

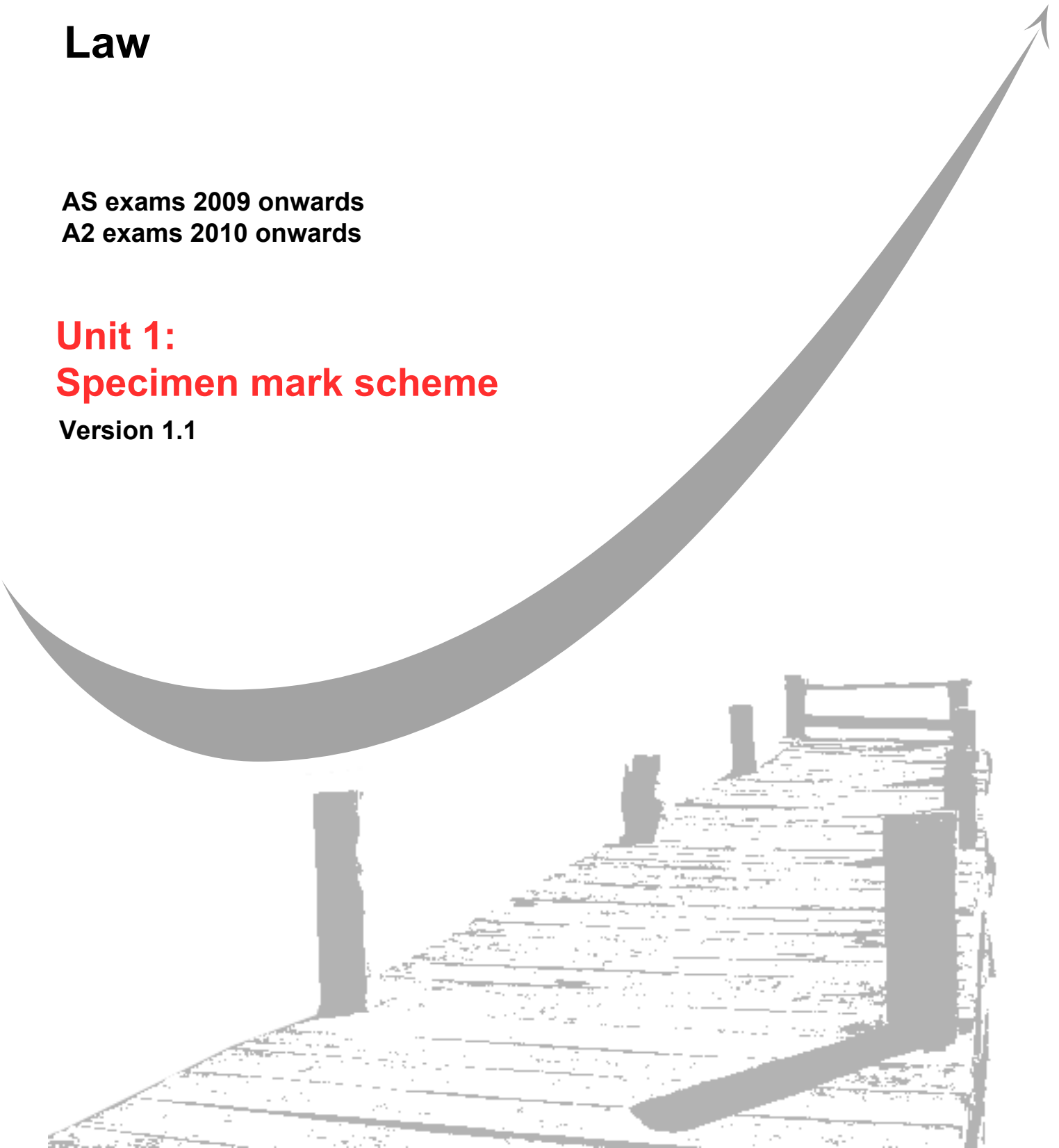
**GCE**  
**AS and A Level**

**Law**

**AS exams 2009 onwards**  
**A2 exams 2010 onwards**

**Unit 1:**  
**Specimen mark scheme**

**Version 1.1**





# **General Certificate of Education**

## **Law**

### **Unit 1 (LAW01) Law Making and the Legal System**

# **Specimen Mark Scheme**

The specimen assessment materials are provided to give centres a reasonable idea of the general shape and character of the planned question papers and mark schemes in advance of the first operational exams.

