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FOREWORD

This booklet contains reports written by Examiners on the work of candidates in certain papers. **Its contents are primarily for the information of the subject teachers concerned**.

THINKING SKILLS

GCE Advanced Subsidiary Level

Paper 8436/01

Multiple Choice

Question Number	Key	Question Number	Key
1	B	26	C
2	E	27	A
3	D	28	D
4	D	29	C
5	D	30	D
6	D	31	C
7	C	32	E
8	D	33	B
9	A	34	B
10	D	35	E
11	C	36	B
12	D	37	D
13	B	38	C
14	D	39	E
15	B	40	C
16	C	41	D
17	E	42	C
18	D	43	C
19	B	44	D
20	D	45	D
21	C	46	C
22	D	47	D
23	D	48	E
24	A	49	A
25	C	50	C

> **Paper 8436/02**
>
> **Paper 2**

General comments

Performance suggested that the Paper was more demanding than usual, for which some allowance was made. All three questions proved quite difficult in certain respects. However, as a whole the Paper discriminated effectively, and the best candidates were able to demonstrate a fill range of critical thinking skills, with some recording scores in the ninety percent plus bracket.

Performance as usual varied between Centres, with evidence that teaching and preparation made a significant difference to attainment level. It was apparent that many candidates had been well-prepared in this respect. The examples of thinking that Examiners look for are those associated with careful analysis and evaluation, leading to considered judgement. Those candidates who worked on the questions in a casual, unsystematic fashion ran the risk of losing marks that were there for the taking.

Many candidates spent undue time and energy on paraphrasing stimulus material. For instance, in **Question 1** there was a tendency to write an account of the incident and to reiterate what the witnesses said, for which there is little or no credit, as it is neither evaluation of evidence nor a reasoned case. Answers do not need to be long: all they need to do is to answer the specific question in sufficient depth to demonstrate understanding. 'Keep to the point' is advice which cannot be repeated too often. Especially where a question has only one or two marks available, a short succinct answer will earn the same mark as a long and elaborate one. In fact a longer answer can be counter-productive by obscuring a correct response.

Comments on specific questions

Question 1

Most candidates correctly concluded that there was insufficient evidence for a verdict of guilty on the charge of criminal damage. Such a verdict would have required evidence of intent on the part of the three tourists, and none is available.

Emilio's charge requires us to believe that a disagreement over the bill would provoke sufficient anger in the tourists to risk serious injury. Dieter's claim that it was an accident is more plausible, and fits the facts better. The hard evidence of the police photographs makes it improbable that fists and 'flip-flops' would have been effective in damaging the hinges etc., as well as breaking the glass. Also, as many candidates noted, the injuries were to Dieter only, whilst the charge was against all three. Most damaging of all, Emilio's evidence is hearsay and his best witness is not available for questioning, which, together with his possible motive to assign blame, must be a cause for suspicion. The only other witnesses are unreliable, claiming more than they could reasonably have observed (e.g. intent) and exhibiting prejudice. Most of the remaining evidence is inconclusive either way: the tourists have no independent witnesses, and Crista's character reference is compromised by implied rivalry towards Emilio. Nevertheless, the balance of probability is on the defendants' side; at the very least there is too much doubt to charge them with a crime.

The most successful candidates noted the elements of doubt and suspicion, and the relative credibility of the tourists' account, and drew a balanced conclusion accordingly. Many however made the mistake of taking evidence and statements too literally and uncritically - e.g. citing Emilio's denial that the curtain was left up and the police statement that it was not there twenty minutes later - to infer that Dieter had lied. Another typical error was to read too much into the tourists' behaviour - e.g. inferring from the fact that they left the bar that they were guilty, when an equally plausible explanation is their fear of 'trouble', which does not necessarily signal guilt.

As observed above, one of the most common faults of all was recounting the incident sometimes at length. Only a very small proportion of the mark is available for reporting what happened, or what a witness said, unless it is accompanied by a critical comment, and/or a valid inference is drawn from it. Often the recount was given in depth, and the comment (evaluation) was very superficial. What is wanted is the reverse.

Question 2

(a)   Few problems here.   Most candidates recognised the conclusion and main reasons and paraphrased them accurately.

(b)   This proved a difficult question for many.   The problem seemed to be in recognising the putative contradiction, the most obvious of which is the claim that both positive discrimination (PD) and rewarding merit are 'fair'.   Most of those who correctly identified this as a possible contradiction went on to successfully argue for or against the criticism.   A less obvious contradiction, which some candidates found, was between the claim that what matters is equal opportunity, but PD removes the opportunities for some in favour of others.

