



GCE A LEVEL – NEW

1150U30-1



S19-1150U30-1

LAW – A2 unit 3
The Practice of Substantive Law

TUESDAY, 4 JUNE 2019 – MORNING

1 hour 45 minutes

ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen. Do not use pencil or gel pen. Do not use correction fluid.
Answer **two** questions in total, each question from a different section.

Section A – Human Rights Law

Section B – Law of Contract

Section C – Criminal Law

Write your answers in the separate answer booklet provided.

Use both sides of the paper. Write only within the white areas of the booklet.

Write the question number in the two boxes in the left hand margin at the start of each answer

e.g.

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Leave at least two line spaces between each answer.

INFORMATION FOR CANDIDATES

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

Answer two questions in total.

Section A

Human Rights Law

Answer one question from this section if you have studied this area of law.

The questions which follow require you to:

- demonstrate knowledge and understanding of legal rules and principles;
- apply legal rules and principles to the scenario; and
- present a legal argument using appropriate legal terminology.

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

Either,

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The local council decided to demolish the community youth centre and sell off the land to developers to build luxury houses. Catrin, who runs the youth centre, organised a protest against the closure. Around two hundred people turned up and set off to march to the council offices, with Catrin in the lead. Some of the marchers carried home-made placards saying: "Demolish the Council!" As the marchers drew near to the council offices, Sergeant Jones arrived in a police car, accompanied by PC Evans. Sergeant Jones told Catrin that they were marching without police permission, and would have to stop. Catrin refused, so Sergeant Jones arrested her. While this was going on, PC Evans ordered the marchers who were carrying placards to put them down. Some of the marchers waved their placards in defiance, so PC Evans arrested them. The march came to a standstill as the rest of the marchers tried to find out what was happening. Fearing trouble, Sergeant Jones radioed for reinforcements. Several police vans arrived filled with officers, who imposed a tight cordon around the marchers and kept them there for five hours. Catrin was charged with a public order offence and convicted by the magistrates' court.

In light of reported case law and other sources of law, advise Catrin whether the police were acting within their powers to control these public order situations. [50]

Or,

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Paul was walking down the street singing happily because he had just been offered a place at college to train as a professional photographer. The noise annoyed PC Clarke who tapped Paul on the shoulder and told him to be quiet. Paul said, "I'm not doing anything wrong, am I?" PC Clarke replied: "Let's find out, shall we?", and proceeded to carry out a thorough search of Paul's clothing and bag. In the bag, PC Clarke found an expensive camera. PC Clarke thought that this was highly suspicious, that someone as young as Paul would have such an expensive camera, so he arrested Paul in order to carry out further enquiries. At the police station, Paul was put in a cell while waiting to be interviewed. During that time he made several requests to be allowed to phone his mother and speak to a solicitor, but each time he was told he would have to wait as the police were too busy. After 18 hours in the cell, Paul was interviewed by detectives who were investigating a number of burglaries in the area. Paul explained repeatedly that the camera had been lent to him by the college, but as it was now the middle of the night, he was told that he would have to remain in custody until the police could confirm his story. The police had difficulty contacting the college, so after Paul had spent a total of 46 hours in police custody, it was decided to release him on bail subject to the condition that he should report to the police station the following day.

In the light of reported case law and other sources of law, advise Paul as to the legality of the actions of the police. [50]

Section B

Law of Contract

Answer one question from this section if you have studied this area of law.

The questions which follow require you to:

- demonstrate knowledge and understanding of legal rules and principles;
- apply legal rules and principles to the scenario; and
- present a legal argument using appropriate legal terminology.

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

Either,

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Denise runs a small printing business from her home. She needed a quiet fast printer that was cheap to run and maintain. She contacted a specialist printer supply company called Printers R Us. She spoke to one of their consultants, Tony; she explained her needs and requirements to him and Tony recommended the printer model; “Deluxe Whisper 2000”. Denise stressed to Tony that she knew nothing about printers and that it must be a quiet printer as her baby was in the house and she did not want the printer to disturb her baby when sleeping. She also said to Tony that unless the printer was cheap to run she would not even ask the price, as she would not be interested unless it was reasonable to run and maintain. Tony told her that the price was £400. Denise purchased the printer. However, the printer was not quiet, fast or cheap to run and as a result Denise was not able to use the printer and lost a lucrative contract to print posters for a new shop opening in her town.

Advise Denise as to whether there was a misrepresentation, applying your knowledge of legal rules and principles. [50]

Or,

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On Thursday Anna visited Olivia’s make-up and beauty salon, The Beauty Zone, because she wanted to have eyelash extensions done for a 21st birthday party that she was attending on the following Saturday. When Olivia had finished, Anna was so delighted with her new eyelashes that she said she would give Olivia an extra £40 as a tip. When Anna looked in her purse she realised she did not have enough money with her to pay the tip she had promised, but said she would call in with it after the party on the Monday to give it to her. On Monday, Anna phoned Olivia to tell her that she no longer intended on giving her the tip of £40. Olivia, in reliance on Anna’s promise, bought a new dress on the Saturday and is pressing Anna to pay the tip.

Advise Anna as to whether there was consideration, applying your knowledge of legal rules and principles. [50]

Section C

Criminal Law

Answer one question from this section if you have studied this area of law.

The questions which follow require you to:

- demonstrate knowledge and understanding of legal rules and principles;
- apply legal rules and principles to the scenario; and
- present a legal argument using appropriate legal terminology.

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

Either,

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Amy was feeling depressed as her boyfriend had recently split up with her, so her friend Penny invited Amy round to her flat for the evening to try and cheer her up. The girls shared a bottle of Prosecco, and Penny gave Amy some of her own anti-depressant tablets which had been prescribed by her doctor. The girls then settled down to watch a zombie movie on TV. Both girls fell asleep on the sofa before the end of the movie. The mixture of the tablets with the alcohol caused Amy to have a terrifying dream in which Penny had turned into a flesh-eating zombie and was trying to kill her. Believing that she was fighting for her life, Amy grabbed the necklace that Penny was wearing, and twisted it tightly until Penny let her go. When Amy woke up, she discovered that she had strangled Penny.

Advise Amy as to whether she might have any defences to a charge of murder, applying your knowledge of legal rules and principles. [50]

Or,

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Caroline and Lisa are lecturers in a Further Education College. They share a staff room with two other members of staff. Caroline is preparing mock exam papers for her students and needs a stapler to staple them together, she can't find hers but sees a stapler on Lisa's desk, and she uses it and puts it back on her own desk. Later in the day, Lisa, when looking for her stapler, sees Caroline's purse on her desk with a £50 note sticking out of it. Lisa is very short of money this month due to an expensive car repair bill, so she takes the £50 note. Josie, one of Caroline's students comes into the staff room to find Caroline, to ask her a question about the forthcoming exam. No one is in the staff room, but Josie sees on Caroline's desk the mock exam papers, she quickly takes one, rushes to the photocopier, photocopies it and puts the original back on Caroline's desk. As she is leaving the staff room, Caroline returns. Josie, concerned that Caroline may have seen her take the exam paper, rushes past Caroline and knocks against her so hard that Caroline falls to the floor, bruising her arm.

Advise Caroline, Lisa and Josie as to their potential criminal liability under the Theft Act 1968, applying your knowledge of legal rules and principles. [50]

END OF PAPER