



**General Certificate of Education  
January 2012**

**Citizenship Studies**

**CIST3**

**Power and Justice**

**Unit 3**

***Mark Scheme***

Mark schemes are prepared by the Principal Examiner and considered, together with the relevant questions, by a panel of subject teachers. This mark scheme includes any amendments made at the pre-standardisation meeting attended by all senior examiners and any post-standardisation changes made in the light of students' responses. The process of standardisation ensures that the mark scheme covers the students' responses to questions and that every examiner understands and applies it in the same correct way. As preparation for standardisation, each examiner analyses a number of students' scripts, the marks for which have already been agreed. If, later in the process, examiners encounter unusual answers which have not previously been seen, they are required to refer these to a senior examiner.

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**GCE CITIZENSHIP STUDIES Unit 3****Generic Mark Scheme**for questions **0 1** , **0 3** , **0 5** , **0 7** , **0 9** and **1 1**

<b>Level</b>	<b>AO1 Knowledge and Understanding</b>	<b>AO2 Analysis and Evaluation</b>	<b>AO3 Communication and Action</b>	<b>AO4 Synthesis</b>
<b>3</b>	<p><b>(3–4 marks)</b> Answers are extensive, demonstrating wide-ranging citizenship knowledge and an excellent understanding of a range of relevant citizenship concepts and theories. A range of real and topical examples are used to relate and interconnect knowledge and understanding to citizenship issues.</p>	<p><b>(5–6 marks)</b> The response contains explicit and detailed analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied. Evaluation of information, views, opinions, ideas and arguments is clear and detailed and there is a detailed assessment of their validity.</p>	<p><b>(2 marks)</b> A range of information is selected and organised, from which arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates a good ability to discuss a wide range of key elements relating to citizenship participation. The response should be legible but there may be occasional errors of spelling, punctuation and grammar.</p>	<p><b>(3 marks)</b> Answers demonstrate an excellent ability to synthesise knowledge, ideas and concepts from different areas of the subject in order to generalise, organise and construct an argument or propose alternative solutions.</p>
<b>2</b>	<p><b>(2 marks)</b> Answers are characterised by a good level of citizenship knowledge and a clear understanding of a range of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues and indicate linkages.</p>	<p><b>(3–4 marks)</b> The response contains good evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied. Information, views, opinions, ideas and arguments are evaluated and validity is assessed.</p>		<p><b>(2 marks)</b> Answers demonstrate a good ability to synthesise knowledge, ideas and concepts from different areas of the subject in order to generalise, organise and construct an argument or propose alternative solutions.</p>

**GENERIC MARK SCHEME**for questions **0 1** , **0 3** , **0 5** , **0 7** , **0 9** and **1 1** (continued)

<b>1</b>	<p><b>(1 mark)</b> Answers are characterised by basic citizenship knowledge and understanding of relevant concepts and theories. Students may make a basic attempt to use examples to relate knowledge and understanding to citizenship issues and identify connections.</p>	<p><b>(1–2 marks)</b> The response contains little or no evidence of the skills of analysis or evaluation of issues, problems or events in relation to the citizenship concepts and topics studied. Any assessment of the validity of information, views, opinions, ideas and arguments is implied rather than stated.</p>	<p><b>(1 mark)</b> There is a basic attempt to select and organise information and construct arguments. The response makes limited use of appropriate citizenship terminology. The response indicates only a basic ability to discuss elements of citizenship participation. Errors in spelling, punctuation and grammar may be intrusive and the response may not be legible.</p>	<p><b>(1 mark)</b> Answers demonstrate a basic ability to synthesise knowledge, ideas and concepts from different areas of the subject in order to generalise, organise and construct an argument or propose alternative solutions.</p>
	<p><b>(0 marks)</b> No relevant response.</p>	<p><b>(0 marks)</b> No relevant response.</p>	<p><b>(0 marks)</b> No relevant response.</p>	<p><b>(0 marks)</b> No relevant response.</p>

### Generic Mark Scheme

for questions 0 2 , 0 4 , 0 6 , 0 8 , 1 0 and 1 2

Level	AO1 Knowledge and Understanding	AO2 Analysis and Evaluation	AO3 Communication and Action	AO4 Synthesis
<b>3</b>	<p><b>(4–5 marks)</b> Answers are extensive, demonstrating wide-ranging citizenship knowledge and an excellent understanding of a range of relevant citizenship concepts and theories. A range of real and topical examples are used to relate and interconnect knowledge and understanding to citizenship issues.</p>	<p><b>(6–8 marks)</b> The response contains explicit and detailed analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied. Evaluation of information, views, opinions, ideas and arguments is clear and detailed and there is a detailed assessment of their validity.</p>	<p><b>(3–4 marks)</b> The response is developed from an extensive range of evidence which is selected and organised to form the basis of the arguments being presented. Appropriate citizenship terminology is used extensively. Where appropriate, the response indicates an outstanding ability to recognise and draw upon the student's own experiences in relation to citizenship participation. The response should be legible with few, if any, errors of spelling, punctuation and grammar.</p>	<p><b>(6–8 marks)</b> Answers demonstrate an excellent ability to synthesise knowledge, ideas and concepts from different areas of the subject in order to generalise, organise and construct an argument or propose alternative solutions.</p>
<b>2</b>	<p><b>(2–3 marks)</b> Answers are characterised by a good level of citizenship knowledge and a clear understanding of a range of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues and indicate linkages.</p>	<p><b>(3–5 marks)</b> The response contains good evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied. Information, views, opinions, ideas and arguments are evaluated and validity is assessed.</p>	<p><b>(2 marks)</b> A range of information is selected and organised, from which arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates a good ability to discuss a wide range of key elements relating to citizenship participation. The response should be legible but there may be occasional errors of spelling, punctuation and grammar.</p>	<p><b>(3–5 marks)</b> Answers demonstrate a good ability to synthesise knowledge, ideas and concepts from different areas of the subject in order to generalise, organise and construct an argument or propose alternative solutions.</p>