Many made the mistake of saying that the contradiction lay in the fact that PD does not create harmony, as the author claims.   This is an objection that can be made to the premise in question, but this is not a case of the argument making two contradictory claims.

(c)   Most identified the general area in which the assumption was made, i.e. the assumed suitability of the insider and/or unsuitability of the outsider, and thus earned the mark for the first part of the question, and offered a view on how justifiable the assumption was.   Fewer gave supporting reasons for their view, e.g. that it is arguably unreasonable to *generalise* about an applicant's suitability on ethnic or similar grounds.

(d)   Most explained the claim successfully.   But, again, many failed to give any reasons to support the second part of their answer.

(e)   Surprisingly this proved a difficult question.   A very large number of candidates clearly did not refer to the passage to see what the example sentences contained after the opening phrases supplied in the question.   Those that did note the sarcastic or dismissive tone of e.g. 'high-flyer', 'damage ego', etc. and commented on the persuasive nature of such terms.

It was clear that some candidates had discussed the role of rhetorical/persuasive devices in argument, and were on the lookout for tell-tale expressions.   It was equally clear that many had not, and that this question was unfamiliar to some.

(f)   Responses were very mixed.   Many candidates obviously recognised that there was a challenge to the argument but failed to articulate it clearly.   Similarly many saw that the challenge missed the point of the argument, but again struggled to explain this cogently.   Some marks were therefore awarded where it was clear that these point/s were evidently understood.

Question 3

Comments here are very much along the lines of previous years.

As always, **Question 3** was the toughest assignment.   It asks for a three-part response:

- Analysis (of the argument in the passage),
- Evaluation (of the claims, assumptions and strength and weakness of the reasoning);
- Further argument.

It is not necessary for candidates to separate these in their own essays, but it has to be said those that do make it easier for themselves to address all three tasks.   If the Examiner has to decide where evaluation blurs into further reasoning (or vice-versa), it is more difficult to award full credit.

The key to success in any question of this type is recognising the main conclusion.   Marks are awarded for recognising the general drift or direction of the argument, but to analyse it and then evaluate it at the top level (see mark scheme), correctly identifying the conclusion is step one.   The next step is to pick out the main reasons given for the conclusion, leaving aside any background or contextual information.   The last step is to organise the reasons to show how they relate to each other and to the conclusion, especially if one or more of the reasons is *itself* supported by other reasons to form an intermediate conclusion.

The main conclusion is that earnings should be confiscated from anyone whose criminal past has helped them get rich. This amplifies the claim in par. 1, that the law does not go far enough, and both sentences were credited as expressions of the conclusion, though most candidates chose the former.

There was less assurance shown in identifying the main reasons, which were that ex-convicts need no talent: reputation is enough; and that victims are done a disservice if ex-convicts become celebrities. The principle of not benefiting from crime is also a basic premise. There is an *intermediate conclusion*, which a large number of candidates recognised, that *direct* and *indirect* benefits of a criminal past are both profit from crime.

A full analysis of the passage, needed for the highest level of marks, would also include recognition that the first paragraph is mostly introductory; and that there are two *counter arguments*, or objections, considered in the passage which are answered as part of the argument. One is the argument that celebrity earnings are 'indirect'; the other is that released prisoners deserve a fresh start.

After unpacking the argument, many candidates tended to launch straight into further argument, rather than critically commenting on the reasoning. Several evaluation points needed making, mainly that the conclusion is very strong and sweeping - arguably *too* strong. There is a glaring assumption (almost stated, and certainly implied) that ex-convicts have no talent, which was generally noted. There is a blatantly *ad hominem* argument (the attack on 'woolly-minded liberals') used to reject the objection that criminals have rights; and there is a serious weakness in the reply that victims have rights *too*, which obviously does not mean ex-convicts do *not* have rights. There is also a considerable use of persuasive language: 'glitzy…' 'mega-dollar…' 'strutting about…' etc. Many candidates picked up only one or two evaluation points. Some made other irrelevant comments, for example that not all ex-convicts have committed serious crimes; or that some crimes are punished by life imprisonment or the death penalty.

More widespread success came from further argument, which tended to focus on the issue of rehabilitation and fresh-start. Most candidates showed sympathy for the fresh-start argument - apparently willing to risk being branded as 'woolly liberals' - and many made strong, humanitarian points in opposition to the conclusion. Many also raised the valid, practical point that reformed ex-convicts turned celebrity could have a positive influence on potential criminals.

There was a very wide range of scores for this question, from five or less up to the maximum of seventeen.