



Oxford Cambridge and RSA

Thursday 9 June 2022 – Morning

AS Level Law

H018/02 Law making and the law of tort

Time allowed: 1 hour 30 minutes



You must have:

- the OCR 12-page Answer Booklet

INSTRUCTIONS

- Use black ink.
- Write your answer to each question in the Answer Booklet. The question numbers must be clearly shown.
- Fill in the boxes on the front of the Answer Booklet.
- Answer **all** the questions.

INFORMATION

- The total mark for this paper is **64**.
- The marks for each question are shown in brackets [].
- Quality of extended response will be assessed in questions marked with an asterisk (*).
- This document has **4** pages.

ADVICE

- Read each question carefully before you start your answer.

SECTION A

Law making

Answer **all** the questions.

- 1 Explain **and** illustrate the purposive approach to statutory interpretation. **[8]**

- 2 Explain **and** illustrate how persuasive precedent works in relation to cases from the Judicial Committee of the Privy Council, courts in foreign jurisdictions and judges' *obiter dicta* statements. **[8]**

- 3 Describe the controls exercised over delegated legislation by the courts. **[8]**

- 4 Discuss the disadvantages of delegated legislation. **[8]**

SECTION B**Law of tort**

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

Eve, aged 17, is learning to drive. During a driving lesson she enters a roundabout but does not look right and, as a result, fails to notice Kareem travelling towards her on his motorcycle. Eve pulls out and knocks Kareem off his motorcycle. Kareem is badly injured and breaks both his legs.

Kareem is a professional rugby player and plays for Tophampton Troopers RFC second team. As a result of the accident he can no longer play rugby. Kareem was about to be promoted to the first team and the promotion would have resulted in an increase in wages. Kareem can no longer play tennis with his friends, is in a great deal of pain and has become depressed. He refuses to take his medication and attend physiotherapy sessions.

- 5 Explain the way in which it is proved that the damage was caused by the defendant in a negligence claim. [8]
- 6 Advise Kareem whether he will succeed in a claim of negligence against Eve. [8]
- 7 Advise Kareem what remedies he could expect if he is successful in his negligence claim. [8]
- 8* Discuss the extent to which the Occupiers' Liability Act 1984 provides justice for occupiers. [8]

END OF QUESTION PAPER

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