GradeMax

Please check the examination details below before entering your candidate information

Candidate surname	Other names

Pearson Edexcel
International Advanced Level

Centre Number | | | | | |

Candidate Number | | | | |

Thursday 11 June 2020

Morning (Time: 3 hours) | Paper Reference **YLA1/02**

Law

International Advanced Level

Paper 2: The Law in Action

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 (a) State the meaning of 'strict liability' in criminal law.

(2)

(b) Explain briefly the meaning of 'recklessness' in criminal law.

(4)

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Jon was employed by Eva as a van driver. Viktor knew that Jon had never passed his driving test. Viktor threatened Jon that he would tell Eva this, unless Jon paid him £200. Jon thought that Viktor would not carry out his threat and refused to pay.

The following day Viktor, who wanted to watch his favourite football team, climbed over a wall of the football ground in order to avoid paying the entrance fee.

(c) Evaluate Viktor's possible criminal liability for any property offences he may have committed.

(14)

(Total for Question 1 = 20 marks)

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2 The Contracts (Rights of Third Parties) Act 1999 creates exceptions to the rules on privity of contract.

(a) Explain the reasons why the Contracts (Rights of Third Parties) Act 1999 creates exceptions to the rules on privity of contract in some situations but not others.

(6)

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Rebel wanted to buy a set of microphones for his band. He looked on Music Gear's website, which claimed:

'Special offer: all you need for a five-piece band – top-brand microphones – ready for immediate use at only £1950.'

Rebel confirmed by phone that the microphones were compatible with his XYZ amplifier and placed an order.

When the system arrived, Rebel found that he needed to buy battery packs that cost an extra £150 and that they could not be delivered for some days. As a result Rebel had to cancel a performance, resulting in a loss of income.

Assume there is a contract between Rebel and Music Gear.

(b) Evaluate whether Rebel's contractual rights have been breached by Music Gear and what remedies may be available to him.

(14)

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(Total for Question 2 = 20 marks)

3 (a) Describe **two** situations when an individual may **not** have the required capacity to form a contract.

(4)

A newspaper reporter has given an interview on television alleging that the famous film star Ali Cat has had an inappropriate relationship with a child. The allegations are later shown to be untrue. As a result of the interview, Ali Cat loses a £1m contract to star in a film.

(b) Analyse the rights and remedies for Ali Cat against the newspaper.

(6)

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Bilal owned a house next to Fatima. There was no fence between Fatima and Bilal's gardens. Fatima wanted her garden to grow wild but Bilal kept mistakenly mowing her part of the grass that was next to his and throwing the grass clippings onto Fatima's garden.

One day, Fatima saw Bilal mistakenly cutting her grass and went out to try to stop him. Fatima got into an argument with Bilal after he again threw his grass clippings into her garden.

Fatima had to spend £500 to clear away the grass clippings.

(c) Assess the rights and remedies of Fatima against Bilal in connection with the trespass to land.

(10)

(Total for Question 3 = 20 marks)

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4 Rana works in a car factory. She attends a union meeting of workers to discuss pay, which is held in a dangerous part of the factory. The manager of the factory decides to break up the meeting.

Rana is angry about the disruption of the meeting and joins a group of workers who have blocked the entrance to the factory gates. Her manager warns her that she will lose her job if she continues to take part in the blockade or if she joins the union.

(a) Identify from the scenario where Rana's rights under Article 11 of the Human Rights Act 1998 have been restricted.

(4)

An employee of a supermarket has deliberately posted the payroll data of nearly 100,000 staff online.

(b) Analyse the supermarket's legal obligations arising from the storage of staff payroll data and its later publication.

(6)

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Ron, 14, was walking home and took a well-known shortcut through a hole in a fence, leading to a railway line. While crossing the railway line a train hit Ron, causing him serious injuries.

It was later discovered that the owners of the railway company had known about the hole in the fence for some time and had taken no action. However, they had placed a warning sign next to the hole stating, 'Danger, keep out!'

(c) Assess Ron's rights and remedies in respect of the injuries sustained.

(10)

(Total for Question 4 = 20 marks)

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5 Kyle's father gave him a new expensive kettle for his flat. The kettle was manufactured by Fastboil using new technology. When Kyle used the kettle it exploded due to a problem with the electrical wiring inside it. Kyle suffered severe burns from the kettle's boiling water.

Kyle was rushed to hospital and treated by a specialist burns doctor. The doctor treated Kyle's burns with a medically recognised treatment, although recent research had warned that it could cause an allergic reaction in some patients. Kyle suffered an allergic reaction to the treatment which resulted in the loss of movement in one of his hands. Kyle could no longer work in his shoemaking business. Kyle's allergic reaction was confirmed to have been caused by the treatment administered by the doctor.

Evaluate Kyle's legal rights and remedies in these situations.

(20)

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(Total for Question 5 = 20 marks)

TOTAL FOR PAPER = 100 MARKS

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