



Oxford Cambridge and RSA

Tuesday 3 June 2025 – Afternoon

A Level Law

H418/02 Law making and the law of tort

Time allowed: 2 hours



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 **five** questions in total:
Answer **one** question from Questions 1 and 2 and **one** question from Questions 3 and 4 in Section A.
Choose **one** Part in Section B. Answer the **three** questions for that part.

INFORMATION

- The total mark for this paper is **80**.
- 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 Question 1 **or** Question 2. Then answer Question 3 **or** Question 4.

Answer Question 1 **or** Question 2.

- 1 Describe overruling and reversing. [8]
- 2 Explain the controls exercised over delegated legislation by the courts. [8]

Answer Question 3 **or** Question 4.

- 3 Discuss the disadvantages of the Golden Rule of statutory interpretation. [12]
- 4 Discuss the disadvantages of the process by which an Act of Parliament is created. [12]

SECTION B**Law of tort**

Choose **Part 1** or **Part 2**.

Part 1

Answer the **three** questions.

The first two questions are about the scenarios. The scenarios **are** related.

Amir is a builder who was an employee of Bigbildz Construction. Bigbildz asked Amir to fit some upstairs windows in a new house. Amir had to use scaffolding provided by Bigbildz to do the work. While Amir was lifting the window into place, the scaffolding broke and he fell to the ground. He suffered serious injuries and property damage. Investigations showed that Bigbildz had used sub-standard scaffold boards to save money and had not conducted a safety inspection of the scaffolding. Amir was unaware of this.

As a result of Amir's fall, his £1000 mobile phone was broken beyond repair. He sustained serious leg injuries and has been left with a permanent disability. Amir can no longer work as a builder and has been unemployed since the incident. He used to earn £1000 a week. Amir also enjoyed playing amateur football but can no longer play. Bigbildz claim that at the time of the incident, Amir was wearing his own trainers instead of the work boots they provide. They suggest that his leg injuries would not have been as bad if he had worn them.

- 5** Advise Amir whether Bigbildz would be liable if he sues them in negligence. Do **not** discuss occupier's liability, defences or remedies. [20]
- 6** Advise Amir what remedies he might expect if successful in his claim and whether Bigbildz has any defences available. [20]

Essay question on the law of tort

- 7*** Discuss whether the Occupiers' Liability Act 1957 is fair on adult visitors. [20]

Part 2

Answer the **three** questions.

The first two questions are about the scenarios. The scenarios are **not** related.

Charlie owns a car repair garage on an industrial estate. When he replaces a car battery, he is supposed to recycle the used batteries as they are. However, Charlie has been draining the acid from them into an old oil drum outside his garage. He intends to use the acid as a weedkiller and pesticide in his garden at home. One night some local teenagers are filmed on CCTV messing around outside the garage. One of them pulls the oil drum of acid over. The acid runs into a neighbouring property where Dev operates a garden centre. His entire stock of plants are killed by the acid.

Sam, Tom and Yana all work under a contract of service for Crowan Computers.

- Sam works on the customer service desk at Crowan Computers. A customer, Heidi, asks Sam a number of questions and Sam responds rudely and aggressively ordering Heidi to leave the store. Sam follows Heidi out to the car park and assaults her.
- Tom is the manager of Crowan Computers. Ivan works in the warehouse. After the staff Christmas meal, Tom invites Ivan and a group of other employees back to his hotel for more drinks. An argument develops between Ivan and Tom over differences in rates of pay. Tom becomes angry and assaults Ivan.
- Yana works in the IT department at Crowan Computers. She is so angry about Ivan's treatment that she wants revenge. She uploads personal details of Crowan Computers' customers on social media and is charged with data protection and breach of confidence offences. One of the customers, Mia, now wants to sue Crowan Computers for the breach of her personal data.

8 Advise Dev whether he will be successful if he sues Charlie in *Rylands v Fletcher*.
Do **not** discuss any remedies. [20]

9 Advise Crowan Computers whether they will be vicariously liable for the torts of Sam, Tom and Yana.
Do **not** discuss employment status or remedies. [20]

Essay question on the law of tort

10* Discuss whether the Occupiers' Liability Act 1957 is fair on adult visitors. [20]

END OF QUESTION PAPER

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