### Generic Mark Scheme

for questions 02 , 04 , 06 , 08 , 10 and 12 (continued)

Level	AO1 Knowledge and Understanding	AO2 Analysis and Evaluation	AO3 Communication and Action	AO4 Synthesis
<b>1</b>	<p><b>(1 mark)</b> Answers are characterised by basic citizenship knowledge and understanding of relevant concepts and theories. Students may make a basic attempt to use examples to relate knowledge and understanding to citizenship issues and identify connections.</p>	<p><b>(1–2 marks)</b> The response contains little or no evidence of the skills of analysis or evaluation of issues, problems or events in relation to the citizenship concepts and topics studied. Any assessment of the validity of information, views, opinions, ideas and arguments is implied rather than stated.</p>	<p><b>(1 mark)</b> There is a basic attempt to select and organise information and construct arguments. The response makes limited use of appropriate citizenship terminology. The response indicates only a basic ability to discuss elements of citizenship participation. Errors in spelling, punctuation and grammar may be intrusive and the response may not be legible.</p>	<p><b>(1–2 marks)</b> Answers demonstrate a basic ability to synthesise knowledge, ideas and concepts from different areas of the subject in order to generalise, organise and construct an argument or propose alternative solutions.</p>
	<p><b>(0 marks)</b> No relevant response.</p>	<p><b>(0 marks)</b> No relevant response.</p>	<p><b>(0 marks)</b> No relevant response.</p>	<p><b>(0 marks)</b> No relevant response.</p>

The following indicative content is to be used in conjunction with the Generic Mark Bands. In addition to the indicative content detailed here, all relevant responses will be given credit.

## Section A Crime, Justice and Punishment

<p><b>0 1</b> Explain how a citizen can be appointed <b>and</b> trained as a lay magistrate. (15 marks)</p>
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### AO1 (4 marks)

#### *Level 3 (3-4 marks)*

Students would explain both nomination, advertising and self applications to the Local Advisory Committee and appointments made by the Minister of Justice/Lord Chancellor on the LAC's advice. Qualification for a lay magistrate should be addressed with reference to the six key qualities, and the two-interview process should be explained giving the purpose of each interview.

Students could consider the training initiatives, giving MNT1 and MNT2, and the four areas of competence addressed, namely managing yourself, working as a member of a team, making judicial decisions and managing judicial decision making. Regular ongoing training and the appraisal and mentoring system could also be referred to. Answers will be extensive, demonstrating a wide range of knowledge of procedures relating to the appointment and training of lay magistrates.

#### **Note:**

For level 3, both issues in the question must be addressed although not necessarily in equal depth.

#### *Level 2 (2 marks)*

Students demonstrate a good level of knowledge and understanding of the above issues, but may not include such a wide range of provisions, or only address one issue in more depth.

#### *Level 1 (1 mark)*

Responses will show a limited understanding of the appointment and training of lay magistrates or only address one issue in limited range.

### AO2 (6 marks)

#### *Level 3 (5-6 marks)*

Students will discuss and expand upon the points made in AO1, including the appropriateness of the appointment and training systems for lay magistrates. An evaluation of these systems and the decisions made by the Local Advisory Committee will be clear and developed.

#### *Level 2 (3-4 marks)*

Answers will begin to show development of the evaluation of the appointment and training systems for lay magistrates.

#### *Level 1 (1-2 marks)*

Answers will have a limited discussion of the appointment and training systems and will have basic reference to the adequacy of such systems.

**AO3 (2 marks)***Levels 2 and 3 (2 marks)*

The response should show a clear structure which is logical and which uses the correct terminology. In evaluating the adequacy of the appointment and training systems for lay magistrates, students may draw on specific examples to illustrate their response. The answer should show a clear structure and discussion of the above-mentioned systems.

*Level 1 (1 mark)*

There is a basic attempt to select and organise information and construct arguments. Students will use language appropriate to the issues of the appointment and training of lay magistrates.

**AO4 (3 marks)***Level 3 (3 marks)*

Students will draw upon the concepts of the appointment and training of lay magistrates and use examples from a range of citizenship sources. They will construct an answer that responds to the issues raised in the question. Responses will demonstrate an excellent ability to synthesise from different resources and construct an argument.

*Level 2 (2 marks)*

Answers demonstrate a good ability to synthesise material in order to organise and construct an argument, and will draw on concepts and a more limited range of examples in order to respond to the issues raised in the question.

*Level 1 (1 mark)*

Answers demonstrate a basic ability to synthesise material and construct a basic argument.

**0 2** Assess the impact of the Human Rights Act 1998 on the powers of the police. *(25 marks)*

**AO1 (5 marks)***Level 3 (4-5 marks)*

Responses should show an explanation of sections of the Human Rights Act 1998 which affect police powers, and the various powers of the police which may infringe a suspect's human rights, and may include:

- Police powers of stop and search under the Police and Criminal Evidence Act 1984
- Police powers of stop and search under Section 44 of the Terrorism Act 2000 and Section 60 of the Criminal Justice and Public Order Act 1994
- Police powers relating to restricting protests and demonstrations and breaches of the peace
- Police powers to prevent anti-social behaviour and dispersal orders under the Anti-Social Behaviour Act 2003
- Police powers of detention under PACE and the Terrorism Acts.

