



**GCE A LEVEL**

A150U20-1



**TUESDAY, 13 OCTOBER 2020 – AFTERNOON**

**LAW – A level component 2**  
**Substantive Law in Practice**

2 hour 15 minutes

**ADDITIONAL MATERIALS**

A WJEC pink 16-page answer booklet.

**INSTRUCTIONS TO CANDIDATES**

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)

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

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.

e.g. 

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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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Paul had a monthly film magazine called *Final Cut*. He advertised widely in other magazines and newspapers, offering various subscription deals to his film magazine, *Final Cut*. One deal provided a subscription for three years and required payment of £100 to be made by 30<sup>th</sup> May. Orders received after that date would be charged at £150. Richie sent an order with a cheque for £100, which he posted on 25<sup>th</sup> of May. His order was not delivered until the afternoon of 30<sup>th</sup> of May because of a delay with the post. Paul could not put the cheque in the bank as the bank had already closed for the day. Paul processed the order but would not supply any magazines until Richie paid a further £50. Sara paid £75 for a two-year subscription but, after 14 months, was informed that unexpected increases in printing costs made it necessary to charge an extra £15. Paul would not send any more magazines until the additional payment was made. Tim wrote some film reviews for *Final Cut*. A few months later, Paul told Tim that he could have a free one-year subscription to *Final Cut*, as a reward for the reviews he had written. Tim received no magazines.

Advise Richie, Sara and Tim of the rights and remedies available to them against Paul in connection with the subscriptions to *Final Cut* magazine, applying your knowledge and understanding of legal rules and principles. [25]

Or,

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Andrea's husband David is a keen walker and mountain climber and in preparation for his next big 50 mile walk, in two weeks' time, Andrea went into Hiker's Heaven to buy new boots for David. The shop had a sale on and there was a sign next to a pair of boots which stated, 'Tough, hard-wearing walking boots. Slightly discoloured. Sold as seen. £55'. Andrea bought the boots. At the bottom of the receipt, in big letters, was the statement, "No refunds on sale goods once they have left the shop". David, in preparation for his big walk, wore the boots most days around the house to ensure they fitted him properly before the big event. A couple of days before he was due to start he noticed that the sole had begun to separate from the upper part of one boot. Hiker's Heaven refused to discuss David's complaints about the boots or to give Andrea her money back.

Advise Andrea and David of the rights and remedies against Hiker's Heaven in connection with the walking boots, applying your knowledge and understanding 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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Ashley was a semi-professional rugby player employed by Ridgeway Rugby Club. The club had the final league match coming up in a week's time against their old rivals, Grange Rugby Club. Ridgeway Rugby Club were desperate to win the title as they had lost to Grange Rugby Club on three previous occasions. During the course of the match, the referee had to warn several of the players on both sides about their unreasonable behaviour and language. Ashley got angry, at what he thought was unwarranted warnings from the referee, and lashed out at the player who he felt was responsible for all the trouble. He ran over to Geraint, a player on the opposite team, and punched him, causing a serious head injury.

Advise Geraint as to whether the club is vicariously liable for the consequences of Ashley's tort in injuring him, applying your knowledge and understanding of legal rules and principles. [25]

**Or,**

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One hot summer evening Adrian decided to have a party in his garden. He invited several of his friends and cooked the food for them on his barbecue. It was a particularly breezy night and the smoke damaged his neighbour Josh's washing and also caused some damage to Josh's wooden patio furniture, staining it a dull grey colour. With Josh's permission, Adrian went into Josh's garden to paint the stained patio furniture. To do so he had to take it apart. He painted some of it then left the rest on the grass. Adrian also has a remote controlled drone that he enjoys flying across his garden, and his neighbours' gardens, at a height of about 4 metres. Josh is concerned about the drone and does not like it disturbing him when he is in his garden. Furthermore Adrian is fed up of Josh's apple trees which hang over into his garden. Adrian keeps the apples that fall into his garden and he also cuts any overhanging branches.

