



Oxford Cambridge and RSA

Friday 24 May 2024 – 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

- 1 Describe the stages of the legislative process that take place in the House of Commons **after** the second reading. **[8]**
- 2 Explain the Golden Rule of statutory interpretation and illustrate its use in cases. **[8]**
- 3 Describe how distinguishing works within the doctrine of precedent using cases to illustrate your answer. **[8]**
- 4 Discuss the advantages of binding precedent. **[8]**

SECTION B**Law of tort**

Read the scenario.

Hugo is a qualified personal trainer (PT). He has been granted a licence by the local council to hold high impact training classes on an area of grassland owned by the council. The licence states that participants must book a space in the class online and complete a pre-exercise health questionnaire in advance. One evening, the class had started and Rosa, who was passing, asked if she could join in. Hugo agrees. Rosa missed the warmup and during one of the exercises faints and hits her head. Rosa is taken to hospital where she is diagnosed with hypotension, also known as low blood pressure. Rosa's hypotension was a pre-existing condition triggered by the exercise which caused her to faint.

- 5 Explain the ways an occupier can avoid liability under the Occupiers' Liability Act 1957. Do **not** refer to the scenario. **[8]**
- 6 Advise whether or not Hugo has breached the duty of care he owes to Rosa in a negligence claim. **[8]**
- 7 Advise whether or not Hugo is liable for the harm caused to Rosa in a negligence claim. **[8]**
- 8* Discuss the extent to which the rules on establishing a duty of care in a negligence claim are fair. **[8]**

END OF QUESTION PAPER

OCR

Oxford Cambridge and RSA

Copyright Information

OCR is committed to seeking permission to reproduce all third-party content that it uses in its assessment materials. OCR has attempted to identify and contact all copyright holders whose work is used in this paper. To avoid the issue of disclosure of answer-related information to candidates, all copyright acknowledgements are reproduced in the OCR Copyright Acknowledgements Booklet. This is produced for each series of examinations and is freely available to download from our public website (www.ocr.org.uk) after the live examination series.

If OCR has unwittingly failed to correctly acknowledge or clear any third-party content in this assessment material, OCR will be happy to correct its mistake at the earliest possible opportunity.

For queries or further information please contact The OCR Copyright Team, The Triangle Building, Shaftesbury Road, Cambridge CB2 8EA.

OCR is part of Cambridge University Press & Assessment, which is itself a department of the University of Cambridge.