**Note:**

1. Not all of these are necessary for full marks.
2. Other relevant and accurate issues concerning the powers of the police and human rights will be credited.

*Level 2 (2-3 marks)*

Responses will show a more limited understanding of the relationship between the powers of the police and the Human Rights Act 1998. This may include a more limited range of powers of the police or reference to the Human Rights Act, or may include only one aspect in more detail.

*Level 1 (1 mark)*

Responses are characterised by basic knowledge of police powers related to human rights.

**AO2 (8 marks)**

*Level 3 (6-8 marks)*

Responses will consider the impact of the Human Rights Act 1998 on the aspects of police powers as set out in AO1: for example, the challenge to Section 44 of the Terrorism Act 2000 under which the police could stop and search vehicles without reasonable grounds for suspicion, which is at odds with Article 8 of the European Convention on Human Rights now enshrined in the Human Rights Act 1998. Students will explore cases heard in the European Court of Human Rights. Answers should consider the maintenance of a balance between the powers of the police being sufficient to enable effective policing, with particular reference to terrorism, and the need to respect the rights and privacy of the individual citizen. Students may discuss safeguards against abuse of police powers, such as discrimination against ethnic minorities.

*Level 2 (3-5 marks)*

Answers will begin to show some developed reasoning either through in-depth analysis of a more limited range of examples or limited depth but with greater range.

*Level 1 (1-2 marks)*

Answers will have a limited range of examples which show limited development and explanation.

**AO3 (4 marks)**

*Level 3 (3-4 marks)*

Students should show a clear structure which is logical and which uses appropriate terminology, examples of police powers and human rights as expressed in the Human Rights Act 1998. Students may also draw on their own observations.

*Level 2 (2 marks)*

Answers will show more limited structure and use of terminology appropriate to the impact on police powers of human rights legislation.

*Level 1 (1 mark)*

Answers will show a more basic ability to use appropriate terminology and will have a more limited structure.

**AO4 (8 marks)***Level 3 (6-8 marks)*

Students will use a range of relevant concepts relating to police power and the impact of human rights legislation, and will use examples showing an excellent ability to synthesise material and to construct an argument which responds to the issues raised in the question.

*Level 2 (3-5 marks)*

Students will show a good ability to synthesise material and use examples, and to link the powers of the police to limitations imposed by human rights legislation.

*Level 1 (1-2 marks)*

Answers will show a limited ability to synthesise material or use examples or appropriate terminology.

**03** Explain the role of the police **and** the Crown Prosecution Service in charging and prosecuting a suspect. *(15 marks)*

**AO1 (4 marks)***Level 3 (3-4 marks)*

The response gives a wide-ranging and in-depth knowledge and understanding of the role of the police in charging a suspect, such as:

- cautioning the suspect
- interviewing both the suspect and witnesses, and taking statements
- charging the suspect with the appropriate criminal offence
- granting police bail
- liaison with the CPS regarding the adequacy of the evidence
- passing the file to the CPS for prosecution
- giving evidence in court as a witness if appropriate.

Students will also explain the role of the CPS in prosecuting a suspect, such as:

- liaison with the police concerning the correct charge
- evidential test and public interest tests on the viability of a successful prosecution based on the balance of probabilities
- provision of CPS or independent prosecutor on behalf of the Crown
- ensuring compliance with the Human Rights Act 1998.

**Note:**

1. Not all of these are necessary for full marks.
2. Other relevant and accurate issues dealt with by the police and CPS will be credited.
3. Students who do not address both the role of the police **and** the CPS cannot receive marks in a band higher than Level 2.

*Level 2 (2 marks)*

Responses will show a more limited understanding of the role of the police and the CPS. A narrower range of aspects, or only one aspect of the question, will be covered.

*Level 1 (1 mark)*

Responses will show a limited understanding with basic points and few aspects covered.

**AO2 (6 marks)**

*Level 3 (5-6 marks)*

Students will develop the explanation of the issues raised in AO1 by discussing the importance and relevance of each of the stages employed by the police and the CPS in charging and prosecuting a suspect. Evaluation of the procedures and statutory provisions may be shown in discussion.

*Level 2 (3-4 marks)*

The response will begin to show discussion and analysis of the role of both the police and the CPS, although this will be of a more limited nature.

*Level 1 (1-2 marks)*

Any analysis and evaluation will be more limited and will include few or no examples. The development and explanation will be brief and limited.

**AO3 (2 marks)**

*Levels 2 and 3 (2 marks)*

Students will use language appropriate to police and CPS procedures and may draw upon their own observations. The response should show a clear structure which is logical and with correct terminology.

*Level 1 (1 mark)*

The response makes some basic attempts to use appropriate terminology and a limited attempt to select and organise information.

**AO4 (3 marks)**

*Level 3 (3 marks)*

Students will draw upon concepts of procedural fairness and justice and use examples from a range of citizenship sources. They will construct an answer that responds to the issues raised in the question. Responses will demonstrate an excellent ability to synthesise from different resources and construct an argument.

*Level 2 (2 marks)*

There will be a good ability to synthesise material and construct an argument.

*Level 1 (1 mark)*

There will be a limited ability to synthesise material from different areas and construct a basic argument.

