



A-level LAW

Unit 3 Criminal Law (Offences against the Person) or Contract Law

Tuesday 13 June 2017 Afternoon Time allowed: 1 hour 30 minutes

Materials

For this paper you must have:

- an AQA 12-page answer book.

Instructions

- Use black ink or black ball-point pen.
- Write the information required on the front of your answer book. The **Paper Reference** is LAW03.
- Choose **one** scenario from two on the theme you have studied for this unit. Answer all **three** questions on the scenario you choose.
- Do all rough work in your answer book. Cross through any work you do not want to be marked.
- Use continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Information

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 80.
- In questions **0 1**, **0 4**, **0 7** and **1 0**, **five** marks will be awarded for Assessment Objective Three (AO3), and so you will be marked on your ability to:
 - use good English
 - organise information clearly
 - use specialist vocabulary where appropriate.

Choose **one** scenario from two on the theme you have studied for this unit.

Read the scenario and answer all **three** questions.

Use continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Criminal Law (Offences against the Person)

Total for this scenario: 75 marks + 5 marks for AO3

Scenario 1

Arron and Bilal were in rival gangs. The gangs arranged to fight in the park. Arron had been told that Bilal had made insulting comments about him. Arron pulled out a knife and shouted at Bilal, "Get on your knees and apologise or I will cut you." Bilal's friend, Chan, also heard this. Chan immediately picked up a heavy broken branch and hit Arron very powerfully over the head with it. Arron was dazed and staggered back. A large swelling was growing above his eye. At that moment, Derek, aged 80, walked round a path and bumped into Arron. Arron was confused from Chan's blow. He was shouting and whirling his arms about whilst still holding the knife. The knife slashed Derek's arm, causing a deep cut. Derek was treated in hospital, where he died after getting an infection.

Chan escaped in his car with Elroy, another gang member. Chan was driving in heavy rain but the windscreen wipers were faulty. A sign showed the road ahead was closed. Chan did not see the sign and could not stop the car sliding into the river where the road had crumbled. Elroy panicked and forced his way out of the car into the fast-flowing river, even though Chan tried to stop him. The car was swept into a shallower part of the river. Chan was able to climb out. He looked back and saw Elroy about 200m away, trying to cling onto some overhanging tree branches. Chan did not go back to help him. Elroy drowned.

0 1

Discuss Arron's criminal liability for his conduct in relation to Bilal. Discuss Chan's criminal liability for his conduct in relation to Arron.

[25 marks + 5 marks for AO3]

0 2

Discuss Arron's criminal liability for manslaughter in relation to Derek. Discuss Chan's criminal liability for manslaughter in relation to Elroy.

[25 marks]

0 3

Critically evaluate any **two** general defences in criminal law. Consider what reforms may be necessary to any **one** of your chosen defences.

[25 marks]

Total for this scenario: 75 marks + 5 marks for AO3

Scenario 2

Grace, Holly and Isla lived in a house with a shared kitchen. Grace was being treated by a psychiatrist for paranoid delusions. She believed Holly was stealing her food from the fridge. Actually, Isla was stealing the food. Grace put broken glass in a packet of cheese to try to trap Holly. Whilst Grace was out, Isla took cheese out of the packet but cut her fingers on the glass. Isla sent a text message to Grace, which said, "Smashed up your room. You next, cheese girl!" Grace did not go back, but went to stay at her father's house. She suffered extreme attacks of anxiety and depression.

Jamie, Grace's father, had a history of alcohol addiction, which often made him depressed and short-tempered. He was very angry when Grace told him about the text message, and of her realisation that it was actually Isla stealing food. He spent all day drinking beer and whisky before going round to the house. He then set fire to it by pouring petrol through the letter box and pushing in lighted newspapers. Jamie did not know that Isla was out at a party or that Holly was in the house. Holly had taken some drugs and was now fast asleep. She did not wake up and died from breathing in the smoke from the fire.

0 4

Discuss Grace's criminal liability for her conduct in relation to Isla. Discuss Isla's criminal liability for her conduct in relation to Grace.

[25 marks + 5 marks for AO3]

0 5

Discuss Jamie's criminal liability for murder in relation to Holly.

