A-level
LAW
Unit 3 Criminal Law (Offences against the Person) or Contract Law

Tuesday 12 June 2018  Morning  Time allowed: 1 hour 30 minutes

Materials
For this paper you must have:
• an AQA 12-page answer book.

Instructions
• Use black ink or black ball-point pen.
• Write the information required on the front of your answer book. The Paper Reference is LAW03.
• Choose one scenario from two on the theme you have studied for this unit. Answer all three questions on the scenario you choose.
• Do all rough work in your answer book. Cross through any work you do not want to be marked.
• Use continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

Information
• The marks for questions are shown in brackets.
• The maximum mark for this paper is 80.
• In questions 01, 04, 07 and 10, five marks will be awarded for Assessment Objective Three (AO3), and so you will be marked on your ability to:
  – use good English
  – organise information clearly
  – use specialist vocabulary where appropriate.
Choose **one** scenario from two on the theme you have studied for this unit.

Read the scenario and answer all **three** questions.

Use continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

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**Criminal Law (Offences against the Person)**

**Total for this scenario: 75 marks + 5 marks for AO3**

**Scenario 1**

Alison was married to Chris but was also secretly in a relationship with Dave, Ellie’s husband. Alison was drinking coffee in a bar with her close friend, Beth, when Ellie suddenly approached them. Ellie had found out about Alison and Dave and she screamed insults and held out a bottle of liquid. Beth did not know Ellie and was totally confused about what Ellie intended to do, but she was terrified that Ellie was about to attack her with acid. She threw very hot coffee over Ellie. This caused significant scalding injury to Ellie’s skin which left some unsightly scars on her face. The bottle Ellie was holding contained only water, which she had intended to pour over Alison.

Chris was very depressed about the state of his marriage and easily became suspicious and angry if Alison was friendly towards other men. When he heard of the incident in the bar, he immediately suspected that Alison was in a relationship with Dave. He went to confront Dave at the building site where Dave worked. Chris was obviously distressed but Dave just laughed at him and turned away. Chris picked up a brick and struck Dave violently on the back of the head. As Dave fell, Chris struck him again, even more powerfully. He then walked off, saying, “You can expect more if I catch you at it again.” Dave suffered severe injury to his brain, and was kept alive only by life support machinery. After two weeks, the life support was removed and Dave was pronounced dead.

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0 1 Discuss Ellie’s criminal liability for her actions in relation to Beth. Discuss Beth’s criminal liability for the injuries that she caused to Ellie.

[25 marks + 5 marks for AO3]

0 2 Discuss Chris’s criminal liability for the murder of Dave.

[25 marks]

0 3 Consider what criticisms may be made of the current law on murder and voluntary manslaughter. Suggest possible reforms to deal with those criticisms.

[25 marks]
Franco and Gianni drank a lot of alcohol and then decided to play a game which they had often played when younger. At night, they would race each other, jumping from bonnet to roof and roof to bonnet across a line of cars parked in a street. Sometimes, in jostling with each other, one or both would fall from a car and suffer minor injuries. On this occasion, Franco was annoyed to be losing the race. He knew that there was some traffic in the street but he gave Gianni a violent push from behind. Gianni fell awkwardly from the roof of a car and broke his leg. Harriet was approaching in her car. She tried to avoid Gianni by braking sharply, but she spun sideways and crashed into a lamppost. She was not wearing a seat belt. The impact threw her into her car door causing her to suffer cuts to her face and arm.