**04** 'The sentencing of young offenders fails to address their rehabilitation.'  
Critically assess this statement.

(25 marks)

### **AO1 (5 marks)**

#### *Level 3 (4-5 marks)*

Responses at this level will include reference to the sentencing aims under Section 142 of the Criminal Justice Act 2003, such as retribution, deterrence and restorative justice, but with emphasis on the aim of rehabilitation. Students will consider that modern sentencing will address more than one sentencing aim. Students will also consider the appropriate powers of the court, such as a detention and training order between four months and two years in a Young Offenders' Institution, or Community Orders such as:

- Fines. This is the most common form of punishment for minor offences.
- Referral Orders. The magistrate may refer the offender to the Youth Offender Panel which will decide on an appropriate punishment.
- Community Punishment Order. These are usually handed to offenders between the ages of 16 and 17. They involve the offender doing unpaid work in the community.
- Supervision Orders. These can last up to three years. The Youth Offending Team will supervise the work that the offender will carry out under these orders.

#### *Level 2 (2-3 marks)*

The response will show a more limited understanding of the above issues. At least two issues must be addressed.

#### *Level 1 (1 mark)*

The response will show a more limited understanding and may not address more than one issue in the question.

**Note:** Responses which only address sentencing aims may still attain Level 3.

### **AO2 (8 marks)**

#### *Level 3 (6-8 marks)*

Students will consider the problems associated with the sentencing of young offenders where the main sentencing aim should be rehabilitation. At this level, they will consider rehabilitation programmes available in secure children's homes (ages 12-16) and Young Offenders' Institutions (ages 15-21). These may include educational programmes, substance abuse rehabilitation, training and employment programmes. Students will also consider the efficacy of community-based rehabilitation such as supervision orders, unpaid work, etc. Examples may include the success or failure of the rehabilitation of the offenders Thompson and Venables (Jamie Bulger case). Responses will consider re-offending rates of young offenders and reach a reasoned conclusion on the success rate of the rehabilitation of young offenders.

#### **Note:**

1. Not all of the above are necessary for full marks.
2. The above are given only as examples.
3. Other relevant statutory and non-statutory powers and case study examples may be credited.

*Level 2 (3-5 marks)*

Answers will begin to show a developed response, but lack the depth or range of the higher level response. They may include a more limited range of examples and reasons for the success or failure of the rehabilitation of young offenders. At least two issues must be addressed and a reasoned conclusion provided.

*Level 1 (1-2 marks)*

Answers will show limited development and analysis and may not address more than one issue, or fail to make a reasoned conclusion.

**AO3 (4 marks)**

*Level 3 (3-4 marks)*

Students will use language appropriate to the issues surrounding the sentencing and rehabilitation of young offenders. They should show a clear structure which is logical and which addresses the issues raised by the question and reaches a reasoned conclusion. Students may draw upon their own observations.

*Level 2 (2 marks)*

Answers will show a more limited structure and use of appropriate terminology, addressing a number of issues raised by the question and reaching a conclusion.

*Level 1 (1 mark)*

Answers will show a basic ability to construct an argument and may not address more than one issue raised by the question or reach a conclusion.

**AO4 (8 marks)**

*Level 3 (6-8 marks)*

Students will draw concepts related to the sentencing and rehabilitation of young offenders and use examples from a range of citizenship sources. They will construct an answer that responds to the issues raised in the question, using a range of examples to produce a coherent and well-argued response. Answers will demonstrate an excellent ability to synthesise knowledge from different areas and construct a valid argument on at least two aspects of the question.

*Level 2 (3-5 marks)*

Answers will demonstrate a good ability to synthesise ideas, showing an ability to link sentencing to outcomes on two or fewer aspects of the question.

*Level 1 (1-2 marks)*

Answers will show a limited ability to use knowledge and ideas from different resources and a basic ability to construct an argument on one or more aspects of the question.

**05** Examine the problems of defining crime.

(15 marks)

**AO1 (4 marks)**

*Level 3 (3-4 marks)*

Students at this level will note that it is the law itself which defines what a crime is and that this will vary according to society and technological advances: for example, laws relating to abortion, homosexuality, smoking and use of mobile phones whilst driving. Responses may include Blackburn's definition of crime (1993) as "acts attracting legal punishment [...] offences against the community". Students will note that, although there may be one victim of a crime, the crime is actually against the state and therefore the state brings the prosecution on behalf of society.

Students may draw a link with criminal law and morality and note that most crimes are disapproved of by society as a whole, but some crimes may not be disapproved of by some sections of society, eg parking offences, speeding, drug-related offences.

Students may refer to the necessity of proving both *actus reus* and *mens rea*, and also strict liability crimes without the need to prove *mens rea* in order to maintain high standards, particularly in areas of health and safety.

**Note:**

1. Not all of the above are necessary for full marks.
2. The above are given only as examples.
3. Other relevant material and issues raised may be credited.

*Level 2 (2 marks)*

Answers should show a clear understanding of the problems of defining crime as outlined for Level 3 above.

*Level 1 (1 mark)*

Responses will show a limited understanding of the issues.

**AO2 (6 marks)**

*Level 3 (5-6 marks)*

Responses should contain a range of examples of problems affecting the defining of criminal offences. Students may refer to reported but unrecorded crime, the problems of ever-shifting moral viewpoints and technological advances requiring the creation of new criminal offences. Students may refer to victimless crimes, eg substance abuse, and discuss whether these should be regarded as criminal offences. Discussion on the need to prove *actus reus* and *mens rea* may be included, together with statutory offences which are strict liability and whether these should be regarded as crimes.

*Level 2 (3-4 marks)*

Answers will show a developed response with comment and analysis but will have a more limited range and less in-depth comment.

*Level 1 (1-2 marks)*

Answers will have a limited range of examples and show limited development and analysis.

