

**OXFORD CAMBRIDGE AND RSA EXAMINATIONS**

**Advanced GCE**

**LAW**

**2577**

Law of Torts 1

Thursday

**19 JANUARY 2006**

Morning

1 hour 30 minutes

Additional materials:

16-page Answer Booklet

**TIME** 1 hour 30 minutes

**INSTRUCTIONS TO CANDIDATES**

- Write your name, Centre number and candidate number in the spaces provided on the answer booklet.
- Answer **two** questions, **one** from Section A and **one** from Section B.
- Read each question carefully and make sure you know what you have to do before starting your answer.
- If you use additional sheets of paper, fasten these securely to the answer booklet.
- Write the numbers of the questions you answer on the front of your answer booklet.

**INFORMATION FOR CANDIDATES**

- The number of marks is given in brackets [ ] at the end of each question or part question.
- The total number of marks for this paper is **100 (50 per question)**.
- **All questions should be answered in continuous prose. You are reminded, therefore, that you will be assessed on your ability to organise and present information and arguments logically and coherently, and to communicate clearly and accurately, taking into account grammar, punctuation and spelling.**

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**This question paper consists of 2 printed pages.**

Answer two questions, one from Section A and one from Section B.

### Section A

Answer one question from this section.

- 1 'One of the principal aims of imposing liability for negligence is to compensate the victim.'  
Discuss the extent to which the rules on causation and remoteness of damage help to achieve the aim identified in the above statement. [50]
- 2 Discuss the differences between the defences of *volenti non-fit injuria* (voluntary assumption of risk) and contributory negligence. [50]

### Section B

Answer one question from this section.

- 3 Chris took his son James, aged nine, to a Wanderers football match. During the first half James went out to the toilet. The water pipes were always leaking and the floor in the toilet was wet. James, who was running, slipped and damaged knee ligaments as he fell. He also damaged his watch.  
  
At the next game Chris was so angry that Wanderers were losing at half time that he tried to find the manager. Chris went through a door marked 'Danger – Admittance to staff only'. In fact this was the generator room which was in darkness. Groping in the dark Chris touched the generator and was badly burned. His Wanderers shirt was also burned.  
  
Consider any claims that Chris and James may bring against the Wanderers Football Club in occupiers' liability. [50]
- 4 Sukhy is due to retire and intends to invest a large sum of money to provide himself with a good income. After asking his surveyor, Tanya, to assure him that the house is appropriate for such use, he buys a large house which he converts into bedsits. The local authority then refuse him permission to rent out the bedsits without further alterations that will cost Sukhy an extra £50,000.  
  
Sukhy's friend, Graham, is an accountant. Sukhy asks him about investing in a company, for which Graham prepares the annual accounts. Graham tells Sukhy that it is a wise investment. In fact Graham has failed to accurately prepare the company's accounts and the company is in financial difficulties. It goes into liquidation soon after Sukhy invests in it.  
  
Sukhy now has no money left. He cannot complete the conversion to the house and has to sell it at a loss.  
  
Advise Sukhy of any claims that he may make against Tanya or Graham for negligent misstatement. [50]