[25 marks]

0 6

Critically evaluate any **two** general defences in criminal law. Consider what reforms may be necessary to any **one** of your chosen defences.

[25 marks]

Turn over for the next theme

Turn over ►

Contract Law

Total for this scenario: 75 marks + 5 marks for AO3

Scenario 3

Austin agreed to pay Blake £1500 for Blake to supply and install some new central heating radiators in Austin's house. Blake was not legally required to be on the 'gas safe register' to do this work but he told Austin that he was registered. Austin signed an invoice when Blake finished the work. The radiators installed were of the size agreed but were different in appearance, and did not match existing radiators. Also, some of the pipework began to leak after a week, and the new radiators seemed too small to supply enough heat. Blake insisted that, when Austin signed the invoice, he had accepted that all goods and work were satisfactory. Even so, Blake offered "as a matter of goodwill" to tighten all pipework and radiator connections.

Clarksons owned a large store selling kitchens and bathrooms. They contracted with Dixons for Dixons to build and equip an extension to the shop. The price was £75 000. £10 000 was payable (and was paid) immediately. The remaining money was to be paid at intervals during the work. Before contracts were signed, Clarksons were aware that structural engineers were testing the safety of a bridge which provided the only access to their store. Dixons ordered £5000 worth of shelving from Erdale, price payable on delivery. Dixons also spent a further £15 000 on materials and labour in preparation for the work. Before Dixons began the work, the engineers declared that the bridge was unsafe and must be closed to traffic and then demolished. Rebuilding of the bridge was expected to take 18 months. Clarksons would be unable to trade during that time. Clarksons informed Dixons that the contract would have to be cancelled.

0 7

Discuss Austin's rights and remedies against Blake in connection with the supply and fitting of the radiators and pipework.

[25 marks + 5 marks for AO3]

0 8

Discuss the effect of the closure of the bridge on the contractual rights and remedies between Clarksons and Dixons, and between Dixons and Erdale.

[25 marks]

0 9

How satisfactory is the current law on agreement (offer and acceptance, and rules related to offer and acceptance) in formation of contract? Consider what reforms might improve the law.

[25 marks]

Total for this scenario: 75 marks + 5 marks for AO3

Scenario 4

Keira put the following advertisement in the window of the corner shop, 'Barely used but unwanted rabbit hutch available. Worth £120 but free if you collect, or £20 if I deliver. Ring Keira on (her mobile phone number followed).' Harley recognised Keira's name and number and went round to her house. When she opened the door, he said, "I'll take the rabbit hutch. Please deliver it for £20." Just at that moment, Keira received a phone call from Lilly. Lilly said that the rabbit hutch was just what she needed, and that she would collect it that evening. Keira began to think that she could easily have got a reasonable sum of money for the hutch. She told both Harley and Lilly that she now wanted £50 for the hutch, and that the buyer would have to collect it. Lilly immediately agreed but Harley insisted that he was entitled to the delivery of the hutch for £20.

Keira bought a printer in March from Wordflow for £100. In July, the paper-feed repeatedly jammed and made the printer impossible to use. Keira took the printer back to Wordflow. Wordflow reminded Keira that she had signed an invoice stating that faults must be notified within 14 days. They advised her to contact the manufacturer. In the meantime, Keira bought a Wanchun printer for £90, which worked perfectly until she needed a new ink cartridge. Keira's father, Nick, bought an ink cartridge for her from Mortons. It was not an actual Wanchun ink cartridge, but Mortons assured Nick that it was "compatible" and would work just as well. When Keira used the ink cartridge, it damaged the printer so badly that it could not be used again.

1 0

Discuss the rights, duties and remedies of Keira, of Harley and of Lilly in connection with the rabbit hutch.

[25 marks + 5 marks for AO3]

1 1

Discuss Keira's rights and remedies against Wordflow in connection with the printer. Discuss Keira's rights and remedies against Mortons in connection with the ink cartridge.

[25 marks]

1 2

How satisfactory is the current law on agreement (offer and acceptance, and rules related to offer and acceptance) in formation of contract? Consider what reforms might improve the law.

[25 marks]

END OF QUESTIONS

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