**AO3 (2 marks)**

*Levels 2 and 3 (2 marks)*

The response should show a clear structure which is logical and which uses appropriate terminology and statutory provision. Students may draw upon their own observations.

*Level 1 (1 mark)*

There will be some basic attempt to use appropriate terminology.

**AO4 (3 marks)**

*Level 3 (3 marks)*

Students will draw upon concepts of defining crime and will use examples from a range of citizenship sources. The response will demonstrate an excellent ability to synthesise knowledge and construct an argument based on the examples used.

*Level 2 (2 marks)*

There will be a more limited attempt to link with other areas of study and to synthesise material.

*Level 1 (1 mark)*

There will be only basic attempts to link to other areas.

**06** 'The criticisms of the jury system outweigh its benefits.' Assess this view.

(25 marks)

**AO1 (5 marks)**

*Level 3 (4-5 marks)*

Students should raise a range of issues relating to both the advantages and disadvantages of the jury system, such as:

- lay peer involvement in the criminal justice system
- use of democracy within the jury's decision making
- justice being done and being seen to be done
- prevents an authority figure making a conviction
- perverse verdicts
- lack of training, intelligence testing, etc.
- jury nobbling
- cost
- high media profile
- jury swayed by eloquent counsel or forceful foreperson.

**Note:**

The above are examples only and are not prescriptive. Credit other relevant material.

*Level 2 (2-3 marks)*

Answers will show knowledge and understanding of the issues but still may only consider a more limited range of issues, or else consideration of a greater range will not be in depth.

*Level 1 (1 mark)*

Responses will show a more limited knowledge and understanding of the issues relating to the jury system. This may include consideration of only one aspect of each issue, or only considering one side of the argument.

**AO2 (8 marks)**

*Level 3 (6-8 marks)*

Students will develop and discuss the material used in AO1 commenting on judicial views on the jury system, such as quotations from Lord Devlin/Lord Denning and the opinion of modern judges. Students could discuss possible reforms of the jury, or trial without a jury.

The notion of the duty of the citizen protecting both the rights of the defendant and the service of justice should be discussed, together with the representation of society in the form of the jury and the democratic means of their decision making. The effect of the Criminal Justice Act 2003 and the qualifications for jurors could be discussed.

Students should explore the problems associated with the use of the jury in criminal trials and include case law examples and/or examples from court visits. Discussion could include perverse verdicts, problems of jury nobbling and prejudiced view, including racism and the cost to the taxpayer; lack of legal knowledge and training should also be explored. Students should also consider alternatives to using a jury, such as in complex fraud cases. Students may also refer to the use of juries in civil cases and whether there is any justification for their use.

Students should produce a balanced answer that considers both sides of the argument for retaining or disposing of jury trial and students will reach a sound evaluative conclusion based on the evidence adduced in their answer.

*Level 2 (3-5 marks)*

Responses will show a more developed response either through in-depth analysis of a more limited range of examples, or limited depth but with a greater range.

*Level 1 (1-2 marks)*

Answers will have a limited range of examples which show limited development and lack analysis or a firm conclusion.

**AO3 (4 marks)**

*Level 3 (3-4 marks)*

Responses will show a clear structure which is logical and which uses legal terminology relating to the jury system. Additionally, there should be specific reference to case law examples and an awareness of relevant legislation. Students may draw upon their own observations.

*Level 2 (2 marks)*

Answers will show a more limited structure and use of legal terminology.

*Level 1 (1 mark)*

Answers will show a more basic ability to use legal terminology and will have a more limited structure.

**AO4 (8 marks)**

*Level 3 (6-8 marks)*

Answers will draw on concepts relating to the use of juries in criminal/civil trials and use examples from a range of citizenship sources. These will include material from court visits made by the students using their observational skills and from cases which have featured in the media. They will relate their answers to the issues arising from the question.

*Level 2 (3-5 marks)*

Students will use knowledge and ideas from different sources but will be more brief in their response.

*Level 1 (1-2 marks)*

Answers will show a more limited ability to use knowledge and ideas from other areas and have a limited response to the issues raised in the question.

**Section B Politics, Power and Participation**

**07** Examine the extent to which party policy is compromised in a coalition government. (15 marks)

**AO1 (4 marks)***Level 3 (3-4 marks)*

Students will identify the meaning of political policies and will explain the political terms 'left of centre', 'centre' and 'right of centre'. Policy should be distinguished from ideology and a political stance on one specific issue. The main policies of the mainstream political parties in the UK will be explained, namely Conservatism, Liberalism and Socialism. Responses will explain and give examples of coalition governments, referring also to policy issues and how these may be affected by ideology. Students will draw upon their knowledge of the contemporary political views and ideologies of the main political parties, giving examples such as university tuition fees, policies espoused by the Conservative and Liberal Democrat parties and the outcome in the coalition government.

*Level 2 (2 marks)*

Knowledge and understanding will show a more limited range of issues and examples. This may include only one or two aspects in detail, or may include a wider range of issues but without depth of discussion.

*Level 1 (1 mark)*

Knowledge and understanding will be limited with little development. Answers will lack examples or offer a very limited range.

**AO2 (6 marks)***Level 3 (5-6 marks)*

Students should develop and discuss points made in AO1 and consider the extent to which policies are compromised in a coalition government, which may be considered to be 'for the good of the country' as, for example, in times of war. Examples should refer to reasons why policies may be varied in a coalition government, such as economic constraints, defence issues, foreign affairs, etc. The balance of power in a coalition government and how this might affect political party policy could be discussed. Analysis of the extent to which policy is compromised should be addressed, with students reaching a reasoned conclusion, including examples.

