



Oxford Cambridge and RSA

Monday 18 June 2018 – Afternoon

A2 GCE LAW

G158/01 Law of Torts Special Study



Candidates answer on the Question Paper.

OCR supplied materials:

- Clean copy of the Pre-release Special Study Material

Other materials required:

None

Duration: 1 hour 30 minutes



Candidate forename					Candidate surname				
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Centre number						Candidate number			
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INSTRUCTIONS TO CANDIDATES

- Write your name, centre number and candidate number in the boxes above. Please write clearly and in capital letters.
- Use black ink. HB pencil may be used for graphs and diagrams only.
- Answer **all** the questions.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.
- Write your answer to each question in the space provided. If additional space is required, you should use the lined page(s) at the end of this booklet. The question number(s) must be clearly shown.
- Do **not** write in the barcodes.

INFORMATION FOR CANDIDATES

- The number of marks is given in brackets [] at the end of each question or part question.
- The total number of marks for this paper is **80**.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering questions **1** and **2** you will be assessed on the quality of your written communication (QWC) including your use of appropriate legal terminology. These questions are marked with an asterisk (*).
- Candidates are reminded that they are able to use the information given in the sources to support their own knowledge and understanding, evaluation, analysis, and application of the law. Where candidates wish to extract from the source in this way they should use quotation marks or accurately cite lines of the source. Candidates who merely 'lift' information from the source materials without using it to support further knowledge, evaluation, analysis or application, will receive little or no credit. You are expected to demonstrate understanding of the area(s) of law and the development of law and to use legal methods and reasoning to analyse legal material, to select appropriate legal rules and apply these in order to draw conclusions.
- This document consists of **24** pages. Any blank pages are indicated.

You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.

In answering questions use the source material **and** your knowledge of the subject.

Answer all questions.

1* Discuss the significance of the case of *Transco plc v Stockport Metropolitan Borough Council [2003]* (Source 2, page 3, Special Study Materials) to the development of the tort of *Rylands v Fletcher*. [16]

Start writing your answer to question 1 below. Start writing your answer to question 2 on page 7. Start writing your answer to question 3 on page 17.



This image shows a blank sheet of handwriting practice paper. It features a vertical solid black line on the left side, followed by 22 rows of horizontal dotted lines. Each row consists of a top dashed line, a middle dotted line, and a bottom dashed line, providing a guide for letter height and placement. The rows are evenly spaced down the page.



The page features a vertical line on the left side and a series of horizontal dotted lines for handwriting practice. There are 21 rows of these dotted lines, providing ample space for practicing letter formation and alignment.