Advise Adrian and Josh as to whether they are liable for trespass to land, 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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Anita was feeling depressed, as she had recently split up with her husband who was now threatening to divorce her. Anita's friend Poppy decided to cheer her up and invited Anita and some other friends to her house for a girls night in. The girls shared several bottles of champagne, and Poppy gave Anita some of her own Valium tablets, which had been prescribed by her doctor. Anita decided to stay the night at Poppy's and at the end of the evening, when all the other girls had left, Anita and Poppy settled down to watch a horror movie on TV. Both girls fell asleep on the sofa before the end of the movie. Anita was often prone to having terrifying dreams and the mixture of the Valium tablets with the champagne caused Anita to have a nightmare in which Poppy had turned into a flesh-eating monster and was trying to kill her. Believing that she was fighting for her life, Anita grabbed the necklace that Poppy was wearing and twisted it tightly until Poppy let her go. When Anita woke up, she discovered that she had strangled Poppy to death.

Advise Anita as to whether she might have any defences to a charge of murder, applying your knowledge and understanding of legal rules and principles. [25]

Or,

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Claire and Liam work together as fitness instructors at a local gym. At the end of the day when all the clients have gone, they often use the gym equipment and pool. One evening, after a workout Claire is looking for her towel. She can't find hers but sees Liam's towel on the bench, uses it, and puts it back in her own locker. Later in the evening, Liam, when tidying up for the night, checks through all the lockers to make sure no customer belongings have been left in them. When he comes to Claire's locker he sees her purse in it with two £20 notes sticking out of it. Liam is very short of money this month so he takes the two £20 notes. Julie, one of Claire's clients pops back into the gym to ask Claire a question about the forthcoming gym instructor's exam that she will be taking. No one is at reception, but Julie sees the exam paper on the counter. She quickly picks it up, rushes to the photocopier behind the desk, photocopies the paper and puts the original back on the counter. As she is leaving the gym, Claire returns. Julie, concerned that Claire may have seen her take a copy of the exam paper, rushes past Claire and knocks her to the floor, causing her to twist her ankle.

Advise Claire, Liam and Julie as to their potential liability under the Theft Act 1968, applying your knowledge 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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A famous scientist claimed in a scientific journal that recent genetic evidence has proved that there is a genetic link between your ancestors and the ability to inherit a 'criminal gene' from them. Tobias Tubb, a well-known member of Parliament, has recently been on a TV programme, 'WHERE DO YOU THINK YOU CAME FROM?' tracing his family tree back hundreds of years. During the programme it was revealed that a member of Tobias's family was convicted of murder in the 1890s. Katie Kittle, the editor of the popular tabloid newspaper, the *Daily Deceiver*, ran a front-page article under the headline: "The Secret Criminals: Where Are They Hiding?". The article was accompanied by photos of Tobias Tubb next to a photo of his ancestor. Tobias Tubb is currently standing for election as the leader of his party. Tobias feels that the article has completely destroyed his credibility as a politician and wants to sue the *Daily Deceiver*. Katie, on the other hand, argues that the article was an attempt to inform the public about an important scientific discovery and that as a public figure Tobias is a legitimate target for her newspaper.

Advise Tobias as to whether he can sue for defamation, applying your knowledge and understanding of legal rules and principles. [25]

Or,

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The local council decided to demolish the youth centre to sell off the land to developers, who wanted to build expensive detached houses. Hannah, who runs the centre, organised a protest against the closure. The next Saturday around three hundred people turned up and set off to march to the council offices, with Hannah in the lead. Some of the marchers carried home-made placards saying: "Down with the Council, money matters more than people". Some of the placards also showed pictures of teenagers hanging around street corners using drugs, in an attempt to show what would happen to the local youths if the centre were to be closed. As the marchers came near to the council offices, Sergeant Smith arrived in a police car, accompanied by PC Jones. Sergeant Smith told Hannah that they were blocking the road and disrupting people who were trying to do their shopping and that he would have to reroute them. Hannah refused, so Sergeant Smith arrested her. While this was going on, PC Jones ordered the marchers who were carrying placards to put them down. Some of the marchers waved their placards in anger, so PC Jones arrested them. The march came to a stop as the rest of the marchers tried to find out what was happening. Fearing trouble, Sergeant Smith radioed for reinforcements. Several police vans arrived filled with officers, who imposed a tight cordon around the marchers and kept them there for seven hours.

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

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