Further copies of this Mark Scheme are available to download from the AQA Website: [www.aqa.org.uk](http://www.aqa.org.uk)

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*Dr Michael Cresswell*, Director General.

# LAW01

## Assessment Objectives One and Two

### **General Marking Guidance**

*You should remember that your marking standards should reflect the levels of performance of candidates, mainly 17 years old, who have completed some part of the Advanced Subsidiary course, writing under examination conditions. The Potential Content given in each case is the most likely correct response to the question set. However, this material is neither exhaustive nor prescriptive and alternative, valid responses should be given credit within the framework of the mark bands.*

### **Positive Marking**

*You should be positive in your marking, giving credit for what is there rather than being too conscious of what is not. Do not deduct marks for irrelevant or incorrect answers, as candidates penalise themselves in terms of the time they have spent.*

### **Mark Range**

*You should use the whole mark range available in the mark scheme. Where the candidate's response to a question is such that the mark scheme permits full marks to be awarded, full marks must be given. A perfect answer is not required. Conversely, if the candidate's answer does not deserve credit, then no marks should be given.*

### **Levels of Response for Essay Marking**

*When reading an essay, it is useful to annotate your recognition of the achievement of a response level. This will help the Team Leader follow your thought processes. Levels of response marking relies on recognition of the highest Level achieved by the candidate. When you have finished reading the essay, therefore, think top-down, rather than bottom-up. In other words, has the candidate's overall answer met the requirements for the top level? If not, the next level?*

### **Citation of Authority**

*Candidates will have been urged to use cases and statutes whenever appropriate. Even where no specific reference is made to these in the mark scheme, please remember that their use considerably enhances the quality of an answer.*

### Assessment Objective Three

#### Quality of Written Communication

The Code of Practice for GCSE, GCSE in vocational subjects, GCE, VCE and GNVQ requires the assessment of candidates' quality of written communication wherever they are required to write in continuous prose. In this unit, this assessment will take place by marking the candidate's script as a whole, by means of the following criteria:

- Level 3** Moderately complex ideas are expressed clearly and reasonably fluently, through well linked sentences and paragraphs. Arguments are generally relevant and well structured. There may be occasional errors of grammar, punctuation and spelling. **4-5 marks**
- Level 2** Straightforward ideas are expressed clearly, if not always fluently. Sentences and paragraphs may not always be well connected. Arguments may sometimes stray from the point or be weakly presented. There may be some errors of grammar, punctuation and spelling, but not such as to detract from communication of meaning. **2-3 marks**
- Level 1** Simple ideas are expressed clearly, but arguments may be of doubtful relevance or be obscurely presented. Errors in grammar, punctuation and spelling may be noticeable and intrusive, sufficient to detract from communication of meaning. **1 mark**
- Level 0** Ideas are expressed poorly and sentences and paragraphs are not connected. There are errors of grammar, punctuation and spelling, such as severely to impair communication of meaning. **0 marks**

### The level of understanding in AS Law – LAW01

To help you find the level of understanding shown in a script, there will be some of the following characteristics shown. It is important to remember that the assessment is aimed at the notional 17-year old, so the level of understanding required by these criteria will be that of the notional 17-year old.