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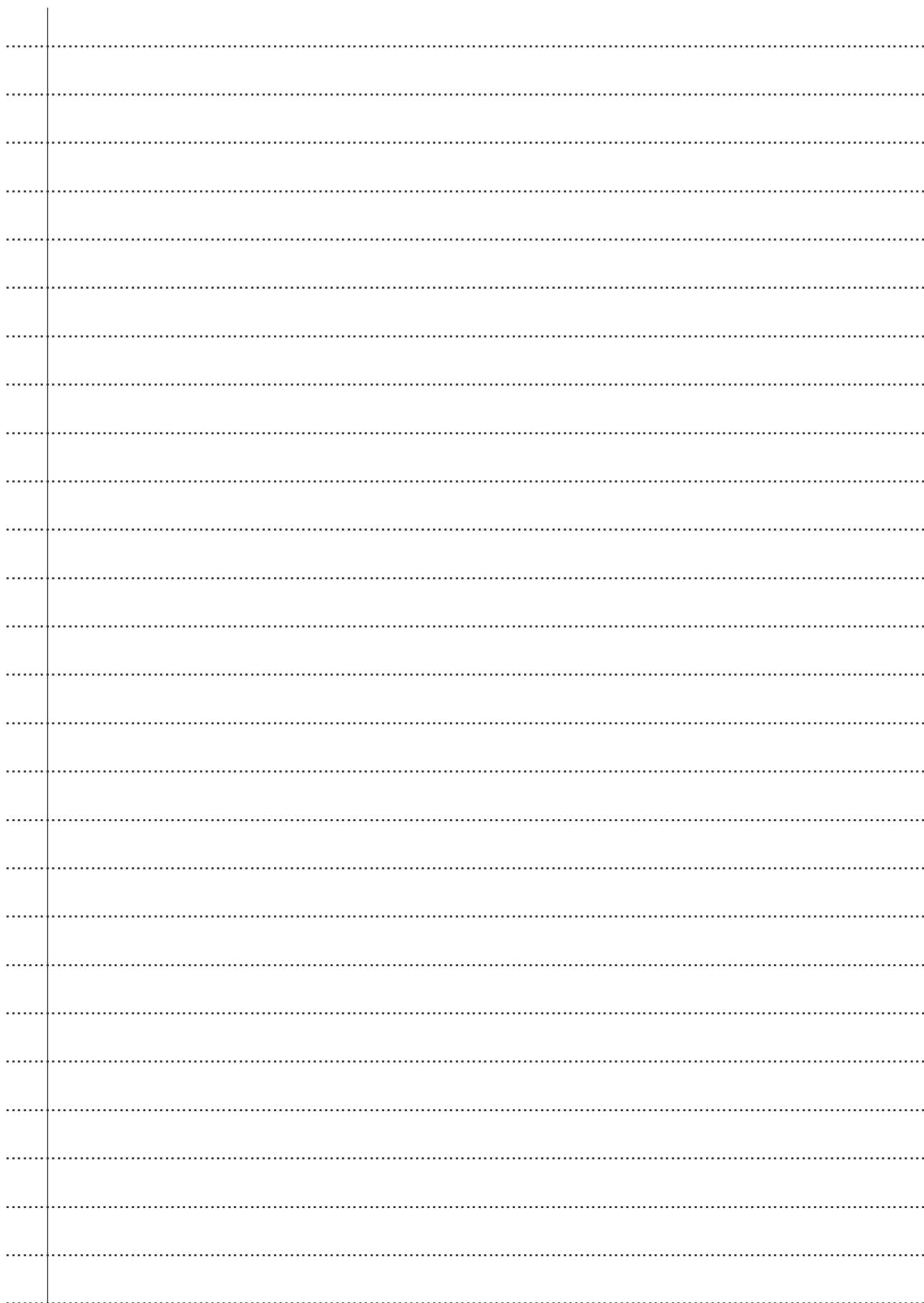
In answering questions use the source material **and** your knowledge of the subject.

2* In Source 6 (page 7, line 3 Special Study Materials), Bermingham and Brennan state that 'statutory provision was said to be the most appropriate and adaptable means of addressing environmental losses.'

Discuss the ways *Rylands v Fletcher* has been developed. Does it offer any realistic means of addressing environmental losses? [34]

Start writing your answer to question 2 below. Start writing your answer to question 3 on page 17.

