

Please write clearly, in block capitals.

Centre number

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Candidate number

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Surname

Forename(s)

Candidate signature

A-level LAW

Paper 2

Specimen 2016

Time allowed: 2 hours

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

Only **one** answer per question is allowed.


For each answer completely fill in the circle alongside the appropriate answer.


CORRECT METHOD



WRONG METHODS



If you want to change your answer you must cross out your original answer as shown. 

If you wish to return to an answer previously crossed out, ring the answer you now wish to select as shown. 

0 1

Rik, a claimant, has a duty to mitigate his losses when seeking damages in negligence. Which **one** of the following is the most accurate explanation of Rik's duty to mitigate?

- A** Rik can only claim for losses which are foreseeable
- B** Rik cannot claim for pure economic loss
- C** Rik should establish a link between the negligence and the loss suffered
- D** Rik should take reasonable steps to minimise his losses

[1 mark]

0 2

If established by the defendant, the defence of contributory negligence has the following effect on a claim brought by the claimant:

- A** Damages are reduced according to the level of fault demonstrated by the claimant
- B** Damages are reduced by half
- C** Damages are reduced without taking account of the level of fault demonstrated by the claimant
- D** No damages will be awarded

[1 mark]

0 3Select the one **true** statement.

Proposed new legislation affecting the whole of the Country but which is promoted by a minority interest group is most likely to be brought to Parliament as a:

- A** Government Bill
- B** Private Bill
- C** Private Member's Bill
- D** White Paper

[1 mark]**0 4**Which **one** of these statements about tribunals is correct?

- A** Most administrative tribunals are set up by professional bodies like the General Medical Council
- B** Most administrative tribunals are set up under common law
- C** Most tribunal panels consist of three members, a legally qualified chair and two others
- D** The appeal from a tribunal decision is to the Supreme Court

[1 mark]**0 5**

The Law Commission's role includes codification of specific areas of law. Choose the best definition of codification.

- A** Integrating all relevant laws in a new Act of Parliament
- B** Combining two Acts of Parliament
- C** Repealing obsolete and old-fashioned laws
- D** Reviewing all the relevant law from every source

[1 mark]

0 6

Explain **three** differences between the resolution of civil law disputes in courts on the one hand, and through alternative dispute resolution mechanisms on the other.

[5 marks]

0 7

Amina's property was damaged by Ben's negligence. Most of the damage was of a kind that might have been expected but some of the damage was much more extensive than might have been expected.

If the remoteness of damage principles are applied to Amina's claim against Ben for compensation in an action in negligence, suggest why she is likely to recover compensation for some, but perhaps not for all, of the damage.

[5 marks]

0	8
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Claire bought a detached house in a quiet residential area. Dan, the owner of the neighbouring house, ran a small welding business at weekends in the shed in his back garden. Claire became increasingly annoyed by the noise, despite the fact that a local estate agent had warned her of Dan's activities before Claire bought her house. When Claire complained to Dan, he started welding on Fridays as well.

Advise Claire as to her rights and remedies against Dan in connection with the noise. **[10 marks]**

In question 9 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

0 9

Examine the meaning and significance of 'fault' as a basis for liability in English law. Discuss the extent to which liability is based on fault in the tort in *Rylands v Fletcher*.

[15 marks]

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

Ella and her three years old son, Finley, were walking along the pavement of a busy road. Ella was answering a text on her mobile phone and did not notice that Finley had wandered off the pavement and into the road. Gavin was driving his motorbike along the road. As he came around a bend, he suddenly saw Finley immediately in front of him in the middle of the road. In swerving to avoid Finley, Gavin lost control of the motorbike and narrowly missed Hana, who was also walking along the pavement. The motorbike then struck a lamppost and the collision threw Gavin high into the air and some distance along the road.

Gavin was obviously very badly injured and in considerable pain. Despite being very shaken herself, Hana rang for an ambulance and tried to comfort Gavin. By the time the ambulance arrived, Gavin's wife, Isabel, had also been contacted. She arrived at the scene shortly after the ambulance had left but she saw Gavin's badly mangled motorbike, along with bloodstains and bits of clothing strewn along the road. Gavin survived, though he was left with permanent physical disability. Both Hana and Isabel subsequently suffered from severe depression and personality changes.

Consider the rights and remedies of Gavin, Hana and Isabel against Ella.

[30 marks]

Extra space

END OF QUESTIONS

There are no questions printed on this page

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