

Please write clearly in	n block capitals.	
Centre number	Candidate number	
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A-level **LAW**

Paper 2

Time allowed: 2 hours

Materials

· You will need no other materials.

Instructions

- Use black ink or black ball-point pen.
- Fill in the boxes at the top of this page.
- Answer **all** questions. You must answer the questions in the spaces provided. Do **not** write on blank pages.
- If you need extra space for your answer(s), use the lined pages at the end of this book. Write the question number against your answer(s).
- Do all rough work in this book. Cross through any work you do not want to be marked
- Questions should be answered in continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Information

The area of the ar

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 100.

For Exam	iner's Use
Question	Mark
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	Answer all questions in the spaces provided.	
Only o ı	ne answer per question is allowed.	
For eac	ch question completely fill in the circle alongside the appropriate answer.	
CORRECT	want to change your answer you must cross out your original answer as shown.	
	wish to return to an answer previously crossed out, ring the answer you now wish	n to select
0 1	Which of the following is not a requirement for a successful claim under the rule Rylands v Fletcher?	e in [1 mark]
		[i iliai k]
	A The accident occurred when a dangerous thing escaped.	
	B The claimant's losses were reasonably foreseeable.	
	C The defendant's standard of behaviour fell below that of the reasonable person.	
	D There was an artificial accumulation of a dangerous thing.	
0 2	In a claim for psychiatric injury brought by a primary victim, which of the followineed to be proved?	ng does not [1 mark]
	A The claimant sustained a mental injury that can be shown by medical evidence.	
	B The claimant was in personal danger.	
	C The incident occurred because of the defendant's negligence.	
	D The injury would only have been suffered by a person of reasonable fortitude (reasonable courage).	



0 3	Which type of judge normally hears appeals in the Civil Division of the	e Court of A	ppeal? [1 mark]	side bo
	A Circuit Judge	0		
	B District Judge	0		
	C Justice of the Supreme Court	0		
	D Lord Justice of Appeal	0		
0 4	In the House of Commons, a bill will have a second reading. Which s describes a second reading?	statement be	est [1 mark]	
	A A debate on the main principles of the bill, followed by a vote	0		
	B A detailed examination of the bill carried out by a small group of MPs	0		
	C A formal stage at which the name of the bill is read out	0		
	D A report on amendments made at an earlier stage	0		
0 5	Select the false statement. The concept of parliamentary supremacy sovereignty) states that Parliament has the power to:	(parliamen	tary [1 mark]	
	A alter who can become king or queen.	0		
	B change law set out in a precedent of the Supreme Court.	0		
	C enact a statute which cannot be repealed.	0		
	D vote against the wishes of the Government.	0		5
	Turn over for the next question			



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Leah was at home when a neighbour telephoned her. The neighbour reported that Leah's brother, Milo, had just been knocked off his bicycle by a bus and had been taken to hospital. This news caused Leah to suffer a serious psychiatric injury. Leah did not visit Milo in hospital. The bus driver admitted that he was negligent in causing the accident.

njury would be unlikely to succeed in court.	[E morks
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Nick had savings of £100 000 which he wanted to invest. Nick received through his letterbox a newsletter written by Ona, a local councillor. The newsletter updated residents on the progress of a new solar energy project just outside the town. In the newsletter, Ona explained that she was sure the solar energy project would be very profitable and she gave details as to how people could invest in the project. As a result of reading this, Nick invested his savings in the project. Later, residents found out that Ona had misunderstood the project and had failed to identify several serious defects. The project collapsed and Nick lost all his savings.

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In Question **10** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 0

Paul owned an old house. There was an outside light high up on the back wall of the house. The light was faulty, and Paul asked Ravi, an electrician, to repair it. Paul warned Ravi that the house was not in good repair and that he should take care. To reach the light, Ravi climbed through an upstairs window and stood on the narrow wooden ledge just outside. Ravi could see that the ledge was damaged. In fact, it was rotten and it collapsed. Ravi fell to the ground and broke his ankle. His injury was worse than it might have been because he had previously injured his leg in an accident playing football.