2*



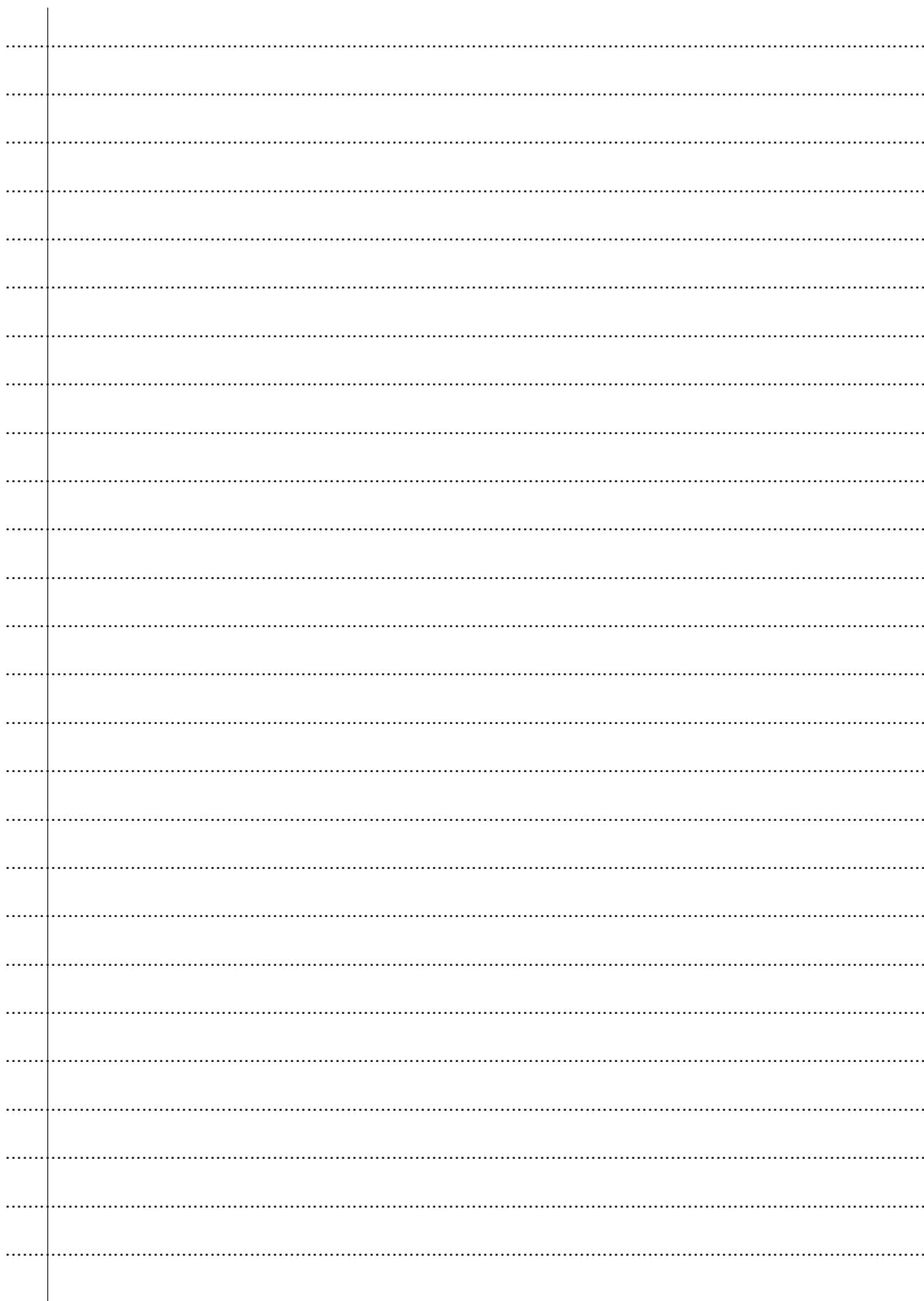
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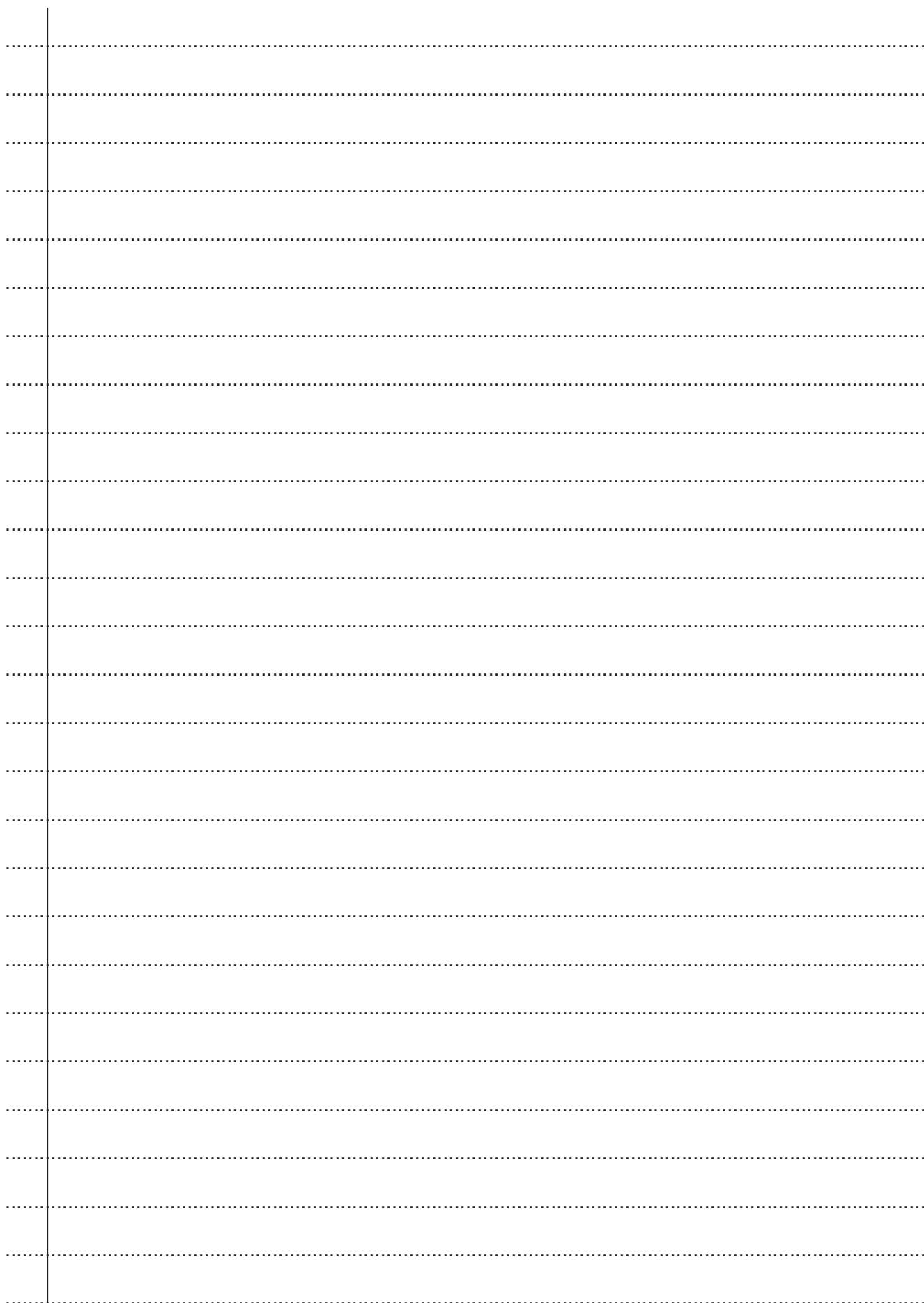