<p><b>Sound</b></p>	<ul style="list-style-type: none"> <li>• The material will be predominantly accurate and contain material relevant to the Potential Content.</li> <li>• The material will be supported by generally relevant authority and/or examples.</li> <li>• It will generally deal with the Potential Content in a manner required by the question.</li> </ul> <p>As a consequence, the essential features of the Potential Content are dealt with competently and coherently.</p>
<p><b>Clear</b></p>	<ul style="list-style-type: none"> <li>• The material is broadly accurate and relevant to the Potential Content.</li> <li>• The material will be supported by some use of relevant authority and/or examples.</li> <li>• The material will broadly deal with the Potential Content in a manner required by the question.</li> </ul> <p>As a consequence, the underlying concepts of the Potential Content will be present, though there may be some errors, omissions and/or confusion which prevent the answer from being fully rounded or developed.</p>
<p><b>Some</b></p>	<ul style="list-style-type: none"> <li>• The material shows some accuracy and relevance to the Potential Content.</li> <li>• The material may occasionally be supported by some relevant authority and/or examples.</li> <li>• The material will deal with some of the Potential Content in a manner required by the question.</li> </ul> <p>As a consequence, few of the concepts of the Potential Content are established as there will be errors, omissions and/or confusion which undermine the essential features of the Potential Content.</p>

## Section A: Law Making

**Total for this question: 30 marks**

<b>1</b>	(a) Briefly explain what is meant by the doctrine of judicial precedent.	<i>(10 marks)</i>
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### Potential Content

- (A) Identification and brief description of hierarchy of courts
- (B) Identification and brief description of law reports
- (C) Identification and brief description of *ratio decidendi* and *obiter dicta*

### Mark Bands

- 8 – 10      The candidate deals with (A)-(C) as follows:  
**max 10:** two sound, one clear  
**max 9:** two sound, one some **or** one sound, two clear  
**max 8:** two sound **or** one sound, one clear, one some **or** three clear.
- 5 – 7      The candidate deals with (A)-(C) as follows:  
**max 7:** one sound, one clear **or** one sound, two some **or** two clear, one some  
**max 6:** one sound, one some **or** two clear **or** one clear, two some  
**max 5:** one sound **or** one clear, one some **or** three some.
- 3 – 4      The candidate displays limited understanding by introducing discussion of any of the material in (A)-(C). Where the candidate introduces material across the range it will be superficial.
- 1 – 2      The answer consists of brief, fragmented comments or examples so that no coherent explanation emerges  
**or**  
mistakes and confusion fundamentally undermine a more substantial attempt at explanation and application.
- 0          The answer contains no relevant information.

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<b>1</b>	(b) Describe <b>two</b> ways in which judges can avoid following precedent.	(10 marks)
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**Potential Content**

(A) Identification and description of one way judges can avoid following precedent

(B) Identification and brief description of another way judges can avoid following precedent

Ways may include distinguishing, re-interpreting *ratio/obiter*, overruling, etc.

**Mark Bands**

- 8 – 10            The candidate deals with (A) and (B) as follows:  
**max 10:** two sound  
**max 9:** one sound, one clear  
**max 8:** one sound, one some **or** two clear.
- 5 – 7            The candidate deals with (A) and (B) as follows:  
**max 7:** one sound **or** one clear, one some  
**max 5:** one clear **or** two some.
- 3 – 4            The candidate displays limited understanding by introducing discussion of any of the material in (A)-(B). Where the candidate introduces material across the range it will be superficial.
- 1 – 2            The answer consists of brief, fragmented comments or examples so that no coherent explanation emerges  
**or**  
mistakes and confusion fundamentally undermine a more substantial attempt at explanation and application.
- 0                The answer contains no relevant information.



<b>1</b>	(c) Discuss the advantages of the doctrine of judicial precedent.	<i>(10 marks)</i>
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**Potential Content**

(A) Discussion of advantages, eg flexibility of system, certainty for future cases, just and impartial decisions,

**Mark Bands**

8 - 10 The candidate demonstrates a sound understanding of (A).

5 - 7 The candidate demonstrates a clear understanding of (A).

3 - 4 The candidate demonstrates some understanding of (A).

1 – 2 The candidate demonstrates limited understanding of (A).

0 The answer contains no relevant information.

**Total for this question: 30 marks**

<b>2</b>	(a) Using examples, describe the different forms of delegated legislation.	<i>(10 marks)</i>
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**Potential Content**

- (A) Description of Statutory Instruments, eg made under authority of enabling Act; examples
- (B) Description of Orders in Council, eg how and when made by Privy Council, how and when made by Ministerial Regulations
- (C) Description of By laws, eg how and when made by local authority and/or other bodies; examples

**Mark Bands**

- 8 – 10            The candidate deals with (A)-(C) as follows:  
**max 10:** two sound, one clear  
**max 9:** two sound, one some **or** one sound, two clear  
**max 8:** two sound **or** one sound, one clear, one some **or** three clear.
  
