each answer,

for example

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Leave at least two line spaces between each answer.

INFORMATION FOR CANDIDATES

The number of marks is given in brackets at the end of each question or part-question.

Answer **three** questions in total.

Section A

Law of Contract

Answer **one** question from this section if you have studied this area of private law.

The questions which follow require you to:

- demonstrate knowledge and understanding of the English legal system
- apply legal rules and principles to the scenario and
- present a legal argument using appropriate legal terminology.

Credit will be given for the use of relevant supporting case law and authority.

Either,

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Ashee entered into a contract with Better Boilers Limited for them to install a new boiler in his home. Ashee had used the same company 10 years ago when he first moved into his house. Better Boilers Limited installed the boiler and on the way out of Ashee's house handed him some paperwork saying, 'This is the official stuff for you to read'. Unknown to Ashee the paperwork contained the following clause, "All faults from the installation must be reported within 24 hours after which time liability for any breach of contract is limited to £60." Ashee did not read the paperwork nor check the boiler because he left his home straight away to go away for the weekend. Upon his return, two days later, Ashee saw that the boiler was leaking water and a warning light was flashing. The leak had ruined the flooring causing £500 worth of damage. Ashee realised that the boiler was faulty. He contacted Better Boilers Limited who are trying to rely on the clause limiting their liability.

Advise Ashee as to whether Better Boilers Limited can rely on the clause, applying your knowledge and understanding of legal rules and principles. [25]

Or,

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Patrick wanted to purchase the latest model of mobile telephone and so decided to sell his current phone to help raise funds. He put a notice on the wall of the student union building advertising it for sale for the sum of £400. David saw the notice and sent Patrick a text offering £350 for the phone. Patrick thought that amount was a bit of an insult and replied saying he would take £390. Before he received a response from David, Patrick received a message from Mary saying, 'I will pay £400 if it is a nice colour'. Patrick knew Mary did not like him and ignored the message. David decided he really wanted the mobile phone and prepared a message saying he would pay the £390. However, the text would not send as he had no credit left on his phone. David has now learnt that Patrick has sold the mobile phone to one of his lecturers for £400. David is very annoyed and feels Patrick should be forced to sell the mobile phone to him.

Advise Patrick as to whether he has a contract with David or Mary for the sale of the mobile phone and possible remedies that could be ordered by a court, applying your knowledge of legal rules and principles. [25]

Section B

Law of Tort

Answer **one** question from this section if you have studied this area of private law.

The questions which follow require you to:

- demonstrate knowledge and understanding of the English legal system
- apply legal rules and principles to the scenario and
- present a legal argument using appropriate legal terminology.

Credit will be given for the use of relevant supporting case law and authority.

Either,

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Margot, a professional ballet dancer, has been involved in a road traffic incident with Simon. The incident occurred whilst Margot was crossing the road as a pedestrian. She was on a bend, which obstructed her vision of oncoming vehicles. Simon, who was driving his car, failed to see Margot because he was looking at his mobile phone and was driving slightly above the speed limit. He was unable to stop in time to prevent the collision. Margot has suffered a broken leg, loss of earnings over the past 10 months and is unable to resume her work as a ballet dancer. She also has travel expenses after visiting the hospital for physiotherapy every week.

Advise Margot of any legal action she may be able to take under the law of negligence, applying your knowledge and understanding of legal rules and principles. [25]

Or,

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Amanda and her 10-year-old child, Joel, visit a Christmas market at a local country house. Amanda wanted to go and listen to the carol singers on the third floor of the house, but Joel wanted to play in the grounds. Amanda tells Joel that he can play outside for 30 minutes and then he must return to the main house. Amanda starts to walk up the stairs to the third floor and in her eagerness to get there she fails to see a box of Christmas decorations left on the stairs by a member of staff. Amanda trips over the box and falls down a short flight of stairs breaking her ankle. Whilst Joel is outside he comes across a café and decides to go in to buy some sweets. There is a sign warning visitors that the café is closed for repairs and visitors should not be in the area. Joel is not very good at reading and does not realise the café is closed. As he walks up to the door a slate is dropped by a roofer from the top of a ladder and it falls on Joel's head causing cuts and bruises.

Advise Amanda and Joel if they have a claim in the tort of Occupiers' Liability for their injuries, applying your knowledge and understanding of legal rules and principles. [25]

Section C

Criminal Law

Answer **one** question from this section if you have studied this area of public law.