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The page features a vertical line on the left side and a series of horizontal dotted lines for handwriting practice. There are 21 rows of these dotted lines, providing ample space for practice.



This image shows a blank sheet of handwriting practice paper. It features a vertical solid black line on the left side, followed by a series of horizontal dotted lines. There are 22 dotted lines in total, spaced evenly down the page. The top dotted line is aligned with the top of the vertical line, and the bottom dotted line is aligned with the bottom of the vertical line. The dotted lines provide a guide for letter height and placement.

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In answering questions use the source material **and** your knowledge of the subject.

3 Consider the possibility of successful claims in *Rylands v Fletcher* in each of the following situations:

(a) Axil is a mechanic who repairs cars for friends at his home. Axil is too lazy to take the old engine oil to the recycling centre and stores large quantities of it in a plastic container on his driveway. The plastic container is old and the oil seeps out onto the driveway of the house next door which is owned by Brenda. Brenda slips on the oil and breaks her ankle. [10]

(b) Chandra is running an oven cleaning business from his home. He uses very strong acid which should be kept in purpose built commercial premises, but he is keeping large quantities of it in his garden shed. One night, Brian, a homeless person, enters the shed looking for somewhere to sleep. He throws several containers of acid into the next door neighbour's orchard to make some space. The next morning, Eric (Chandra's neighbour), awakes to find his apple trees have all been killed and the fruit is ruined. [10]

(c) Fred is a firework display technician. Despite strict rules about the storage of fireworks, Fred saves up excess fireworks from displays and stores them in his garage. One night a faulty rocket detonator starts a fire. George is Fred's neighbour and he is awoken in the middle of the night to find that the fire has spread and burned down his garage. [10]

[30]