There was a large trampoline in the back garden of the house. Children, including Saffi, lived in the next-door house. Paul was aware that these children sometimes played on the trampoline and that they had damaged the springs. In order to stop the children coming into his garden, Paul would warn them to stay away every time he saw them. To further discourage the children, Paul also built a fence around his garden. However, he did not notice that there was a hole next to one of the fence posts. Late one evening, Saffi, who was 10 years old, crawled through the hole and jumped on the trampoline, which broke. Saffi injured her arm, and smashed her watch.

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	[30 marks]



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In Question **11** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 1

Vic had recently retired. He often did odd jobs for Tania on her nature park. Tania paid Vic for this work. Vic usually wore the nature park's uniform when he was working, and he had regular contact with visitors to the park.

On one occasion, Tania asked Vic to lead a party of schoolchildren on a tour of the park. The children sat on a trailer, which was towed by a tractor driven by Vic. Vic had only driven the tractor twice before. As he was driving along, Vic tried to change the channel on the tractor's radio. As a result, Vic failed to notice some very uneven ground, and he drove the tractor over it. The tractor slid to one side. This caused the trailer to hit a tree. A branch from the tree brushed against Wes, one of the children sitting on the trailer. As a result, Wes was knocked from the back of the trailer and broke his leg.

Consider the rights and remedies of Wes against Vic **and** against Tania in relation to his injuries.

The theory underlying the rules of negligence plays a role in society as it helps courts decide which claims should succeed and which should fail. In the context of a claim in negligence, assess the factors used by the courts when deciding whether a duty of care has been **breached** and whether therefore a claim can succeed.



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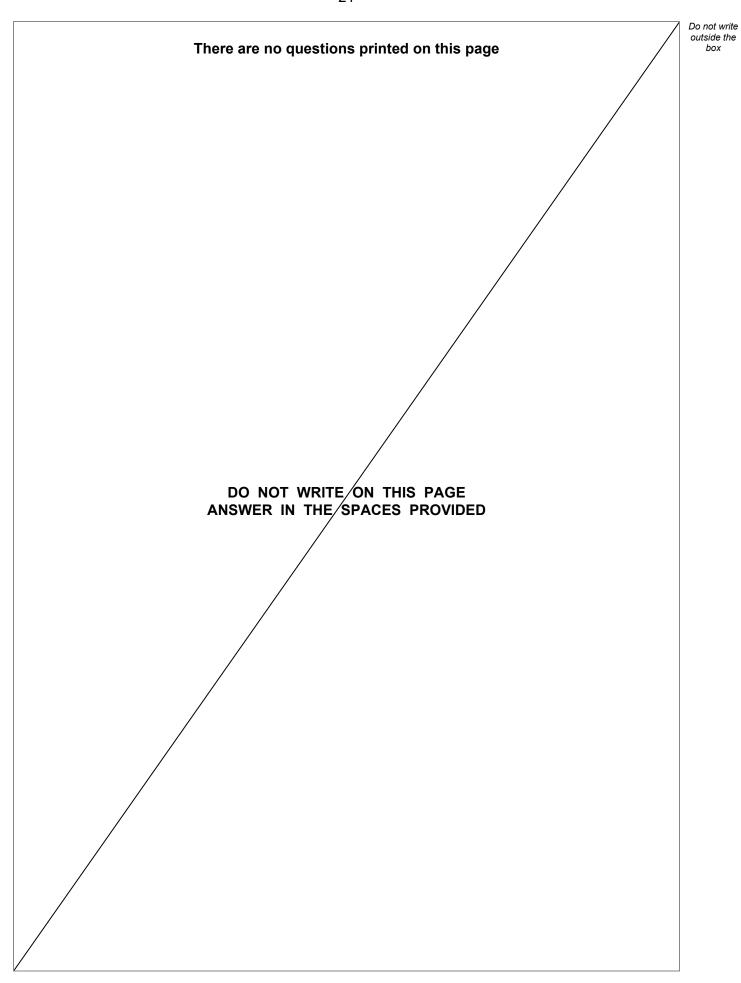
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