

1 Consider the following material including the picture and the advertisement. Then answer the question that follows.

Toby Lamont is a 55-year-old self employed business man who travels regularly in connection with his work. Last October, during a period when his business was going through a difficult time, Lamont claims he slipped and fell in the bathroom of a hotel where he was staying, sustaining a number of injuries.

He blames the accident on two factors, neither of them his own fault:

- (1) The bath was slippery. It had a supposedly non-slip surface but, according to Lamont, this was “worse than useless”.
- (2) The only soap that was provided was in a liquid-soap dispenser fixed to the wall at shoulder-height next to the shower. It could not be reached without standing up. Lamont says that it was after standing up to reach the soap that he fell; and that because he had soap on his hands he could not grip the hand rail and fell heavily against the side of the bath.

The duty manager states that Mr Lamont came to reception at 08.40 to register a complaint. “I filled in an accident report,” she said, “and asked the guest if he needed to see a doctor, but he declined, saying he had an important business meeting which he could not afford to miss. He left in a taxi. As he walked through the lobby he moved very slowly and was holding his side. I asked a doorman to follow him and keep an eye on him.” The doorman said later: “The man seemed perfectly all right to me, and refused my offer to help him into the taxi. He probably thought he would have to give me a tip. He seemed like a mean type of person.”

JKL Partners, a law firm specialising in compensation claims, contacted the hotel three weeks later saying their client would accept an out-of-court settlement of \$30,000. They alleged that Mr Lamont had been unable to work since the accident and had missed out on several potentially very profitable deals. They also claimed that the fault lay with the hotel for ‘...cutting costs at the expense of safety.’ A doctor’s report was attached stating that Mr Lamont was complaining of back and neck pain which had worsened since his fall. The report stated: “These are not problems which exhibit obvious visible symptoms, but I am satisfied that such injuries are entirely consistent with an awkward fall against a hard surface such as the side of a bath.” The doctor acts regularly as a consultant for JKL Partners.

A business associate, to whom Toby Lamont’s company owed money, was due to meet him two days after the incident. When told the meeting was cancelled, and why, he was heard by a secretary to say: “Well, what a surprise! Only last month old TL (Lamont) was saying he could do with a win on the lottery. I hope he gets plenty of compensation. Then maybe he can settle his account with us.”

A spokesperson for the hotel said they had never had problems of this sort in their ten-year history. She added: “We put the soap dispensers in earlier this year for reasons of hygiene; but after this complaint we have gone back to supplying bars of soap, although it is more expensive.” An insurance-claim investigator wrote in his report that in some of the bathrooms the non-slip surfaces had worn a bit smooth, and could possibly have contributed to a fall. He photographed the bath and shower.

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Critically evaluate the evidence provided above and use it to decide whether or not Lamont should be paid compensation by the hotel.

In your answer you should:

- **Carefully consider the credibility of Lamont's statement and the lawyers' claims on his behalf, in the light of the available facts and of the statements made by other people.**
- **Make a reasoned case for either accepting or rejecting Lamont's claim for compensation.**

2 Read the following passage then answer the questions that follow.

Some time ago archaeologists working just outside Marseilles in Southern France discovered a cave decorated with Palaeolithic cave paintings of bison and wild goats. Obviously this is a very important site, which thousands of interested people would love to visit. It would be very easy to turn this cave into a museum thus allowing the general public to visit it in large numbers. However, it is well known that Palaeolithic cave paintings are easily damaged by the chemical effect of the breath of even a few visitors.

Archaeologists have a responsibility to protect new discoveries from possible damage. But they also have a responsibility to open sites to the general public whenever this is feasible. For the professional archaeologist, the first responsibility always seems to take priority over the second one, but it should be the other way round. The discoveries do not belong to the archaeologists, nor even to the present landowners on whose hillsides the caves happen to be found. They belong to us all, because we are all descendents of those prehistoric painters.

Let us suppose the caves are locked up, keeping visitors out. The effect of this would be to preserve the paintings for the benefit of future generations. But then you have to ask: why should future generations benefit from the paintings any more than the present generation? This is the century in which the paintings were found, so let the people of this century share the good fortune. We can photograph the paintings while they are at their best and leave the pictures to our children and grandchildren.