*Level 2 (3-4 marks)*

Responses will begin to show a developed response either through in-depth analysis of a more limited range of examples, or limited depth but with a greater range.

*Level 1 (1-2 marks)*

Responses will have a limited range of examples, will show limited development and will be lacking in analysis and evaluation.

**AO3 (2 marks)***Levels 2 and 3 (2 marks)*

The responses should show a clear structure which is logical and which uses language appropriate to the concepts and policies of coalition governments. Students may also draw upon their own observations.

*Level 1 (1 mark)*

There is some basic attempt to use appropriate terminology but a clear structure is lacking.

**AO4 (3 marks)***Level 3 (3 marks)*

Students will draw concepts relating to the policies of the parties involved in coalition governments and use examples from a range of citizenship sources. They will construct an answer that responds to the issues raised by the question using a range of resources. The response should look to ideas from other areas to enable a coherent answer.

*Level 2 (2 marks)*

Answers will display more limited links to other areas.

*Level 1 (1 mark)*

Answers demonstrate a basic ability to draw ideas and concepts from other areas.

**08** 'There is no need for referendums in the UK, as the citizen has a vote in a representative democracy.' Critically assess this view. *(25 marks)*

**AO1 (5 marks)***Level 3 (4-5 marks)*

Students will clearly explain the meaning and use of referendums in the UK, both nationally and locally, and compare their use in other countries, such as other EU members and Switzerland. Responses may include both pre-legislative and post-legislative referendums and also the status of their results being not legally binding. Students should refer to examples of referendums such as the possible referendum proposed by the Labour government on the constitution of the EU, the 2010 coalition government's promise to hold a referendum on voting reform, and also the referendum to gauge opinion on the Good Friday agreement in Northern Ireland. Reference could be made to the Welsh Assembly and Scottish Parliament's use of referendums and the regulation of the Political Parties, Elections and Referendums Act 2000.

*Level 2 (2-3 marks)*

Answers will show knowledge and understanding, but may not consider such a wide range of aspects or show a more limited consideration of a larger range of the issues.

*Level 1 (1 mark)*

Responses will show a more limited and basic knowledge and understanding of the role and use of referendums.

**AO2 (8 marks)***Level 3 (6-8 marks)*

Students will discuss the role and use of referendums in the UK and will expand on the points raised in AO1 above. Arguments for and against the use of referendums will be made and students may refer to opinions such as Michael Heseltine's contention that referendums are incompatible with British traditions, juxtaposed with the increase of local referendums to decide on local issues such as an elected mayor. Reference may be made to the Labour Party's Manifesto in 1997 for referendums on entering the Euro and on voting reform, neither of which occurred. Students may state that a representative democracy would deem that the government would make decisions on major issues, rather than referring again to the

electorate. Students should make a reasoned argument and reach a sound evaluative conclusion based on the evidence adduced in their answer.

*Level 2 (3-5 marks)*

Answers will begin to show a more developed response either through in-depth analysis of a more limited range of examples, or limited depth but with greater range.

*Level 1 (1-2 marks)*

Answers will have a limited range of examples with basic attempts at analysis.

**AO3 (4 marks)**

*Level 3 (3-4 marks)*

Answers should show a clear structure which is logical, which uses appropriate terminology and which considers both sides of the argument posed by the question on the appropriateness of referendums in the UK. Students may draw upon their own observations.

*Level 2 (2 marks)*

Answers will show a more limited structure and use of appropriate terminology.

*Level 1 (1 mark)*

Answers will show a more basic ability to use appropriate language and will have a more limited structure.

**AO4 (8 marks)**

*Level 3 (6-8 marks)*

Students will draw upon the concepts of the use of referendums in the UK and use examples from a range of citizenship sources in order to produce a coherent and well-argued response which relates to the issues raised by the question. Responses will demonstrate an excellent ability to synthesise from different resources and construct an argument.

*Level 2 (3-5 marks)*

Answers will show the use of knowledge and ideas from other areas of the specification.

*Level 1 (1-2 marks)*

Answers will show a limited ability to use knowledge and ideas from other areas, such as a brief example linking to other areas.

<b>09</b> Examine the most effective ways in which MPs are held to account. <span style="float: right;"><i>(15 marks)</i></span>
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**AO1 (4 marks)**

*Level 3 (3-4 marks)*

Students will explain the concept of being accountable and explore various ways in which MPs may be held to account, which may include:

- by the constituency voters at a general election
- by the media, eg MPs' expenses scandal
- by opposition party questioning in debate in the House of Commons
- by the party whip system
- by the Committee on Standards in Public Life
- by the local constituency party who have powers of deselection.

**Note:**

1. Not all of these are necessary for full marks.
2. The above are given as examples of effective methods of holding MPs to account.
3. Other examples of effective methods of holding MPs to account may be credited.

*Level 2 (2 marks)*

Answers are characterised by a good level of knowledge and understanding of the issues outlined above. This may include only one aspect in detail or a wider range of aspects but without any depth of discussion.

*Level 1 (1 mark)*

Answers will show a limited knowledge and understanding of the accountability of MPs.

**AO2 (6 marks)**

*Level 3 (5-6 marks)*

Responses will comment on the effectiveness of the methods of MPs' accountability which students have chosen to expound in AO1. They will refer to examples such as the MPs' expenses scandal and evaluate the effectiveness of the method(s). Top level answers will consider accountability from different sources such as the public, Parliament and the media, and will outline the result of the methods of accountability, for example, loss of seat in a general election, House of Commons censure or criminal charges. Students may comment on the failures and successes of methods of accountability and reach a reasoned conclusion on the most effective methods.

