



GCE AS

B150U20-1



FRIDAY, 26 MAY 2023 – MORNING

**LAW – AS component 2**  
**Understanding Substantive Law**

1 hour 30 minutes

B150U201  
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**ADDITIONAL MATERIALS**

A WJEC pink 16-page answer booklet.

**INSTRUCTIONS TO CANDIDATES**

Use black ink or black ball-point pen.

Write your answers in the separate answer booklet provided.

Answer **two** questions in total: **one** question from Section A (private law) and **one** question from Section B (public law).

**INFORMATION FOR CANDIDATES**

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

**Section A: Private Law**

Answer **either** question 1 **or** question 2.

These questions require you to:

- demonstrate knowledge and understanding of the English legal system and legal rules and principles
- apply legal rules and principles to a scenario in order to present a legal argument using appropriate legal terminology
- analyse and evaluate legal rules, principles and concepts.

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

**EITHER****Question 1: Law of Contract**

- (a) Explain the elements of a valid offer. [6]
- (b) Explain what is meant by an invitation to treat. [6]
- (c) Assess the relevance of the postal rule in the formation of a valid contract. [9]

Read the scenario below and answer part (d).

Jim, Sam and Kate had inherited the family home when their parents both died in a tragic road traffic accident. The house was very run-down and Jim, a builder, refurbished the house to a high specification with the intention of selling it when the market picked up. As the work had cost more than he had anticipated, Jim subsequently asked his brother and sister for a contribution of £5000 each; they agreed to do so. It is now six months later. The house remains unsold and Sam and Kate are refusing to hand over any money to Jim.

- (d) Advise Jim whether he has an enforceable contract against Sam and Kate. [9]

OR

**Question 2: Law of Tort**

- (a) Explain the 'but for' test in the law of tort. [6]
- (b) Explain the difference between special damages and general damages in the law of tort. [6]
- (c) Assess the obligations imposed on occupiers of property by the Occupiers' Liability Act 1957. [9]

Read the scenario below and answer part (d).

Tom, a retired schoolteacher, and his wife, Isabelle, were driving home after visiting their local garden centre. As they made their way around the narrow lanes, they were suddenly hit by a huge hay bale which fell off a tractor driven at high speed by Daniel, a local farmer. Other than suffering some bruising, Isabelle was not injured. Tom, however, suffered from epilepsy. He started to fit, was airlifted to hospital and died later that night.

- (d) Advise Isabelle whether she is likely to be successful if she sues Daniel for negligence in respect of Tom's death. [9]

**Section B: Public Law**

Answer **either** question 3 **or** question 4.

These questions require you to:

- demonstrate knowledge and understanding of the English legal system and legal rules and principles
- apply legal rules and principles to a scenario in order to present a legal argument using appropriate legal terminology
- analyse and evaluate legal rules, principles and concepts.

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

**EITHER****Question 3: Criminal Law**

- (a) Explain the burden of proof in criminal law. [6]
- (b) Explain the actus reus and mens rea of S20 Offences against the Person Act 1861. [6]
- (c) Assess the advantages and disadvantages of strict liability offences. [9]

Read the scenario below and answer part (d).

Megan moved in to look after her aged aunt, Deborah, who had recently suffered a stroke and was struggling to manage by herself. Although things worked well initially, Megan subsequently failed to properly care for her aunt. The lack of personal hygiene led to Deborah developing sores on her body and the absence of proper food caused her physical condition to deteriorate. Unfortunately, Megan did not call a doctor until it was too late and her aunt died.

- (d) Advise Megan whether she would be liable for failure to act on these facts. [9]

**OR**

**Question 4: Human Rights Law**

- (a) Explain the role of the European Court of Human Rights. [6]
- (b) Explain the rights of a suspect who is arrested by the police without a warrant. [6]
- (c) Assess whether the law provides sufficient protection for individuals detained at the police station. [9]

Read the scenario below and answer part (d).

Kathryn works as a secretary for the Ministry of Defence. In the course of her work, she came across a report of an investigation into the death of an RAF helicopter pilot following a crash during a rescue mission. The report made it clear that the cause of the crash was a design fault which made this particular type of helicopter unstable at low altitudes. On the final page of the report, it was stated that, as it would cost too much to withdraw this type of helicopter from service, the report should be kept secret and the official reason for the crash given as "pilot error". Kathryn secretly photocopied this page and sent it to Mike, the father of the dead pilot. Outraged at the cover-up and the slur on his son's name, Mike sent the photocopy to Darren, the editor of the Daily Slur, who is considering whether to publish the story.

- (d) Advise Kathryn, Mike and Darren whether they may have committed an offence. [9]

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