

Friday 19 June 2015 – Afternoon

A2 GCE LAW

G158/01 Law of Torts Special Study

Candidates answer on the Question Paper.

OCR supplied materials:

- Clean copy of the Special Study Materials

Other materials required:

None

Duration: 1 hour 30 minutes



Candidate forename		Candidate surname	
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Centre number						Candidate number				
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INSTRUCTIONS TO CANDIDATES

- Write your name, centre number and candidate number in the boxes above. Please write clearly and in capital letters.
- Use black ink. HB pencil may be used for graphs and diagrams only.
- Answer **all** the questions.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.
- Write your answer to each question in the space provided. Additional paper may be used if necessary but you must clearly show your candidate number, centre number and question number(s).
- Do **not** write in the bar codes.

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 **80**.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering questions **1** and **2** you will be assessed on the quality of your written communication (QWC) including your use of appropriate legal terminology. These questions are marked with an asterisk (*).
- Candidates are reminded that they are able to use the information given in the sources to support their own knowledge and understanding, evaluation, analysis, and application of the law. Where candidates wish to extract from the source in this way they should use quotation marks or accurately cite lines of the source. Candidates who merely 'lift' information from the source materials without using it to support further knowledge, evaluation, analysis or application, will receive little or no credit. You are expected to demonstrate understanding of the area(s) of law and the development of law and to use legal methods and reasoning to analyse legal material, to select appropriate legal rules and apply these in order to draw conclusions.
- This document consists of **24** pages. Any blank pages are indicated.

You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.

In answering questions use the source material **and** your knowledge of the subject.

Answer **all** questions.

- 1* Discuss the significance of the case of *Anns v Merton London Borough Council*, (Source 2, page 3, Special Study Materials) to the development of the law on duty of care. **[16]**

Start writing your answer to question 1 below. Start writing your answer to question 2 on page 7.
Start writing your answer to question 3 on page 17.

1*

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2* In Source 5 (page 6, Special Study Materials), Keith Patten states that ‘the builders of negligence law have not all been working to the same plans over the years’.

Discuss the different factors that have influenced the law on duty of care with reference to the above statement. **[34]**

Start writing your answer to question 2 below. Start writing your answer to question 3 on page 17.

2*

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- 3** Explain in each of the following situations whether a duty of care can be established and, if so, whether it has been breached:
- (a)** Adam buys a ticket to the Summer Music Festival. Following heavy rainfall the whole festival site becomes very muddy and slippery. The festival organisers put down several tons of straw across almost all of the site but Adam slips and injures himself when in a part of the site without straw. **[10]**

 - (b)** The Cornshire Cliff Rescue Service has received a 999 call to rescue a holidaymaker who has fallen half-way down a cliff. The rescue team travels in a helicopter instead of their usual rescue truck as there is no road to the cliff. Consequently, they have to transport their heavy lifting equipment loose in the helicopter instead of secured in the truck. When the helicopter hits some turbulence the lifting equipment slides into Bob, one of the rescue team, causing him severe injuries. **[10]**

 - (c)** Eddie and Fred are 13-year-old schoolboys. There has been a recent craze on the internet of people posting videos showing them pulling a person's chair away as they go to sit down causing them to fall backwards. So far, the school are unaware of the craze. At school Eddie pulls Fred's chair away as he is about to sit down. Fred falls awkwardly and injures the base of his spine. **[10]**

Start writing your answer to question 3 below.

Write the number of the part question **(a)**, **(b)** or **(c)** in the margin.

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END OF QUESTION PAPER

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