- 5 – 7            The candidate deals with (A)-(C) as follows:  
**max 7:** one sound, one clear **or** one sound, two some **or** two clear, one some  
**max 6:** one sound, one some **or** two clear **or** one clear, two some  
**max 5:** one sound **or** one clear, one some **or** three some.
  
- 3 – 4            The candidate displays limited understanding by introducing discussion of any of the material in (A)-(C). Where the candidate introduces material across the range it will be superficial.
  
- 1 – 2            The answer consists of brief, fragmented comments or examples so that no coherent explanation emerges  
**or**  
mistakes and confusion fundamentally undermine a more substantial attempt at explanation and application.
  
- 0                The answer contains no relevant information.

<b>2</b>	(b) Briefly explain the controls on delegated legislation.	(10 marks)
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**Potential Content**

- (A) Brief explanation of parliamentary controls of delegated legislation, eg affirmative resolution procedure; negative resolution procedure; Parliamentary Committees
  
- (B) Brief explanation of judicial controls of delegated legislation; judicial review – substantive and procedural *ultra vires*

**Mark Bands**

- 8 – 10            The candidate deals with (A) and (B) as follows:  
**max 10:** two sound  
**max 9:** one sound, one clear  
**max 8:** one sound, one some **or** two clear.
  
- 5 – 7            The candidate deals with (A) and (B) as follows:  
**max 7:** one sound **or** one clear, one some  
**max 5:** one clear **or** two some.
  
- 3 – 4            The candidate displays limited understanding of any of the material in (A)-(B).  
Where a candidate introduces material across the range of (A)-(B), this may be superficial.
  
- 1 – 2            The answer consists of brief, fragmented comments so that no coherent explanation emerges  
**or**  
a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
  
- 0                The answer contains no relevant information.

<b>2</b>	(c) Discuss disadvantages of delegated legislation.	<i>(10 marks)</i>
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**Potential Content**

- (A) Discussion of disadvantages, eg volume, need for control, limited scrutiny and control of executive power, lack of publicity, length and expense of judicial review

**Mark Bands**

- 8 - 10        The candidate demonstrates a sound understanding of (A).
- 5 - 7        The candidate demonstrates a clear understanding of (A).
- 3 - 4        The candidate demonstrates some understanding of (A).
- 1 – 2        The candidate demonstrates limited understanding of (A).
- 0            The answer contains no relevant information.

**Total for this question: 30 marks**

<b>3</b>	(a)	Describe any <b>two</b> aids that can be used by judges when interpreting an Act of Parliament.	<i>(10 marks)</i>
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**Potential Content**

- (A) Explanation and illustration of first aid
- (B) Explanation and illustration of second aid

Aids include: internal – long and short titles, preamble headings; external – other statutes, government publications, Hansard (in limited circumstances); rules of language, etc.

**Mark Bands**

- 8 – 10            The candidate deals with (A) and (B) as follows:  
**max 10:** two sound  
**max 9:** one sound, one clear  
**max 8:** one sound, one some **or** two clear.
- 5 – 7            The candidate deals with (A) and (B) as follows:  
**max 7:** one sound **or** one clear, one some  
**max 5:** one clear **or** two some.
- 3 – 4            The candidate displays limited understanding of any of the material in (A)-(B).  
 Where a candidate introduces material across the range of (A)-(B), this may be superficial.
- 1 – 2            The answer consists of brief, fragmented comments so that no coherent explanation emerges  
**or**  
 a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
- 0                The answer contains no relevant information.