*Level 2 (3-4 marks)*

Answers will begin to show a developed response of either one method in depth or a more limited range of examples with less analysis and evaluation.

*Level 1 (1-2 marks)*

Responses will show a limited range of examples and little or no evidence of the skills of analysis or evaluation of the issues.

**AO3 (2 marks)**

*Levels 2 and 3 (2 marks)*

The response should show a clear structure which is logical and which uses appropriate terminology relating to the accountability of MPs. In evaluation, students may draw upon specific examples and their own observations to illustrate their answer.

*Level 1 (1 mark)*

Answers show some basic attempts to use appropriate terminology and there is limited discussion.

**AO4 (3 marks)**

*Level 3 (3 marks)*

Students will draw upon the concept of MPs' accountability and use examples from a range of citizenship sources. The response should look to ideas from other areas to enable a coherent answer. This may include a range of examples which link to other areas of study, and answers may use illustrations from other units, such as work on Active Citizenship completed for CIST2 or CIST4.

*Level 2 (2 marks)*

A more limited attempt to link to other areas of study.

*Level 1 (1 mark)*

Only basic attempts to link to other areas.

**10** Assess the impact of pressure groups upon international issues.

*(25 marks)*

**AO1 (5 marks)***Level 3 (4-5 marks)*

Answers will explore the various ways in which pressure groups impact on international politics and affairs. Responses will include methods used by pressure groups such as petitions and lobbying, and examples will be given of successful campaigns run by pressure groups which have had an effect on a change in the law, such as Greenpeace and Amnesty International. Students may also consider wider campaigns and protests which did not succeed, such as the Stop the War Coalition relating to the Iraq war.

**Note:**

1. The above are given only as examples.
2. Credit other relevant material.

*Level 2 (2-3 marks)*

Answers will show knowledge and understanding but may only consider lesser aspects or a more limited consideration of a greater range, or be lacking in examples.

*Level 1 (1 mark)*

Responses will show a more limited knowledge and understanding of the impact which pressure groups make on international politics and affairs.

**AO2 (8 marks)***Level 3 (6-8 marks)*

Students will discuss the value and impact of the methods outlined in AO1 and will make an argument as to the extent of the impact on international politics by reference to examples, and will also discuss the effectiveness of the methods used. Students may consider the effect of groups such as Trade Unions and industry which play a role in funding political parties, and the effect that this may have on policy issues. Students may consider the effect and standing of international pressure groups such as Amnesty International in international relationships. Students should reach a reasoned conclusion based on the evidence they adduce in their answers.

*Level 2 (3-5 marks)*

Answers will begin to show a more developed response either through in-depth analysis of a more limited range of examples, or limited depth but with a greater range.

*Level 1 (1-2 marks)*

Answers will have a limited range of examples and be limited in analysis. They will perhaps not consider the level of impact of pressure groups on international politics and relationships and be lacking a conclusion.

**AO3 (4 marks)**

*Level 3 (3-4 marks)*

Answers should show a clear structure which is logical and which uses appropriate terminology, such as examples of methods by which pressure groups make an impact on international politics. Students may draw upon their own observations.

*Level 2 (2 marks)*

Answers will show a more limited structure and use of appropriate terminology.

*Level 1 (1 mark)*

Answers will show a more basic ability to use appropriate terminology and will have a limited structure.

**AO4 (8 marks)**

*Level 3 (6-8 marks)*

Students will draw on the concepts of pressure group influence on international politics and will use examples from a range of citizenship sources. The response should look to ideas from other areas to enable a coherent answer. This may include drawing on materials from other units, such as work on Active Citizenship completed for CIST2 or CIST4.

*Level 2 (3-5 marks)*

Answers will show a sound ability to link the work of pressure groups and international politics using material from other units.

*Level 1 (1-2 marks)*

Answers will show a limited ability to use knowledge and ideas from other areas, perhaps in the form of brief examples.

**11** Examine methods of participation by which the citizen's voice may be heard. (15 marks)

**AO1 (4 marks)**

*Level 3 (3-4 marks)*

Students will demonstrate an excellent knowledge and understanding of the various methods by which a citizen's voice may be heard, such as:

- joining or forming a pressure group
- lobbying their MP
- organising a petition to either the local authority or Parliament or devolved bodies
- media coverage
- becoming a local/parish councillor/MP
- joining a political party
- electronic means, eg blogging, social networking
- local council forums
- voting in local and general elections.

**Note:**

1. The above are given only as examples.
2. Other methods and information on how a citizen's voice may be heard will be credited.
3. At least three methods of participation must be identified and discussed for a Level 3 response.

*Level 2 (2 marks)*

Students may show a good level of knowledge and a clear understanding of the methods by which a citizen's voice may be heard, but this may not be as in as much depth as above or may contain a more limited range. At least two methods of participation must be identified and discussed for a Level 2 answer.

*Level 1 (1 mark)*

Answers are characterised by basic knowledge and understanding of the methods by which a citizen's voice may be heard.

**AO2 (6 marks)**

*Level 3 (5-6 marks)*

Excellent answers may include examples of how the citizen's voice may be heard and make a difference. The methods used may be evaluated and analysed, with students assessing the effectiveness of the methods. Examples may include Jamie Oliver's campaign regarding healthy school dinners, Snowdrop campaign (Dunblane shootings) on changing the law on handgun ownership and more local campaigns. Students may cite examples in their local areas such as dangerous roads, or a citizen highlighting unfairness or inconsistency in local government or availability of new medications via the NHS, and the success or failures of such attempts at change. Students will reach a reasoned conclusion on the effectiveness of the methods used by citizens to make their voice heard.

