



GCE AS

B150U20-1



THURSDAY, 9 JUNE 2022 – MORNING

LAW – AS component 2
Understanding Substantive Law

1 hour 30 minutes

B150U201
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ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen.

Answer **two** questions in total: **one** question from Section A (private law) and **one** question from Section B (public law).

Write your answers in the separate answer booklet provided.

INFORMATION FOR CANDIDATES

The number of marks is given in brackets at the end of each question or part-question.

Section A: Private Law

Answer **either** question 1 **or** question 2.

These questions require you to:

- demonstrate knowledge and understanding of the English legal system and legal rules and principles
- apply legal rules and principles to a scenario in order to present a legal argument using appropriate legal terminology
- analyse and evaluate legal rules, principles and concepts.

Credit will be given for the use of relevant supporting case law and authority.

EITHER,

Question 1: Law of Contract

- (a) Explain the doctrine of promissory estoppel. [6]
- (b) Explain the effect of a counter offer on a contract. [6]
- (c) Assess the importance of distinguishing between an offer and an invitation to treat in the formation of a valid contract. [9]

Read the scenario below and answer part (d).

Naomi has spent many months organising the wedding of her daughter, Bridget, to Jim, in May 2020. 'The Willows' in Mansfield has been booked for the reception. However, following a serious argument, Bridget and Jim decide not to get married. Naomi contacts 'The Willows' and informs them of her need to cancel the booking.

- (d) Advise Naomi as to how she might discharge the contract. [9]

OR,

Question 2: Law of Tort

- (a) Explain what is meant by the 'reasonable man' test in the law of tort. [6]
- (b) Explain what is meant by remoteness of damage in the law of tort. [6]
- (c) Assess whether the protection provided by the Occupiers' Liability Act 1984 is an improvement on the position at common law. [9]

Read the scenario below and answer part (d).

Richard and Cassie were on their way to college as they had a Psychology A level examination that afternoon. Richard was driving his mother's BMW. He was foolishly exceeding the speed limit and joking with his girlfriend rather than concentrating on the road. However, he reacted quickly, skidding to a halt when a young child, Lucy, dashed out in front of the car. She had run out from behind a parked car. Fortunately, she was not seriously injured but had a minor cut on her left arm. Her mother, Linda, however, was in a dreadful state. She was still standing on the pavement, 'frozen' to the spot and was barely able to speak with the shock of it all. Subsequently, Richard received a letter advising him that Linda was claiming that she had suffered nervous shock as a result of the incident and was suing him for negligence.

- (d) Advise Richard on what Linda will need to prove to succeed in a claim for psychiatric injury against him. [9]

Section B: Public Law

Answer **either** question 3 **or** question 4.

These questions require you to:

- demonstrate knowledge and understanding of the English legal system and legal rules and principles
- apply legal rules and principles to a scenario in order to present a legal argument using appropriate legal terminology
- analyse and evaluate legal rules, principles and concepts.

Credit will be given for the use of relevant supporting case law and authority.

EITHER,

Question 3: Criminal Law

- (a) Explain what is meant by a strict liability offence. [6]
- (b) Explain the actus reus and mens rea of assault and battery. [6]
- (c) Assess the circumstances when liability may be imposed for an omission. [9]

Read the scenario below and answer part (d).

Aaya and Steve were due to go to Mo's 18th birthday party but had a row shortly before leaving for the party that evening. Steve walked out, saying that he needed to calm down and would make his own way to Mo's flat later. When Aaya got to the party, the first thing that she saw was Steve kissing Josie, one of her best friends. Without thinking, Aaya grabbed a heavy vase from a side table and threw it as hard as she could at Steve, who fell to the ground, hitting his head on the tiled floor. Mo called for an ambulance and Steve was taken to hospital immediately. After initial assessment, the doctor informed Steve that he needed a blood transfusion as a matter of urgency, which he refused on religious grounds. When Aaya arrived at the hospital, she was told that Steve had suffered severe brain damage, which could leave him seriously disabled.

- (d) Advise Aaya as to whether she is likely to be charged with any non-fatal offence. [9]

OR,

Question 4: Human Rights Law

- (a) Explain the obligations which the Public Order Act 1986 imposes on the organiser of a march. [6]
- (b) Explain the powers of the police to impose a 'blanket ban' on marches under the Public Order Act 1986. [6]
- (c) Assess whether Article 8 of the European Convention on Human Rights protects personal privacy in the UK. [9]

Read the scenario below and answer part (d).

Lenny, an international student who had only recently arrived from Ghana, was on his way to the Christmas market on a busy Saturday afternoon. He was stopped by PC Hong and PC Sefton who thought that he looked 'spaced out' and must be one of those 'druggies' who had caused trouble at the town square earlier. They asked him where he was going but Lenny had difficulty understanding their strong Yorkshire accent and failed to answer their questions. They made him take off his jacket but found nothing in it. They arrested him and drove him to the police station.

- (d) Advise Lenny as to whether the police behaved legally during the stop and search and arrest. [9]

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