The questions which follow require you to:

- demonstrate knowledge and understanding of the English legal system
- apply legal rules and principles to the scenario and
- present a legal argument using appropriate legal terminology.

Credit will be given for the use of relevant supporting case law and authority.

Either,

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Ella and Annika decided to go for a walk in the countryside. They came across Hillside Mansion, the home of the pop singer George Starr. They were both fans of the pop singer and so Ella suggested they sneak into the property to have a look round. They found a side entrance open and went into the grand dining room. Annika saw a gold disc of her favourite song and decided to take it to sell. As Annika pulled it off the wall Ella saw a picture of George Starr with his wife. In a jealous rage Ella threw the picture on the floor and the frame smashed. The noise was heard by George Starr who ran into the grand dining room, saw Ella and Annika and tried to block their way out of the room. In an attempt to get out as quickly as possible the girls ran past George and pushed him out of the way. George Starr fell to the floor in pain. Annika lost her grip on the gold disc in the struggle and it fell to the floor and smashed. Ella and Annika left the house empty-handed.

Advise Ella and Annika as to their potential liability under the Theft Act, 1968, applying your knowledge of legal rules and principles. [25]

Or,

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Amir had been very depressed and so his best friend Hussain suggested they play ten-pin bowling to cheer him up. However, during the game they argued over who was the better bowler and Hussain insulted Amir. Enraged by this, Amir threw a heavy bowling ball at Hussain's head. Unknown to Amir, Hussain suffered from a thin skull and as a result he lost consciousness. An ambulance was called and Hussain was taken to hospital. At the hospital Hussain recovered consciousness and seemed to be making a good recovery. However, a junior doctor, Alma, failed to order a head scan and a slow bleed on the brain caused by the bowling ball proved fatal and Hussain died 10 hours after arriving at hospital.

Advise Amir as to whether he may be criminally liable for Hussain's death, applying your knowledge and as to understanding of legal rules and principles. [25]

Section D

Human Rights Law

Answer **one** question from this section if you have studied this area of public law.

The questions which follow require you to:

- demonstrate knowledge and understanding of the English legal system
- apply legal rules and principles to the scenario and
- present a legal argument using appropriate legal terminology.

Credit will be given for the use of relevant supporting case law and authority.

Either,

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Brothers Martin and Gary are amateur dramatic actors who are soon to appear in a murder mystery production at the local theatre. One day, as they were walking to the theatre, they decided to go over their lines by way of practice. Martin was acting out the lines from the murder scene and was shouting about plunging a dagger into Gary. Just at that moment, PC Dickinson walked by, thinking he was attacking Gary she pushed Martin into the back of a police car and took him to the police station. Martin tried to explain what was happening but PC Dickinson said she was tired of young people fighting in the streets and that he needed to learn how to behave in public. She said she would take his fingerprints and a DNA sample whether or not he consented. Martin asked if he could tell the theatre director about the incident so the show could continue without him. PC Dickinson refused his request and left him in the police cell for 18 hours before finally releasing him from police custody.

Advise Martin as to the legality of the actions of the police, applying your knowledge and understanding of legal rules and principles. [25]

Or,

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Malia is the President of the Student Union at a local university. She has organised a protest march against a rise in tuition fees. On the day of the protest, around 100 people turned up for the march. They set off towards the university with Malia in the lead. Already at the university were Sergeant Beveridge and PC Bruce. Sergeant Beveridge thought it would be better if the march divided into two groups as the city centre was very busy and two smaller groups would be easier to manage. Malia wanted everyone to stay together and so refused to comply. Sergeant Beveridge then saw a group of 20 nursery children being led by their teacher in the direction of the marchers. The march had come to a stop as their path was obstructed by the police and the children. Sergeant Beveridge told Malia that the march should reroute down a different street which would not take them past the university. Malia tried to explain explain that the march would have more impact if it went past the university. Sergeant Beveridge's response was to call for further officers and to order PC Bruce to arrest Malia. When the marchers at the front of the group saw what was happening they shouted at the police and waved their placards that said, 'Enough is enough. Action now'. Fearing further unrest, Sergeant Beveridge told the officers to arrest as many people as they could.

Advise Malia as to whether the police were acting within their powers to control public order situations, applying your knowledge and understanding of legal rules and principles. [25]

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