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<b>3</b>	(b) Describe any <b>two</b> rules of (approaches to) statutory interpretation which help judges to interpret an Act of Parliament.	(10 marks)
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**Potential Content**

(A) Explanation and illustration of first rule (approach)

(B) Explanation and illustration of second rule (approach)

**Note:** Rules are literal, golden, mischief, or purposive approach.

**Mark Bands**

- 8 – 10            The candidate deals with (A) and (B) as follows:  
**max 10:** two sound  
**max 9:** one sound, one clear  
**max 8:** one sound, one some **or** two clear.
- 5 – 7            The candidate deals with (A) and (B) as follows:  
**max 7:** one sound **or** one clear, one some  
**max 5:** one clear **or** two some.
- 3 – 4            The candidate displays limited understanding of any of the material in (A)-(B).  
Where a candidate introduces material across the range of (A)-(B), this may be superficial.
- 1 – 2            The answer consists of brief, fragmented comments so that no coherent explanation emerges  
**or**  
a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
- 0                The answer contains no relevant information.

<b>3</b>	(c)	Briefly discuss the advantages <b>and</b> disadvantages of <b>one</b> of the rules of (approaches to) statutory interpretation you have described in your answer to question 3 (b) above.	<i>(10 marks)</i>
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**Potential Content**

- (A) Brief discussion of advantages of rule (approach)
- (B) Brief discussion of disadvantages of rule (approach)

Advantages can include:

literal rule - judges applying parliamentary wishes, judges following theoretical role.  
 golden rule - judges giving effect to Parliament's wishes.  
 mischief and purposive approach - flexibility, decision in case without referring back to Parliament.

Disadvantages can include:

literal rule - poor decision made, need for Parliament to remedy errors.  
 golden rule - judicial law making.  
 mischief rule - judicial law making, undemocratic, uncertainty of result.  
 purposive approach - judicial law making, undemocratic, uncertainty of result.

**Mark Bands**

8 – 10	The candidate deals with (A) and (B) as follows: <b>max 10:</b> two sound <b>max 9:</b> one sound, one clear <b>max 8:</b> one sound, one some <b>or</b> two clear.
5 – 7	The candidate deals with (A) and (B) as follows: <b>max 7:</b> one sound <b>or</b> one clear, one some <b>max 5:</b> one clear <b>or</b> two some.
3 – 4	The candidate displays limited understanding of any of the material in (A)-(B). Where a candidate introduces material across the range of (A)-(B), this may be superficial.
1 – 2	The answer consists of brief, fragmented comments so that no coherent explanation emerges <b>or</b> a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
0	The answer contains no relevant information.

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**Total for this question: 30 marks**

<b>4</b>	(a) Explain what is meant by the doctrine of parliamentary supremacy and briefly explain <b>one</b> limitation on this doctrine.	<i>(10 marks)</i>
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**Potential Content**

- (A) Explanation of meaning of the doctrine of parliamentary supremacy
- (B) Brief explanation of one limitation of the doctrine of parliamentary supremacy, eg direct application of EU law; application of Human Rights Act 1998

**Mark Bands**

8 – 10	The candidate deals with (A) and (B) as follows: <b>max 10:</b> two sound <b>max 9:</b> one sound, one clear <b>max 8:</b> one sound, one some <b>or</b> two clear.
5 – 7	The candidate deals with (A) and (B) as follows: <b>max 7:</b> one sound <b>or</b> one clear, one some <b>max 5:</b> one clear <b>or</b> two some.
3 – 4	The candidate displays limited understanding of any of the material in (A)-(B). Where a candidate introduces material across the range of (A)-(B), this may be superficial.
1 – 2	The answer consists of brief, fragmented comments so that no coherent explanation emerges <b>or</b> a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
0	The answer contains no relevant information.



<b>4</b>	(b)	Briefly explain the roles of the House of Commons, House of Lords and the monarch in the formal process of statute law creation.	<i>(10 marks)</i>
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**Potential Content**

- (A) Brief description of role of House of Commons in the formal process of statute law creation.
- (B) Brief description of role of House of Lords in the formal process of statute law creation.
- (C) Brief description of role of the monarch in the formal process of statute law creation.

**Mark Bands**

- 8 – 10            The candidate deals with (A)-(C) as follows:  
**max 10:** two sound, one clear  
**max 9:** two sound, one some **or** one sound, two clear  
**max 8:** two sound **or** one sound, one clear, one some **or** three clear.
  
