

Please write clearly in	block capitals.		
Centre number		Candidate number	
Surname			·
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A-level **LAW**

Paper 2

Thursday 13 June 2019

Morning

Time allowed: 2 hours

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.
- If you need extra space for your answer(s), use the lined pages at the end of this book. Write the question number against your answer(s).
- 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.

For Examiner's Use				
Question	Mark			
1–5				
6				
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10				
11				
TOTAL				

Information

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



Answer all questions in the spaces provided.
Only one anawar par guestion is allowed
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.
In relation to a claim for vicarious liability made against an employer, which of the following is false?
[1 mark]
A An employer cannot be vicariously liable for any negligence on the part of an employee.
B An employer may be vicariously liable for an injury caused by an employee to someone who is not an employee.
C An employer may be vicariously liable for an injury caused by one employee to another employee.
D An employer need not be personally at fault to be vicariously liable.
In a claim for psychiatric injury, which of the following is not a characteristic of a secondary victim? [1 mark]
A Being in personal danger
B Having a close tie of love and affection with a person killed, injured or imperilled
C Possessing reasonable fortitude
D Sustaining psychiatric injury through a sudden shock



0 3	Which one of the following methods of dispute resolution does not lea	ad to a decision	outs
	which would be binding on the parties to a dispute?	[1 mark]	
	A A case allocated to the small claims track	0	
	B A case heard in a tribunal	0	
	C A case heard in the Chancery Division of the High Court	0	
	D A case referred to mediation	0	
0 4	Which of the following is not a role of a judge in the civil courts?	[1 mark]	
	A Deciding the liability of the defendant	0	
	B Deciding which remedy to award	0	
	C Evaluating the evidence of witnesses	0	
	D Referring a doubtful point of law to the Law Commission	0	
0 5	The UK Parliament consists of which three institutions?	[1 mark]	
	A The Government, the House of Commons and the House of Lords	0	
	B The Government, the House of Lords and the Queen	0	
	C The House of Commons, the Queen and the House of Lords	0	
	D The Queen, the Government and the House of Commons	0	_
	Turn over for the next question		

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Andy owned a car wash. Beth was digging up the road outside Andy's car wash. Beth had been given the plans for the road showing the location of the water pipes, but she had not bothered to look at them. Consequently, when Beth used her digger, she broke the water pipe leading to Andy's car wash. The car wash was not damaged, but Andy did lose an afternoon's earnings as he had no water to wash customers' cars.

in court.	[5]
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Cath was walking in fields near her home. A helicopter suddenly hit a nearby tree and crashed to the ground in flames. Cath narrowly missed being hit by falling debris. Cath went to help some of the survivors to escape from the wreckage. Cath was lucky not to be burned while she helped the survivors. The pilot of the helicopter was Devi. It was proved that the accident was caused by negligence on the part of Devi.

For several months after the accident, Cath suffered depression and severe anxiety attacks. This meant Cath was unable to leave her house.

Advise Cath as to her rights against Devi.	[10 mar



10



Examine the connection between legal rules and moral rules. Discuss whether list tort law reflects rules of morality. [1]	
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15



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.

Edward owned a steam railway. He sold daytime trips to tourists throughout the year. The station and the engineering shed were both close to a row of houses. Edward's steam engines were very noisy. The engines could be heard from some distance away.

The people living in the row of houses often had to shut their doors and windows because of the smoke and the smell from the steam engines. This often happened first thing in the morning when Edward started the steam engines. After some of the residents complained to Edward about his railway, he also started running trains late into the evening.

Edward kept a large tank of water to operate the trains. The tank was close to the boundary with Fran's cottage. One day the tank collapsed. Fran's garden was flooded, causing severe damage. An investigation suggested that a tourist visiting the railway had interfered with the tank.

Explain the rights and remedies of the residents against Edward in relation to of the steam trains and of Fran against Edward in relation to the flooding of he	tne operation er garden. [30 marks]







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In Question 11 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 1

Glenda owned a book shop in the centre of town. She had recently asked Hank, the brother of a friend of hers, to install some new shelves along one of the walls.

Ivan was a customer in the book shop, and he wanted to look at a book on the top row of the new shelves. Ivan stood on a small stool provided for the use of customers to reach the book. Despite the fact that he could see that the top shelves were loose and coming away from the wall, he held onto the top shelves to reach the book. The shelves collapsed and Ivan fell to the floor suffering a broken arm.

At the back of Glenda's book shop was a storeroom with a door out onto the next street. Customers frequently went through the storeroom when they left the shop as it provided a convenient short cut. Glenda was concerned because some wiring had come loose in the storeroom. Glenda therefore put up a notice on the door to the storeroom saying, 'Strictly no admittance'. Jaima saw the notice, but she was late for an appointment with her bank and decided to use the short cut anyway. Jaima brushed against the loose wiring and received a severe electric shock. She suffered bad burns and her mobile phone was smashed when she fell to the floor.

Consider the rights and remedies of Ivan **and** of Jaima against Glenda in relation to their injuries and losses.

Any of these parties might take the view that the rules of law which apply need reforming

Assess the role of the Law Commission in any reform process.	
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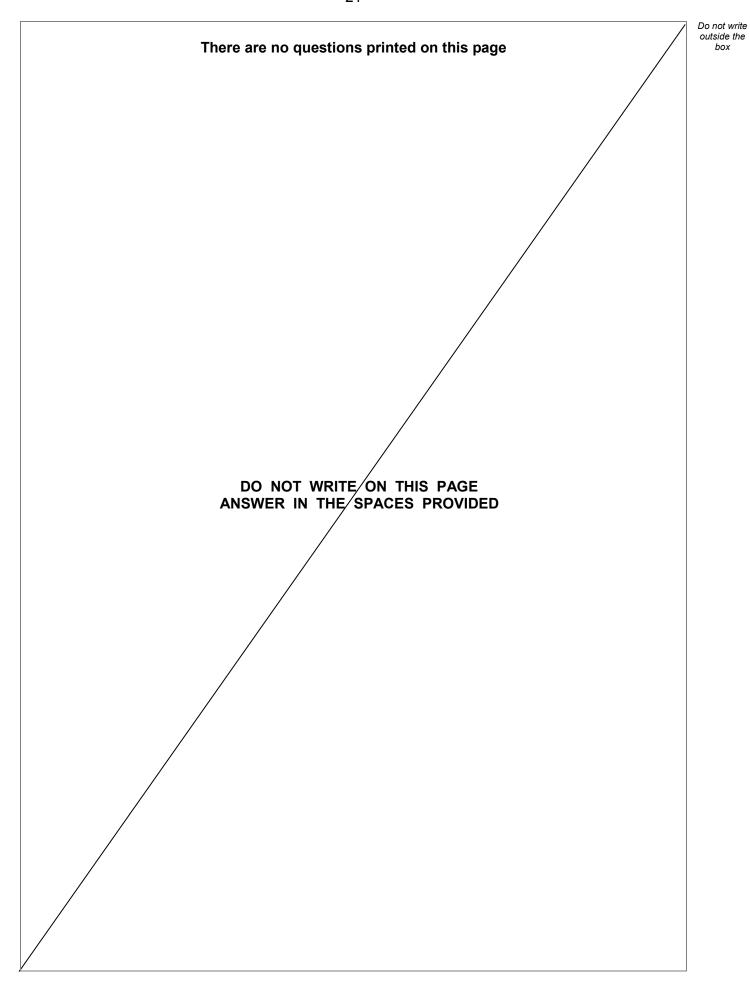






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