Candidate surname			Other names
Pearson Edexce nternational Advanced Level	Centre	Number	Candidate Number
Monday 11	Nov	emb	er 2019
Morning (Time: 3 hours)		Paper Re	eference YLA1/02
Law			
International Advan Paper 2: The Law in A		el	

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 ▶





(6)

Answer ALL questions.

Write your answers in the spaces provided.

1	Jose has been found guilty of an unprovoked attack causing serious injuries to an
	elderly woman.

Rosa has been found guilty of a minor assault, which is her first criminal offence.

(a)	Analyse the aims of sentencing and the sentences that may be appropriate for
	Jose and Rosa.

Kveta delivered scaffolding, ordered by Andil, to the building site he was working on. However, Andil would only pay Kveta half of the agreed amount for the scaffolding, stating it was delivered late.

Kveta consumed a large amount of vodka and was very annoyed with Andil. Wanting to scare Andil, she loosened a number of bolts on the scaffolding, making it unsafe to use.

Andil started to climb the scaffolding, which partially collapsed, breaking some bricks. Andil was not hurt but shaken.

(b) Evaluate Kveta's possible criminal liability for any property offence committed and any appropriate defences.	s she may have
	(14)



2	2 The Freedom of Information Act 2000 provides public access to information held by public authorities.	
(a) Explain briefly one example of a public authority covered by the rules in the Freedom of Information Act.		
		(2)
	(b) Describe the application process for a case to be sent to the European Court of Human Rights.	
	numan nights.	(4)



Amelia is both the head of a public hospital and also a doctor at a private hospital.

At a press conference, Costa accused Amelia of deliberately closing one ward in the public hospital. Costa believed, in good faith, that Amelia had done this to increase her earnings as a doctor at the private hospital.

Costa later admitted that he had no proof that Amelia had closed the hospital ward for personal gain but refused to give her a public apology. As a result, Amelia lost her £250,000 per year job as the head of the public hospital.

defamation.	c) Evaluate the rights and remedies Amelia has against Costa under the law of defamation.	
	(14	4)

(Total for Question 2 = 20 marks)
(Total for Question 2 – 20 marks)



3	'When you invite a person into your house to use your staircase, you do not invite them to slide down your banister.' (Lord Atkins in Hillen v ICI 1936)	
	(a) Explain two ways a person may commit a trespass to another's land.	(4)

	Sergio was the owner of a gym where Kamila was a member. Sergio had recently upgraded the exercise bikes and had the equipment checked by a firm of specialists. Kamila was using an exercise bike when one of the pedals broke off, resulting in a very bad cut to her leg.		
	(b) Analyse the duties owed by Sergio to Kamila under the Occupiers' Liability Act 1957.		
		(6)	
•			

Akello was using a power tool in his garden to cut down a tree. A branch broke off and fell over the fence hitting his neighbour Joyce, on the left side of her head, while she was sitting in her garden.

Joyce was already partially deaf and had no hearing in her right ear. As a result of the impact, Joyce now has pain in her left ear.

Joyce was taken to hospital for a check-up where it was discovered that she had lost the hearing in her left ear and is now totally deaf.

(c) Akello owed Joyce a duty of care. Assess whether Akello has breached that duty of care and how the principle of <i>res ipsa loquitur</i> may apply to this situation.	
of care and now the principle of res ipsu logarar may apply to this situation.	(10)

(Total for Question 3 = 20 marks)

4	Edith hired John, a professional gardener, to supply and lay new turf in her
	back garden. Edith told John she wanted the best turf available and, on John's
	recommendation, she ordered new turf he described as 'of the best quality'.

John removed the old turf and then told Edith he would come back later to finish the work. John did not lay the new turf until six months later. However, the new turf died soon after John had completed the work because he had not watered it correctly. Edith had the turf inspected and it was found to be of inferior quality.

(a)	Identify the terms implied by legislation into the contract between John and
	Edith.

(4)

Logan began painting the inside of his house, using an unopened tin of paint that his mother had given to him. The paint gave off toxic fumes, making it difficult for Logan to breathe. He lost his balance and spilt the paint he was holding, completely ruining his carpet.

Fortunately, Logan suffered no other damage or further injuries from the fumes, but the carpet was worth £500. Topshine plc manufactured the paint, which was later found to contain a dangerous substance which had caused the toxic fumes.

(b) Analyse whether Logan has a claim against Topshine plc under the Consumer

Protection Act 1987.	(6)



sending romantic messages to Tom's girlfriend.
When Lucio had his back to Tom, Tom violently grabbed Lucio's mobile phone out of his hand and ran off. He later threw the phone over a garden fence.
Tom later admitted to the theft of the phone but denies the charge of robbery.
(c) Assess Tom's possible criminal liability in connection with the offence of robbery. (10)



 (Total for Question 4 = 20 marks)
(Total for Question 4 – 20 marks)

5	Hakan runs a film company. On 3 January he emailed Jump Ltd asking to hire two
	helicopters for use in his latest film. That same day, Jump Ltd replied by email sending
	its price list and order form. Hakan filled in and returned the order form, requesting
	the hire of two helicopters for the week beginning 11 February. Jump Ltd replied by
	email saying: 'Two helicopters, hired to you, week beginning 11 February'. This email
	was seen by Hakan late in the afternoon of Friday the 4 January.

Over that weekend, Hakan found out that the leading actor in his film had been unexpectedly rushed to hospital with a long-term illness. He immediately sent an email to Jump Ltd saying: 'Your helicopters are not required' and explained the reasons. Jump Ltd read this email on Monday morning but would not cancel the order. Hakan is now refusing to use the helicopters from Jump Ltd or pay the hire costs of £10,000.

Evaluate the contractual rights and remedies of Jump Ltd in this situation.	(20)





(Total for Organian F = 20 morts)
(Total for Question 5 = 20 marks)
,

TOTAL FOR PAPER = 100 MARKS

BLANK PAGE



BLANK PAGE