- 5 – 7            The candidate deals with (A)-(C) as follows:  
**max 7:** one sound, one clear **or** one sound, two some **or** two clear, one some  
**max 6:** one sound, one some **or** two clear **or** one clear, two some  
**max 5:** one sound **or** one clear, one some **or** three some.
  
- 3 – 4            The candidate displays limited understanding by introducing discussion of any of the material in (A)-(C). Where the candidate introduces material across the range it will be superficial.
  
- 1 – 2            The answer consists of brief, fragmented comments or examples so that no coherent explanation emerges  
**or**  
mistakes and confusion fundamentally undermine a more substantial attempt at explanation and application.
  
- 0                The answer contains no relevant information.

**4** (c) Discuss the advantages of the process of law making in Parliament. (10 marks)

**Potential Content**

(A) Discussion of advantages, eg democratic, open discussion of issues, possible amendments, scrutiny of proposals, supremacy of Parliamentary law

**Mark Bands**

8 - 10 The candidate demonstrates a sound understanding of (A).

5 - 7 The candidate demonstrates a clear understanding of (A).

3 - 4 The candidate demonstrates some understanding of (A).

1 – 2 The candidate demonstrates limited understanding of (A).

0 The answer contains no relevant information.

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## Section B: The Legal System

**Total for this question: 30 marks**

<b>5</b>	(a) Naseem has been injured in a road accident. Briefly explain the role of the judge in Naseem's civil court claim for damages.	<i>(10 marks)</i>
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### Potential Content

(A) Brief explanation of role, eg case management, hearing evidence and legal arguments, deciding liability and award of damages/remedy, possible reference to appeal role

### Mark Bands

- 8 - 10            The candidate demonstrates a sound understanding of (A).
- 5 - 7             The candidate demonstrates a clear understanding of (A).
- 3 - 4             The candidate demonstrates some understanding of (A).
- 1 – 2            The candidate demonstrates limited understanding of (A).
- 0                 The answer contains no relevant information.

<b>5</b>	(b) Explain what is meant by the principle of judicial independence.	<i>(10 marks)</i>
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**Potential Content**

- (A) Explanation of the principle of judicial independence, eg appointment by independent Judicial Appointments Commission, in post until retirement, security of tenure with possible reference to Act of Settlement, immunity within court, appeals only against decisions, complaints to Judicial Conduct Ombudsman

**Mark Bands**

- 8 - 10            The candidate demonstrates a sound understanding of (A).
- 5 - 7             The candidate demonstrates a clear understanding of (A).
- 3 - 4             The candidate demonstrates some understanding of (A).
- 1 – 2             The candidate demonstrates limited understanding of (A).
- 0                  The answer contains no relevant information.

<b>5</b>	(c) Discuss the importance of the principle of judicial independence.	<i>(10 marks)</i>
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**Potential Content**

- (A) Discussion of the importance of the principle, eg impartiality, separation from the Executive, freedom from dismissal, public confidence in judiciary, upholding Rule of Law, decision-making free of pressure, ability to hear judicial review cases and cases involving the Executive.

**Mark Bands**

- 8 - 10            The candidate demonstrates a sound understanding of (A).
- 5 - 7             The candidate demonstrates a clear understanding of (A).
- 3 - 4             The candidate demonstrates some understanding of (A).
- 1 – 2            The candidate demonstrates limited understanding of (A).
- 0                 The answer contains no relevant information.

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**Total for this question: 30 marks**

<b>6</b>	(a) Describe how tribunals work.	<i>(10 marks)</i>
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**Potential Content**

(A) Description of the working of tribunals, eg who is hearing the dispute, nature of hearings, types of cases dealt with, process issues, outcomes, possible appeals.

**Mark Bands**

8 - 10 The candidate demonstrates a sound understanding of (A).

5 - 7 The candidate demonstrates a clear understanding of (A).

3 - 4 The candidate demonstrates some understanding of (A).

1 – 2 The candidate demonstrates limited understanding of (A).