*Level 2 (3-4 marks)*

The response will contain good evidence of the skills of analysis and evaluation of the issues outlined above, although the use of examples may be more limited.

*Level 1 (1-2 marks)*

There is little or no evidence of analysis or evaluation and any argument is implied rather than stated.

**AO3 (2 marks)**

*Levels 2 and 3 (2 marks)*

The response should show a clear structure which is logical and which uses appropriate terminology relating to how a citizen's voice might be heard. In evaluation, students may draw on specific examples to illustrate their answer. Students may draw upon their own observations.

*Level 1 (1 mark)*

The response makes some basic attempts to use appropriate terminology and a limited attempt at evaluation.

**AO4 (3 marks)**

*Level 3 (3 marks)*

Students will draw upon the concepts of the citizen's voice being heard and use examples from a range of citizenship sources. At this level, students demonstrate an excellent ability to use material and ideas from other areas to enable a coherent answer and will construct an answer that responds to the issues raised in the question. Students may use examples relating to the media and pressure groups from CIST2 or CIST4.

*Level 2 (2 marks)*

There will be a more limited attempt to link to other areas of study and the response may not raise all the relevant issues.

*Level 1 (1 mark)*

Responses will show a basic attempt to link to other areas.

**12** Assess the extent to which the powers **and** influence of a UK prime minister are limited. (25 marks)

### **AO1 (5 marks)**

#### *Level 3 (4-5 marks)*

Responses will include a discussion on the nature of the power of the Prime Minister, such as appointment and dismissal of ministers, dissolution powers, etc. Students will consider the nature of the Prime Minister's power and will draw examples from the coalition government and other recent administrations as to how power was exercised by Prime Ministers, such as the power to go to war, and explore the effect of cabinet government. Students will consider other limitations on the power of the Prime Minister, such as public opinion and strength of the party's mandate.

Students may also consider the influence of the Prime Minister in the UK and internationally, such as in the EU and with the USA. The influence of the Prime Minister in the UK may encompass industry, trade unions, the National Health Service, education, etc. Relationships with other countries may fluctuate depending on the standing of the Prime Minister as leader of the Government.

#### *Level 2 (2-3 marks)*

Answers will show sound knowledge but may not consider such a wide range of aspects or may show more limited consideration of a larger range of issues.

#### *Level 1 (1 mark)*

Responses will show a more limited and basic knowledge and understanding of the role and influence of the Prime Minister.

### **AO2 (8 marks)**

#### *Level 3 (6-8 marks)*

Students will discuss the role of the modern Prime Minister and critically assess limitations on both the power and influence of a Prime Minister, such as decisions made in cabinet, leadership challenge, popularity and public opinion, the strength of the governing party's mandate and any legal advice or policy issues. Students may also consider the power of the Prime Minister and the balance of power in a coalition government. Responses may include reference to the strength of the Prime Minister's influence in both home and foreign affairs. Examples will be used such as the Falklands and Iraq war issues, public enquiries such as the Chilcot enquiry and budget cuts such as the dismantling of certain quangos. Students will reach a sound evaluative conclusion based on the evidence adduced in their answer.

#### *Level 2 (3-5 marks)*

Answers will show a developed response either through in-depth analysis of a more limited range of examples, or limited depth but with greater range.

#### *Level 1 (1-2 marks)*

Answers will have a limited range of examples with basic attempts at analysis.

**AO3 (4 marks)**

*Level 3 (3-4 marks)*

Answers should show a clear structure which is logical, uses appropriate terminology and considers both sides of the argument posed by the question on the power and influence of the Prime Minister. Students may draw upon their own observations.

*Level 2 (2 marks)*

Answers will show a more limited structure and use of appropriate terminology.

*Level 1 (1 mark)*

Answers will show a more basic ability to use appropriate language and will have a limited structure.

**AO4 (8 marks)**

*Level 3 (6-8 marks)*

Students will draw upon the concepts of power and influence at Prime Ministerial level and use examples from a range of citizenship sources in order to produce a coherent and well-argued response which relates to the issues raised by the question. Responses will demonstrate an excellent ability to synthesise from different resources and construct an argument.

*Level 2 (3-5 marks)*

Answers will show an ability to link into other areas of the specification and give examples.

*Level 1 (1-2 marks)*

Answers will show a limited ability to use knowledge and ideas from other areas, such as a brief example linking to another area in the specification.

**ASSESSMENT OBJECTIVE GRID**

<b>Assessment Objective</b>	<b>Section A</b>		<b>Section B</b>		<b>Total Marks by Assessment Objective</b>
	<b>Marks allocated by Assessment Objective (odd-numbered questions)</b>	<b>Marks allocated by Assessment Objective (even-numbered questions)</b>	<b>Marks allocated by Assessment Objective (odd-numbered questions)</b>	<b>Marks allocated by Assessment Objective (even-numbered questions)</b>	
<b>AO1</b>	4	5	4	5	18
<b>AO2</b>	6	8	6	8	28
<b>AO3</b>	2	4	2	4	12
<b>AO4</b>	3	8	3	8	22
<b>Total</b>	<b>15</b>	<b>25</b>	<b>15</b>	<b>25</b>	<b>80</b>

**Mark Ranges and Award of Grades**

Grade boundaries and cumulative percentage grades are available on the Results Statistics page of the AQA Website: <http://www.aqa.org.uk/over/stat.html>.

**Converting Marks into UMS marks**

Convert raw marks into marks on the Uniform Mark Scale (UMS) by using the link below.

**UMS conversion calculator** [www.aqa.org.uk/umsconversion](http://www.aqa.org.uk/umsconversion)