Also that night, Isaac was looking for a car to steal. He saw Joan, aged 80, putting a case onto the rear seat of a car. Isaac pulled a scarf over his face, banged on the car and shouted loudly at Joan. Joan was instantly terrified and, after a few seconds, collapsed and fell into the car. Isaac realised that she was unconscious and breathing with difficulty. In fact, she had suffered a heart attack. In a panic, he pushed her onto the floor of the car, shut the door and ran off. About 30 minutes later, he alerted the emergency services without giving his name. An ambulance was sent but failed to find the car. This was because the car had been driven off by another thief who had dumped it 10 miles away when he realised that Joan was in the back. By the time the car was discovered, Joan had died.
**Contract Law**

Total for this scenario: 75 marks + 5 marks for AO3

**Scenario 3**

Angela was moving to a smaller house and needed to reduce her large collection of books. She sent a text message to Baljeet, a bookseller, saying, “Do you want to buy my two ‘Watson’ books for £100?” Baljeet replied, “Would you consider selling just the ‘1982 Watson’ for £60?” Angela sent another message, “Ok. That’s good. The 1982 Watson is yours.” Later, Baljeet was dismayed to learn that Angela had sold both ‘Watsons’ to another bookseller for £100. Angela told her neighbour, Dan, that she would give him her copy of a book worth £80, because he had helped her to pack up all her belongings in preparation for her move. Later, Angela had an argument with Dan and refused to give him the book.

Eryk, a dealer in rare books, was able to inspect Angela’s book collection without telling her that he was an expert. He recognised that one of Angela’s books was a very valuable rare edition. Eryk offered Angela £10 for the book, saying, “I am no expert but I don’t think this is worth very much.” Angela agreed and accepted the £10. She was furious when she discovered that Eryk was offering the book to specialist collectors for £1000.

When she moved into her new house, Angela bought a tall, narrow bookcase from Woodblock, a local furniture store. She explained to Woodblock that she had some very heavy books but the store assured her that the bookcase would be perfectly suitable for her needs. Two weeks after she had filled the bookcase with her books, she came back home to find that it had toppled over. In addition to serious damage to the bookcase itself, there was damage to the value of £400 to books and other furniture and household items in the room.

**0 7** Discuss Baljeet’s possible rights and remedies against Angela. Discuss Dan’s possible rights and remedies against Angela.

[25 marks + 5 marks for AO3]

**0 8** Discuss Angela’s possible rights and remedies against Eryk. Discuss Angela’s possible rights and remedies against Woodblock.

[25 marks]

**0 9** Consider what criticisms may be made of the current law on formation of contract. Suggest possible reforms to deal with those criticisms.

[25 marks]
Total for this scenario: 75 marks + 5 marks for AO3

Scenario 4

Fawaz wanted to modify his garage to include a workshop. He contracted with Guy, a builder, to build an internal wall in the garage and also to create a new window and door for a total price of £2000. When Guy had still not started work after 6 weeks, Fawaz ‘cancelled’ the contract and, instead, paid Hakan, another builder, £2000 to do the work. However, though Hakan completed the work, he did not fit the window properly and it was difficult to open. Fawaz bought an electric power saw from Irene’s Power Tools. The invoice supplied stated that all faults must be reported within 30 days, after which no liability could be accepted. After 3 months of normal usage, the electric motor burnt out, making the saw unusable.

The Peter Group (PG) was a group of independent companies, including Peter Group West (PGW). PG companies advertised each other’s cars for sale across the country, buying and selling within the group to make cars available to the public. Fawaz agreed to buy one of the cars for £9000 from PGW. He paid a deposit of £1000, and was allowed £3000 for his old car. PGW expected to make £1500 profit on the deal. PGW bought the car for £7000 from another PG company and did £500 worth of repairs and maintenance to it. However, two days before the date agreed for Fawaz to take delivery and exchange cars, Fawaz’s old car was struck and crushed by a lorry when the car was badly parked on a road. As a result, Fawaz did not want to go ahead with the deal to buy the car from PGW.

1 0 Discuss whether Fawaz had the right to ‘cancel’ the contract with Guy. Discuss Fawaz’s rights and remedies against Hakan. Discuss Fawaz’s rights and remedies against Irene’s Power Tools.  

[25 marks + 5 marks for AO3]

1 1 Discuss the effect of the destruction of Fawaz’s old car on the contractual rights and remedies between Fawaz and PGW, if Fawaz no longer wishes to buy the car from PGW.  

[25 marks]

1 2 Consider what criticisms may be made of the current law on formation of contract. Suggest possible reforms to deal with those criticisms.  

[25 marks]

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