

**A2 GCE**

**LAW**

**G158/01**

Unit 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	
Centre Number		Candidate Number	

**INSTRUCTIONS TO CANDIDATES**

- Write your name, centre number and candidate number in the boxes above. Please write clearly and in capital letters.
- Use blank 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.

Examiner's Use Only:	
1	
2	
3(a)	
3(b)	
3(c)	
<b>Total</b>	

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 materials **and** your knowledge of the subject.

Answer **all** questions.

- 1\* Discuss the extent to which the precedent in *Page v Smith* (Source 11 page 7 Special Study Materials) represents a development of the law on nervous shock (psychiatric damage). **[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.

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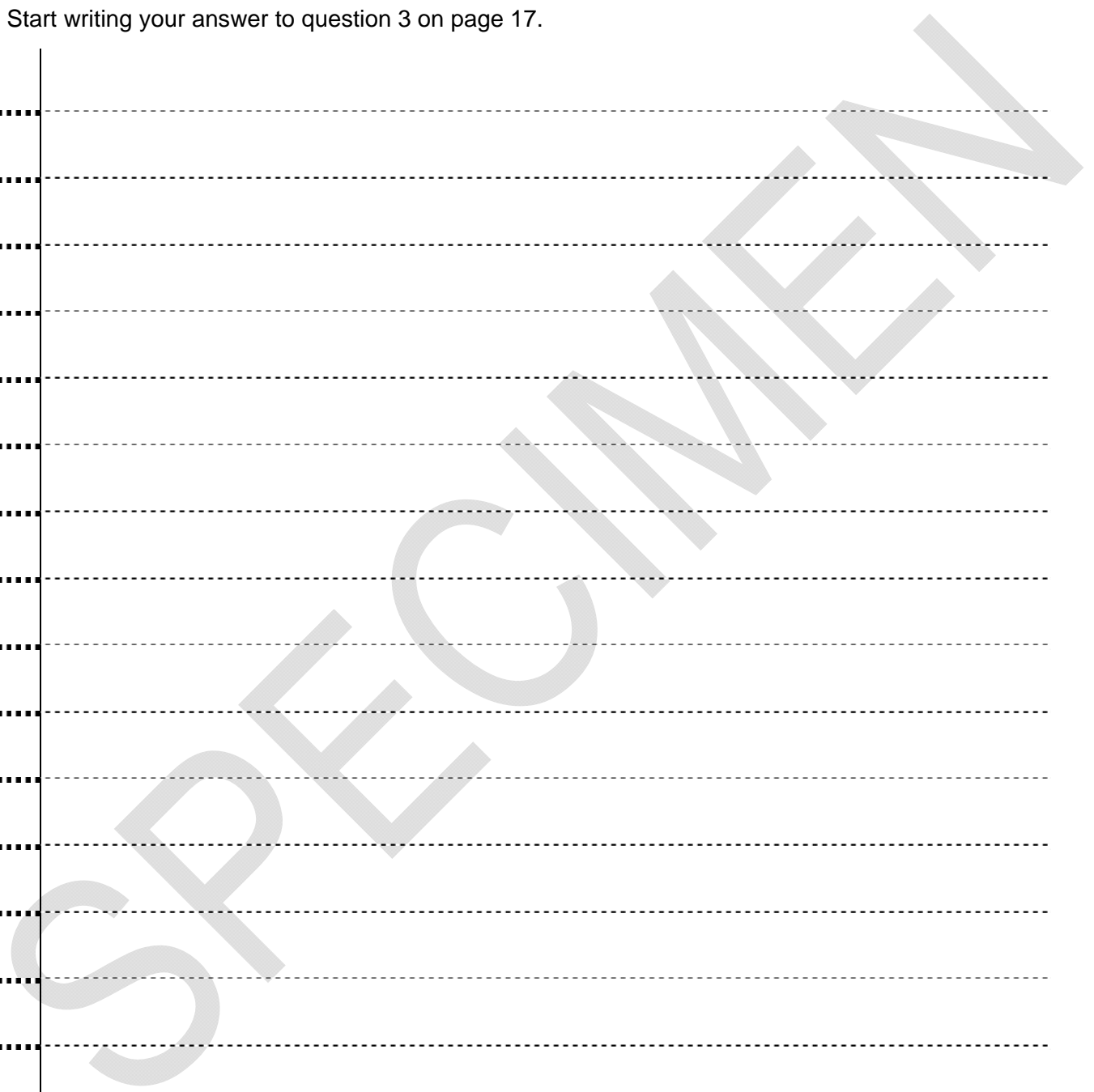
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You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.

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**2\*** As Lord Ackner observed in *Alcock* (Source 9 page 5 lines 1-3 Special Study Materials) “Because shock is capable of affecting such a wide range of persons, Lord Wilberforce in *McLoughlin v O’Brien* concluded that there was a real need for the law to place some limitation upon the extent of admissible claims.”

Consider the extent of the limitations applied to secondary victims and whether they do in fact meet a ‘real need’.

[34]

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

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- 3** A large crane is being used in building work immediately adjacent to the law school where Chris works as a lecturer. Through the negligence of the construction firm, Bodgejob, part of the crane falls off and drops on Chris as he is walking into the law school causing him severe injuries. Consider the possibility of each of the following succeeding if they claim against Bodgejob.
- (a) Jennifer, a lecturer and Chris's friend, is in the law school at the time of the accident, and on hearing of the accident looks through the window and seeing the extent of Chris's injuries suffers post traumatic stress disorder. **(10)**
  - (b) Sukhy, another lecturer and close friend of Chris's, on hearing of the accident rushes out of the law school and realising that Chris's heart has stopped, resuscitates him and keeps him alive until the emergency services arrive. While Sukhy is doing this there is always a danger that more of the crane will drop. Sukhy suffers severe depression as a result and cannot return to work. **(10)**
  - (c) Karen, Chris's wife, is called immediately and is at the hospital entrance when Chris arrives in the ambulance. She suffers grief when Chris is pronounced dead. **(10)**
- [30]**

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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