0 The answer contains no relevant information.

<b>6</b>	(b)	There are forms of dispute resolution other than using the courts or tribunals. Describe any <b>two</b> of these forms, making reference to the types of dispute dealt with.	<i>(10 marks)</i>
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### Potential Content

- (A) Description of first form of dispute resolution; reference to types of dispute dealt with
- (B) Description of second form of dispute resolution; reference to types of disputes dealt with

**Note:** Forms are: arbitration, mediation, conciliation and negotiation.  
Description of form can include reference to who is hearing the dispute, nature of hearings, types of cases dealt with, process issues, outcomes, possible appeals.

### Mark Bands

- 8 – 10            The candidate deals with (A) and (B) as follows:  
**max 10:** two sound  
**max 9:** one sound, one clear  
**max 8:** one sound, one some **or** two clear.
- 5 – 7            The candidate deals with (A) and (B) as follows:  
**max 7:** one sound **or** one clear, one some  
**max 5:** one clear **or** two some.
- 3 – 4            The candidate displays limited understanding of any of the material in (A)-(B).  
Where a candidate introduces material across the range of (A)-(B), this may be superficial.
- 1 – 2            The answer consists of brief, fragmented comments so that no coherent explanation emerges  
**or**  
a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
- 0                The answer contains no relevant information.

<b>6</b>	(c) Discuss advantages of alternative dispute resolution.	<i>(10 marks)</i>
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**Potential Content**

- (A) Identification and discussion of advantages, eg informal, self-representation, decisions by experts, speed, convenience, cost, less confrontational approach, promotion of alternatives by court

**Mark Bands**

- 8 - 10            The candidate demonstrates a sound understanding of (A).
- 5 - 7             The candidate demonstrates a clear understanding of (A).
- 3 - 4             The candidate demonstrates some understanding of (A).
- 1 – 2            The candidate demonstrates limited understanding of (A).
- 0                 The answer contains no relevant information.



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**Total for this question: 30 marks**

<b>7</b>	(a) Outline how a barrister is trained and qualifies.	<i>(10 marks)</i>
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**Potential Content**

- (A) Outline of training and qualification of barrister, eg graduate entry, CPE, BVC, pupillage, membership of Inns of Court, call to Bar

**Mark Bands**

- 8 - 10      The candidate demonstrates a sound understanding of (A).
- 5 - 7        The candidate demonstrates a clear understanding of (A).
- 3 - 4        The candidate demonstrates some understanding of (A).
- 1 – 2        The candidate demonstrates limited understanding of (A).
- 0             The answer contains no relevant information.

<b>7</b>	(b) Paveen has been injured in an accident. Explain from whom she could get advice about a possible claim for damages.	<i>(10 marks)</i>
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**Potential Content**

(A) Explanation of forms of legal advice for civil claims, eg solicitors, barristers through Bar Direct, insurance companies, membership of organisations such as AA, RAC, trade union, consumer organisations, law centres and CAB, internet, Claims firms

**Mark Bands**

- 8 - 10 The candidate demonstrates a sound understanding of (A).
- 5 - 7 The candidate demonstrates a clear understanding of (A).
- 3 - 4 The candidate demonstrates some understanding of (A).
- 1 – 2 The candidate demonstrates limited understanding of (A).
- 0 The answer contains no relevant information.

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<b>7</b>	(c) Briefly discuss advantages <b>and</b> disadvantages of both private funding and of “no win – no fee” arrangements in a civil claim. (10 marks)
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**Potential Content**

- (A) Discussion of advantages of private funding: choice, speed, quality of service, etc.  
Discussion of disadvantages of private funding: cost, etc
- (B) Discussion of advantages of “no win – no fee” arrangements: financial benefit, access to justice, etc. Discussion of disadvantages of “no win – no fee” arrangements: cost of insurance policy, limited availability, threshold test, etc

**Mark Bands**

- 8 – 10 The candidate deals with (A) and (B) as follows:  
**max 10:** two sound  
**max 9:** one sound, one clear  
**max 8:** one sound, one some **or** two clear.
- 5 – 7 The candidate deals with (A) and (B) as follows:  
**max 7:** one sound **or** one clear, one some  
**max 5:** one clear **or** two some.
- 3 – 4 The candidate displays limited understanding of any of the material in (A)-(B). Where a candidate introduces material across the range of (A)-(B), this may be superficial.
- 1 – 2 The answer consists of brief, fragmented comments so that no coherent explanation emerges  
**or**  
a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
- 0 The answer contains no relevant information.

