



Please write clearly in block capitals.

Centre number

--	--	--	--	--

Candidate number

--	--	--	--

Surname

Forename(s)

Candidate signature

AS LAW

Paper 2

Thursday 24 May 2018

Afternoon

Time allowed: 1 hour 30 minutes

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.
- 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 80.

For Examiner's Use	
Question	Mark
1–10	
11	
12	
13	
14	
15	
16	
TOTAL	



J U N 1 8 7 1 6 1 2 0 1

IB/G/Jun18/E8

7161/2

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

For the multiple-choice questions, 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 In relation to the tort of negligence, which **one** of the following does **not** owe a duty of care?

- A** A car driver, to other drivers on the road
- B** A doctor, to his or her patient
- C** A manufacturer of a washing machine, to the eventual user of that washing machine
- D** A policeman, to members of the community to catch a criminal

[1 mark]

0 2 In relation to the tort of negligence, which test is used to establish 'causation in fact'?

- A** Reasonable foreseeability
- B** The 'but for' test
- C** The 'thin skull' rule
- D** The three-part Caparo test

[1 mark]



0 3

In a negligence case, the claimant is under a duty to mitigate loss.

Select **one** of the following that accurately describes that duty.

A To claim damages only for property losses

B To claim losses from any available insurance policy

C To declare all losses accurately

D To take reasonable steps to minimise losses

[1 mark]

0 4

In relation to causation when making a claim in negligence, a claimant must prove which **one** of the following?

A Both factual causation and legal causation

B Factual causation only

C Legal causation only

D Neither factual causation nor legal causation

[1 mark]

0 5

The Occupiers' Liability Act 1957 has special rules for particular categories of visitors.

Identify which **one** of the following is subject to special rules.

A Hotel guests

B Police officers

C Specialist visitors in the exercise of their calling

D Spectators at a football match

[1 mark]



0 6

For the purposes of statutory interpretation, which of the following is **not** an extrinsic/external aid?

- A** A case authority in which an appeal court defined a particular word in a statute
- B** A dictionary
- C** A schedule at the end of an Act of Parliament
- D** Hansard

[1 mark]

0 7

Which **one** of the following would you normally associate with the work of the Law Commission?

- A** The enactment of new legislation
- B** The proposal of reforms to the law
- C** The publication of Green Papers
- D** The repeal of legislation which is no longer needed

[1 mark]

0 8

Select the court that would normally hear the trial of a case allocated to the fast track.

- A** County Court
- B** Crown Court
- C** Magistrates' Court
- D** Queen's Bench Division of the High Court

[1 mark]

09

In the trial of a civil claim, which **one** of the following is **not** part of the role of the judge?

- A** Deciding the amount of compensation, if any, to be awarded
- B** Deciding whether any appeal should succeed
- C** Deciding whether the claimant or the defendant should pay legal costs
- D** Deciding whether the claimant should succeed in his or her claim

[1 mark]

10

The Supreme Court is most likely to give permission for an appeal involving which **one** of the following?

- A** A claim allocated to the small claims track
- B** A point of European Union law
- C** A point of law of general public importance
- D** An important person

[1 mark]

Do not write
outside the
box

10

Turn over for the next question

Turn over ►



1 1

Explain, using an example, what is meant by a 'by-law'.

[3 marks]

Do not write
outside the
box

Extra space

3

1 2

Alma, aged 11, was playing a fast running game with her friends in the school playground. In her excitement, she failed to notice Baz, another pupil. Alma collided with Baz, who fell over and broke his arm.

Assuming that Alma owed a duty of care to Baz, suggest why a court may decide that she did not breach that duty of care.

[3 marks]

Extra space

3



*Do not write
outside the
box*

Extra space

12



There are no questions printed on this page

**DO NOT WRITE ON THIS PAGE
ANSWER IN THE SPACES PROVIDED**



There are no questions printed on this page

*Do not write
outside the
box*

**DO NOT WRITE ON THIS PAGE
ANSWER IN THE SPACES PROVIDED**

Copyright information

For confidentiality purposes, from the November 2015 examination series, acknowledgements of third party copyright material will be published in a separate booklet rather than including them on the examination paper or support materials. This booklet is published after each examination series and is available for free download from www.aqa.org.uk after the live examination series.

Permission to reproduce all copyright material has been applied for. In some cases, efforts to contact copyright-holders may have been unsuccessful and AQA will be happy to rectify any omissions of acknowledgements. If you have any queries please contact the Copyright Team, AQA, Stag Hill House, Guildford, GU2 7XJ.

Copyright © 2018 AQA and its licensors. All rights reserved.

