

A



Surname _____

Forename(s) _____

Centre Number _____

Candidate Number _____

Candidate Signature _____

I declare this is my own work.

A-level

LAW

Paper 2

7162/2

Tuesday 6 June 2023 Afternoon

Time allowed: 2 hours

At the top of the page, write your surname and forename(s), your centre number, your candidate number and add your signature.

[Turn over]



JUN237162201

BLANK PAGE



MATERIALS

You will need no other materials.

INSTRUCTIONS

- Use black ink or black ball-point pen.
- 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.

INFORMATION

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

DO NOT TURN OVER UNTIL TOLD TO DO SO

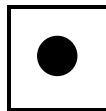


Answer ALL questions in the spaces provided.

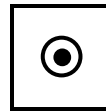
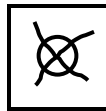
Only ONE answer per question is allowed.

For each question completely fill in the circle alongside the appropriate answer.

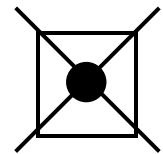
CORRECT METHOD



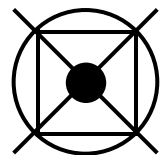
WRONG METHODS



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.



0	1
---	---

Alek has won a claim in negligence against Bhavna in respect of a road accident. He has asked the court for damages. Which of the following would NOT affect the amount of damages he receives? [1 mark]

A Alek could have taken action to reduce the extent of his losses.

B Bhavna successfully pleaded the defence of contributory negligence.

C Bhavna was insured for any losses caused by her negligence.

D Some of Alek's losses were not reasonably foreseeable.

[Turn over]



0	2
---	---

Carla was at her local bus station when she saw a sign which read: 'Be careful. Floor slippery when wet.' Which of the following statements BEST describes the legal effect of the sign? [1 mark]

A Carla becomes a trespasser if she walks past the sign.

B The bus company has excluded liability and no visitor to the bus station can sue for injuries.

C The sign ensures that neither the Occupiers' Liability Act 1957 nor the Occupiers' Liability Act 1984 applies.

D The sign is part of the bus company's efforts to fulfil the duty it owes to visitors.



0	3
---	---

Which of the following is NOT part of the role of a judge during a civil trial? [1 mark]

A To decide on any appropriate remedy.

B To decide the outcome of a case.

C To decide the sentence.

D To determine the relevant law.

[Turn over]



0	4
---	---

Which of the following is most likely to use ‘lobbying’ as a way of influencing Parliament? [1 mark]

A Political parties.

B Pressure groups.

C The Law Commission.

D The media.



0	5
---	---

Which of the following is a source of law involving judges making a new law? [1 mark]

A By-laws.

B Common law.

C EU law.

D Statute law.

[Turn over]

5



0	6
---	---

Explain TWO features of a conditional fee agreement (no win, no fee) in terms of funding a civil case.

[5 marks]

[Turn over]

_____ 5



0	7
---	---

Debra and Ewan met for lunch at a riverside pub. They drank a large quantity of alcohol and Debra, in particular, was having trouble walking in a straight line. Nevertheless, Debra suggested to Ewan that they go for a trip in Debra's canal boat which was tied up close by. Ewan agreed. Because of the amount of alcohol she had drunk, Debra's management of the boat was very bad. A collision occurred and Ewan was injured.

Debra has admitted that she was negligent and that her actions caused Ewan's injury. Nevertheless, suggest why Debra will probably be able to use the defence of consent (*volenti non fit injuria*) to avoid liability to Ewan. [5 marks]



[Turn over]



<hr/>
5



BLANK PAGE

[Turn over]



08

Faruq was a financial advisor with an office in the local town. One evening, to increase business, he organised a lecture in the local town hall. The lecture was open to the public. Gita attended and, as a result of the advice that Faruq gave during the lecture, she invested £50 000 in a particular company. However, Faruq had misread the company’s accounts and he had failed to identify a significant weakness. Six weeks later, the company went out of business and Gita lost her £50 000.

Taking into account the rules governing negligent misstatement, advise Gita of her rights and remedies against Faruq. [10 marks]





[Turn over]





[Turn over]

<hr/>
10



In Question 09 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

09

Examine the meaning and significance of fault. Discuss the extent to which the rules relating to vicarious liability are based on fault. [15 marks]

[Turn over]





[Turn over]

<hr/> 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.

1	0
----------	----------

Irene owned a cottage at the edge of the village. Jake, who owned the large field next to Irene's cottage, began to organise drone racing across his land. Jake's competitions were very popular in the local area. There were several races each week, and Jake also allowed people to practise their skills at other times. Racers particularly enjoyed the night-time events. The noise from the drones' motors was very persistent. Irene frequently could not hear her television and she sometimes had trouble getting to sleep. When she asked Jake to reduce the noise, he responded by organising a new county league involving several extra events.

Jake had built a large oil tank as part of the power-generating system used to recharge the drones. Jake noticed that the tank had been damaged, possibly by intruders. Before he could repair the tank, it collapsed. As a result, oil flooded across Irene's vegetable garden causing a considerable amount of damage.





[Turn over]





[Turn over]





[Turn over]



[Turn over]





[Turn over]



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
----------	----------

Will, a 10-year-old boy, was playing football in his garden, when the ball bounced into the road. As Will ran after it, he collided with an ambulance. The ambulance was being driven by Xavier who was driving quickly in response to an emergency call. Zen, who lived close by and had known Will since birth, witnessed the incident and ran to Will's house to contact his parents. Will's mother, Yasmin, was in the shower at the time and did not hear the doorbell.

Yasmin eventually saw Will tearful and in pain on the hospital ward while he was awaiting treatment for a badly broken leg. Will had been a promising youth footballer for Vale United and since the operation has been told that he will not be able to play football again. Zen and Yasmin have both suffered from severe psychiatric problems since the incident.



Consider the rights and remedies in negligence of Will against Xavier, AND of Zen and Yasmin against Xavier for their psychiatric problems.

Law plays a role in society in both allowing and restricting civil claims. There are rules which restrict when a claimant can recover for psychiatric injury in tort. Assess the reasons why these legal restrictions exist. [30 marks]

[Turn over]





[Turn over]



[Turn over]





[Turn over]





[Turn over]





[Turn over]





END OF QUESTIONS

30



Additional page, if required.

Write the question numbers in the left-hand margin.



Additional page, if required.

Write the question numbers in the left-hand margin.

Additional page, if required.

Write the question numbers in the left-hand margin.

BLANK PAGE

For Examiner's Use	
Question	Mark
1–5	
6	
7	
8	
9	
10	
11	
TOTAL	

Copyright information

For confidentiality purposes, all acknowledgements of third-party copyright material are published in a separate booklet. This booklet is published after each live examination series and is available for free download from www.aqa.org.uk

Permission to reproduce all copyright material has been applied for. In some cases, efforts to contact copyright-holders may have been unsuccessful and AQA will be happy to rectify any omissions of acknowledgements. If you have any queries please contact the Copyright Team.

Copyright © 2023 AQA and its licensors. All rights reserved.

WP/M/CR/Jun23/7162/2/E4