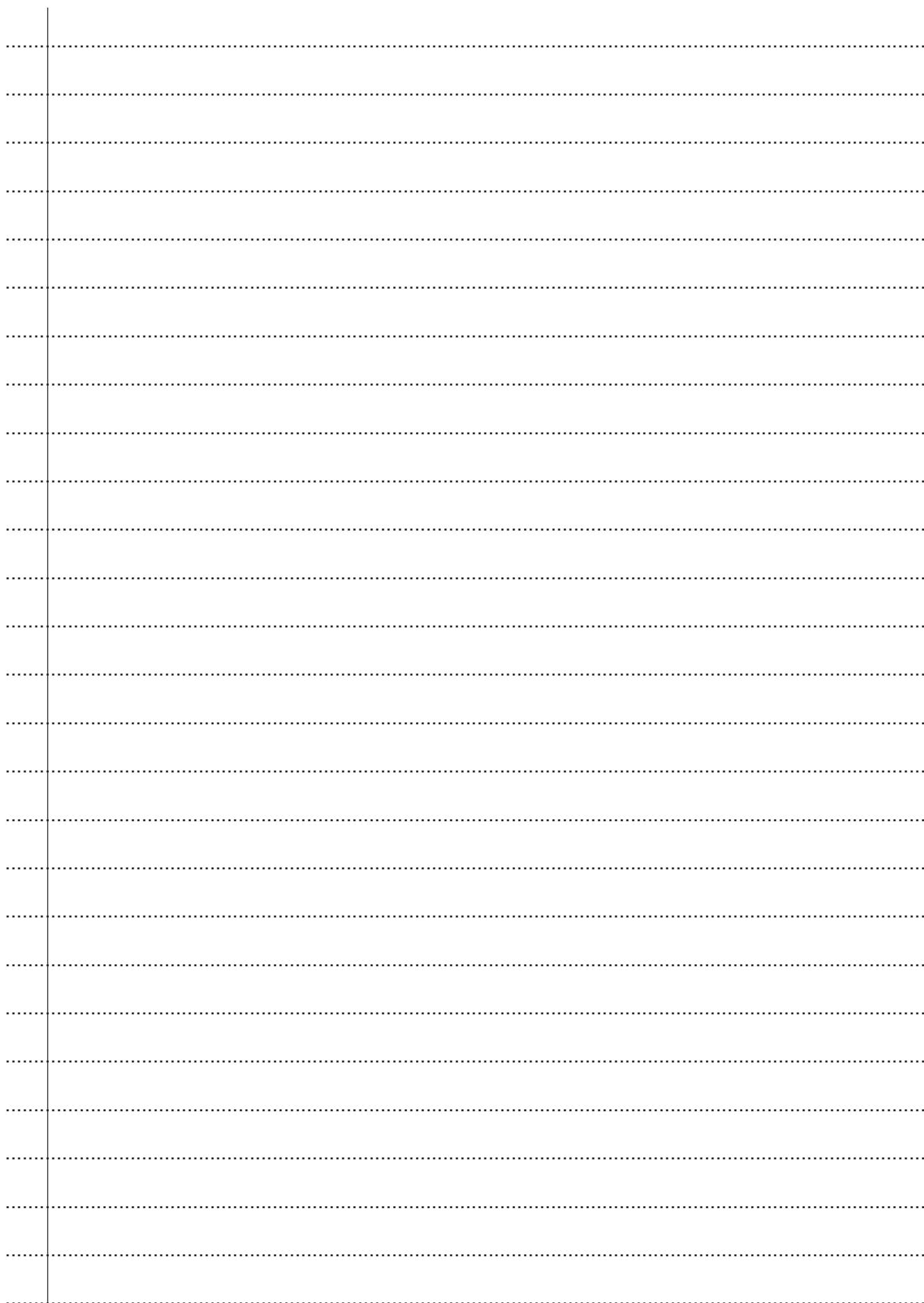
Start writing your answer to question 3 below.

Write the number of the part question **(a)**, **(b)** or **(c)** in the margin.



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The page features a vertical line on the left side and a series of horizontal lines for handwriting practice. There are ten sets of lines, each consisting of a solid top line, a dashed midline, and a solid bottom line. This layout is designed to help with letter height and placement.



The page features a vertical line on the left side and a series of horizontal dotted lines for handwriting practice. There are 21 rows of these dotted lines, providing ample space for practice.



The image shows a set of horizontal lines for handwriting practice. It consists of a vertical line on the left and a series of horizontal dotted lines extending across the page. There are 21 dotted lines in total, with a gap of approximately 10 lines between the vertical line and the first dotted line.

END OF QUESTION PAPER

ADDITIONAL ANSWER SPACE

If additional space is required, you should use the following lined page(s). The question number(s) must be clearly shown in the margin(s).



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