GradeMax

Write your name here

Surname	Other names

Pearson Edexcel
International Advanced Level

Centre Number | | | | | |

Candidate Number | | | | |

Law

International Advanced Level
Paper 2: The Law in Action

Friday 17 November 2017 – Morning
Time: 3 hours

Paper Reference
YLA1/02

You do not need any other materials.

Total Marks

Instructions

- Use **black** ink or ball-point pen.
- **Fill in the boxes** at the top of this page with your name, centre number and candidate number.
- Answer **all** questions.
- Answer the questions in the spaces provided
  – *there may be more space than you need.*

Information

- The total mark for this paper is 100.
- The marks for **each** question are shown in brackets
  – *use this as a guide as to how much time to spend on each question.*

Advice

- Read each question carefully before you start to answer it.
- Try to answer every question.
- Check your answers if you have time at the end.

Turn over ▶

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Answer ALL questions.

Write your answers in the spaces provided.

1 Silence cannot be accepted as conduct sufficient to create a contract. However, other forms of conduct can be sufficient to create a contract.

(a) Analyse the different ways that acceptance of a contract can be made.

(6)

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Munira needed to get her car repaired after she crashed into a lamppost. Munira arranged for Roger, her mechanic, to take her car to the garage and complete the work. Munira agreed to pay Roger £500 including £200 for getting the paintwork back to showroom condition. Roger contacted Munira the day before the work was due to be completed. He stated that the new paint would not be polished back to showroom condition as he preferred to work on another car owned by Karolina.

Karolina, a very loyal customer, agreed to have work to the brakes completed on her car by Roger, costing £200. When driving home she found that her brakes were still faulty, nearly causing an accident.

Roger has been found to have breached his separate contracts with Munira and Karolina.

(b) Evaluate the reasons why the law treats breach of contract differently in Munira and Karolina's situations and what remedies may be available.

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(Total for Question 1 = 20 marks)

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QUESTION 2 BEGINS ON THE NEXT PAGE.

2 (a) State the meaning of oblique intention according to the case of R v Woollin (1998).

(2)

(b) Explain **two** possible reasons for a break in the chain of causation in criminal law.

(4)

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Zara was employed by Ryyan as a taxi driver. Ahmad knew Zara had not passed her driving test. Ahmad threatened Zara stating that he would tell Ryyan she was driving illegally unless she paid him £200. Ahmad had decided that he would not carry out his threat even if Zara did not pay him, but Zara, unaware of this, was so frightened of losing her job she paid him anyway.

Ahmad decided to send Ryyan an email applying for a job as a taxi driver, claiming he held a full driving licence. However, he had lost his licence for speeding the week before. Ryyan did not read the email application Ahmad sent as it went to his junk mail.

(c) Evaluate the likelihood of Ahmad being convicted of criminal offences in these situations.

(14)

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QUESTION 3 BEGINS ON THE NEXT PAGE.

3 (a) The European Convention on Human Rights is ultimately interpreted by the European Court of Human Rights.

Describe **two** ways an appeal can be made to the European Court of Human Rights.

(4)

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(b) The Daily Hack newspaper wishes to run a story on the amount of criminal offences committed by foreign diplomats each year. It also wishes to gain the specific details of a diplomat, who allegedly committed a recent serious criminal offence. The newspaper made a freedom of information request, in writing, to the Police, who hold both sets of information.

Analyse The Daily Hack's right to access the information requested.

(6)

(c) Jess, a gardener, was asked to clear a garden of various items of rubbish. By the time Jess had loaded her large van with the rubbish, the local refuse site had closed. As Jess had another job the next day, she decided to unload the rubbish onto a piece of land not far from the refuse site. Unknown to Jess, security cameras captured her tipping the rubbish onto the land, which is owned by Oscar.

The next day, Oscar paid to have the rubbish legally disposed of at a cost of £1,000. After reviewing the security camera footage, Oscar discovered that Jess had unloaded her van on at least four separate occasions; it had cost him £1,000 to clear the site on each occasion.

Assess the legal rights and remedies of Oscar in connection to the trespass on his land.

(10)

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(Total for Question 3 = 20 marks)

4 Adal and his friends were due to take part in a recently arranged Gay Pride Parade of about 4,000 people through London. Another assembly was due to take place on the same day, in the same area, by an extreme and often violent political group. At the last minute the police decided to place a ban on all assemblies for two months and both events had to be cancelled.

(a) Describe Adal's rights to assembly under Article 11 of The Human Rights Act 1998.

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(b) Analyse whether the police may successfully argue that the ban on the assemblies was lawful.

(6)

(c) Noor bought an old lawnmower intending to repair it. He left it in his back garden. That night as Adal, aged 14, was walking home from the cancelled assembly he decided to take a shortcut home.

He entered Noor's garden through a gap in the fence and fell over the lawnmower in the dark, cutting his head on the rusty blades.

Assess Adal's rights and remedies under occupiers' liability against Noor for the cut to his head.

(10)

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(Total for Question 4 = 20 marks)

5 Ron's wife, Saska, bought a new bicycle for £800, manufactured by Wumpton Limited, and gave it to Ron for his birthday. When Ron was riding down a steep hill, the metal bicycle frame snapped and he crashed, breaking both legs and smashing his watch. The snapping of the frame was caused by a serious weakness in the metal used in its manufacture.

Brad, a passing motorist, helped Ron into his car and started to drive him to hospital as quickly as possible. Brad was speeding in a congested area, but lost control and knocked down Chloe. Chloe had run out onto the road without looking. Chloe suffered minor cuts and bruising. This also caused a delay in Ron reaching the hospital.

Evaluate the legal rights and remedies of Ron and Chloe in this situation.

(20)

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(Total for Question 5 = 20 marks)

TOTAL FOR PAPER = 100 MARKS

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