Besides, if the principle of preserving everything of value for the future is applied to each new generation, the caves will be left locked up forever and no-one will ever have the pleasure of seeing the paintings! It is like laying a new football pitch and then each week saying, 'We can't play on this beautiful pitch because it will spoil the grass for the match next week.' Like 'tomorrow', the right time to play on the pitch never comes.

No doubt the archaeologists' reply to this would be: 'We don't want to close the caves to everyone: we just want to limit the number of visitors to those with genuine interest and proper training. That way the paintings will survive for longer.' But there are no prizes for working out what is meant by 'those with proper training'. It is the archaeologists, of course. If ever there was an argument designed to benefit a privileged minority, this is an example. For whether a select few are allowed access, or none at all, it makes little difference to the bulk of the population who have no chance of getting a look in.

No, the right thing to do with the cave paintings is to open them to the public. All right, they will fade and eventually be lost as the price of our enjoyment. But, let's face it, that's what they were painted for: enjoyment. Find me an artist who wants his work to be sealed up in the dark so that no one can appreciate it! Why should we imagine the cave painters of the Palaeolithic era were any different from any other artists down the ages?

- 1 In the first paragraph a dilemma [two-sided problem] is explained. What are the two sides of the dilemma? [2]
- 2 (a) Write down the sentence which expresses the **main conclusion** of the whole passage. [1]
(b) Identify **three** of the main reasons the author gives in support of the conclusion. [3]
- 3 What does the author claim to be the first priority when an important archaeological discovery has been made, and what reason, or reasons, are given for the claim? [2]
- 4 What point does the author make by using the football pitch analogy? How effective do you consider the analogy to be, and why? [3]
- 5 Would it either strengthen or weaken the argument (or neither) if experts agreed that the paintings are some of the most beautiful and creative examples of prehistoric art ever discovered?
Give at least one reason for your answer. [3]
- 6 Suppose you were an archaeologist who wanted to restrict access to the caves. Briefly give **two** arguments that you would use against the passage. [4]

[Total 18]

- 3 Write a critical evaluation of the argument which is presented below. Your answer should show that you are clear about the structure of the argument, by identifying the main conclusion and the reasons given to support it, including any intermediate conclusions. You should point out strengths, weaknesses and/or flaws in the reasoning; and identify and evaluate any unstated assumptions that the argument rests on. Finally include two further arguments for or against the conclusion.**

(No credit will be given for merely paraphrasing the passage).

It is an established legal principle, in almost all parts of the world, that convicted criminals should not profit from their crimes, even after serving their sentences. Obviously offenders such as drug dealers and armed robbers cannot be allowed to retire comfortably on the money they made selling drugs or robbing banks. But the law does not go far enough: the same principle should also apply to the growing number of notorious criminals who achieve celebrity status after their release from jail.

Ex-convicts who become television presenters, film-stars, or best-selling authors often make big money from their glitzy new careers. But they would never have had such careers if it weren't for their crooked past. The producers, agents and publishers who sign the deals, protest that the money does not come *directly* from a convict's previous crimes, but is a legitimate reward for their redirected talent, and for the audiences they attract. But this is an unacceptable argument. Firstly, the producers and others take a big cut of the profit. Secondly, a notorious gangster needs no talent to attract an audience: their reputation is enough. Therefore, whether the income is direct or indirect, it is still profit from crime.

It is often objected that once a person has served a sentence, they should be entitled to start again with a clean sheet; that barring them from celebrity careers is unjust and infringes their rights. This is typical of the views expressed by woolly-minded liberals, who are endlessly ready to defend the rights of thugs and murderers without a thought for their victims.

They forget that the victims of crime also have rights. One of those must surely be the right *not* to see the very person who has robbed or assaulted them, or murdered someone in their family, strutting about enjoying celebrity status and a mega-dollar income. Moreover, victims of crime do not get the chance to become chat-show hosts, or star in crime movies, because being a victim of crime is not seen as glamorous.

If the principle of not benefiting from crime means anything, *all* income, direct or otherwise, should be confiscated from anyone whose criminal past has helped them to get rich.

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