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**Total for this question: 30 marks**

- 8** (a) Alicia is charged with theft (an either way offence). Her case could be tried either by magistrates or by a jury in the Crown Court. Explain the work of lay magistrates in criminal courts. *(10 marks)*

**Potential Content**

- (A) Explanation of work of lay magistrates, eg deciding bail/custody issues, deciding Legal Representation, hearing evidence at a trial, deciding guilt/innocence, deciding sentence, possible reference to referring cases to Crown Court for trial or sentence, possible reference to issue of warrants

**Mark Bands**

- 8 - 10            The candidate demonstrates a sound understanding of (A).
- 5 - 7            The candidate demonstrates a clear understanding of (A).
- 3 - 4            The candidate demonstrates some understanding of (A).
- 1 – 2            The candidate demonstrates limited understanding of (A).
- 0                The answer contains no relevant information.

<b>8</b>	(b) Explain the work of juries in criminal courts.	<i>(10 marks)</i>
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**Potential Content**

(A) Explanation of work of juries, eg hearing evidence, hearing legal directions from judge, deciding verdict in secret discussion, announcing verdict

**Mark Bands**

- 8 - 10            The candidate demonstrates a sound understanding of (A).
- 5 - 7             The candidate demonstrates a clear understanding of (A).
- 3 - 4             The candidate demonstrates some understanding of (A).
- 1 – 2             The candidate demonstrates limited understanding of (A).
- 0                  The answer contains no relevant information.

<b>8</b>	(c) Identify and discuss advantages <b>and</b> disadvantages of using juries in criminal cases.	<i>(10 marks)</i>
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**Potential Content**

- (A) Identification and discussion of advantages, eg open justice, trial by peers, public confidence, overall fairness
- (B) Identification and discussion of disadvantages, eg perverse verdicts, feelings of possible bias, make up of panel and selection issues, influence within panel, media pressure, complexity of issues

**Mark Bands**

- 8 – 10            The candidate deals with (A) and (B) as follows:  
**max 10:** two sound  
**max 9:** one sound, one clear  
**max 8:** one sound, one some **or** two clear.
- 5 – 7            The candidate deals with (A) and (B) as follows:  
**max 7:** one sound **or** one clear, one some  
**max 5:** one clear **or** two some.
- 3 – 4            The candidate displays limited understanding of any of the material in (A)-(B). Where a candidate introduces material across the range of (A)-(B), this may be superficial.
- 1 – 2            The answer consists of brief, fragmented comments so that no coherent explanation emerges  
**or**  
a more substantial attempt at explanation is fundamentally undermined by mistakes and confusion.
- 0                The answer contains no relevant information.

**ASSESSMENT GRID**

(To show the allocation of marks to Assessment Objectives)

**A Level Law (LAW01)**

<b>UNIT 1</b>	<b>AO 1</b>	<b>AO 2</b>	<b>AO 3</b>
Question 1 (a)	10	0	
Question 1 (b)	10	0	
Question 1 (c)	0	10	
Question 2 (a)	10	0	
Question 2 (b)	10	0	
Question 2 (c)	0	10	
Question 3 (a)	10	0	
Question 3 (b)	10	0	
Question 3 (c)	0	10	
Question 4 (a)	10	0	
Question 4 (b)	10	0	
Question 4 (c)	0	10	
Question 5 (a)	10	0	
Question 5 (b)	10	0	
Question 5 (c)	0	10	
Question 6 (a)	10	0	
Question 6 (b)	10	0	
Question 6 (c)	0	10	
Question 7 (a)	10	0	
Question 7 (b)	10	0	
Question 7 (c)	0	10	
Question 7 (a)	10	0	
Question 7 (b)	10	0	
Question 7 (c)	0	10	