



**General Certificate of Education (A-level)
June 2011**

Citizenship Studies

CIST3

(Specification 2100)

Unit 3: Power and Justice

Report on the Examination

Further copies of this Report on **the Examination** are available from: aqa.org.uk

Copyright © 2011 AQA and its licensors. All rights reserved.

Copyright

AQA retains the copyright on all its publications. However, registered centres for AQA are permitted to copy material from this booklet for their own internal use, with the following important exception: AQA cannot give permission to centres to photocopy any material that is acknowledged to a third party even for internal use within the centre.

Set and published by the Assessment and Qualifications Alliance.

The Assessment and Qualifications Alliance (AQA) is a company limited by guarantee registered in England and Wales (company number 3644723) and a registered charity (registered charity number 1073334).
Registered address: AQA, Devas Street, Manchester M15 6EX.

GCE CITIZENSHIP CIST3 – POWER & JUSTICE

General

It was pleasing to note the enthusiasm for studies in law and politics shown by Citizenship candidates and particularly the fact that they had been encouraged to be active citizens and in many cases had learned the importance of participating in elections and referendums.

Very few candidates infringed the rubric of the paper by answering only from Section A or by not answering pairs of questions. Weaker candidates showed a lack of knowledge and understanding of key concepts and failed to quote legislation or use appropriate case law in their answers, particularly in Section A. As mentioned in the January 2011 report, centres must, when teaching this course, ensure that candidates have a clear understanding of the key concepts, without which they cannot develop their knowledge or create a valid argument. Candidates must also be encouraged to consider both sides of an argument before reaching a reasoned conclusion.

Candidates generally were unable to attain higher marks on Assessment Objective 4 (AO4) as they did not refer to either their work in Active Citizenship or topics in other units. This assessment objective only applies to A2 work and teachers should emphasise this when teaching this unit.

Again, it was disappointing that even some strong candidates could not spell some key terms such as 'parliament' correctly and many were unable to use the correct form of 'their/there/they're' in context.

Again, there was little evidence of candidates being unable to complete the paper and the signs were that they managed their time efficiently.

SECTION A

Question 1

This question (linked with Question 2) was by far the most popular one in Section A. However, it was disappointing that many candidates failed to refer to the appropriate legislation, namely the Police and Criminal Evidence Act 1984 (as amended by the Serious Organised Crime and Police Act 2005).

A few strong candidates referred not only to the above legislation, but also mentioned the Codes of Practice in which the safeguards for suspects are contained.

Some candidates strayed off the question by giving information on stop and search, arrest and indeed procedures after charge, none of which were relevant. This wasted time and gained no marks. Candidates should concentrate their efforts solely on the question asked rather than giving information on police powers generally.

Most candidates referred to the length of time that suspects could be held without either charge or release, but many quoted incorrect periods of time. Most were aware of the duty solicitor scheme and the two phone calls allowed.

Question 2

This question produced lengthy responses, but few were able to discuss the varying sentencing aims as set out in the Criminal Justice Act 2003. Many agreed with the statement and referred generally to reoffending rates. Some candidates did not explore both sides of the argument, to their detriment.

Some candidates argued that community penalties such as reparation and unpaid work, drug and alcohol treatment, were more effective than imprisonment in reforming an offender: others argued that prison was just a school for crime or was so soft and easy with colour television, playstations, gyms, etc, that a released offender would reoffend in order to return to custody. Few referred to rehabilitation programmes carried out in prison such as work training and education.

Question 3

The responses to this question tended to be under-developed and failed to give full details of either qualifications or selection. Most candidates realised that selection was random, but few referred to the Central Summoning Bureau and very few responses included either selection in court, challenges or vetting. Some candidates, quite rightly, included disqualification from jury service, but reference to the appropriate legislation, namely the Juries Act 1974 or Criminal Justice Act 2003 was rare. A few candidates managed to include an appropriate case, which was excellent.

Most candidates merely gave the facts of jury qualification and selection, but did not discuss the appropriateness of the qualification and selection system or evaluate it, which meant that they did not score highly on the AO2 objective.

Question 4

Some candidates were under the impression that this question related solely to the use of the jury system, presumably because the previous question related to jurors. However, the question required a much wider response.

Most candidates relied on the impartiality of judges (criticising them for being middle aged, male and upper class and thus not relating to a typical defendant), the impartiality of juries and including the criminal defence service. Some candidates were able to include the Human Rights Act 1998 and the right to fair trial.

Few candidates referred to natural justice, although this is a topic covered in Unit 1 of the specification. Candidates could have noted *audi alteram partem* (let the other side be heard) and *nemo iudex in causa sua* (no-one may be a judge in their own cause). Very few referred to the rule of law and the presumption of innocence until found guilty, or such practical matters as screening through the Magistrates Courts for indictable offences and the defendant being allowed an adequate period in which to formulate a defence.

Question 5

This question, coupled with question 6, was the least popular in Section A of the paper and was generally not well answered. Few candidates seemed to realise that this was a question based on the Criminal Cases Review Commission, as it was barely mentioned. Most candidates who attempted this question referred solely to the appeal system and although they were given some credit for this, it was not the crux of the question. There were obvious examples which could have been used such as Stephen Downing and Barry George, but some candidates seemed to think that the question applied to victims of crime rather than

wrongly convicted defendants, hence the Stephen Lawrence case was widely quoted. Some candidates were able to quote the cases of the ‘Guildford 4’ and the ‘Birmingham 6’ appropriately.

Question 6

This question concerned the victims of crime and the adequacy of provisions made for them. Most candidates seemed to think that this related only to the sentencing of the offender and whether this satisfied the victim or families of the victim of the crime. Whilst this could be included and was credited, the question was centred around provisions made by the criminal justice system specifically to aid the victims of crime. Some candidates tangentially discussed whether prison proved to be an adequate punishment or whether the death penalty should be reintroduced.

Few candidates referred to Victim Support, counselling services or compensation for victims. Some candidates were able to discuss the use of screens in court for witnesses and victims or the giving of evidence via a video link.

SECTION B

Question 7

This question, linked with question 8, proved to be quite popular and was generally well answered, although much more could have been made of it. Few candidates got beyond the point that an MP’s main role is to represent their constituency in Parliament, although it was also recognised that they usually also represent their political party. More candidates could have referred to committee work, ministerial and shadow roles and debating in the stages of the making of legislation.

It would have been useful in answering this question if candidates had referred to their own local MP and how well they considered the MP carried out his/her role. Reference to MPs’ visits to schools and colleges and visits to parliament would have been appropriate: such links promoting active learning are to be encouraged.

In answering on the effectiveness of an MP, many candidates referred to the expenses scandal and going back on promises made, such as university tuition fees. More discussion could have been devoted to the conflict which often arises between an MP’s constituency role and loyalty to the party whip, and to the varying degrees of effectiveness between, say, backbenchers and frontbenchers, and between MPs of the governing and opposition parties.

Question 8

Most candidates agreed that ideology was important, but unfortunately, there were candidates answering this question who clearly had no idea what ideology is. However, stronger candidates were able to cite the underlying ideology of the three main political parties and discuss changes over time. Many of these candidates discussed changes to Conservatism under Margaret Thatcher and compared this with the views of David Cameron and the current coalition government. Changes in the Labour party ideology from Old Labour to New Labour led by Tony Blair were noted, with stronger candidates referring to a merging towards centre-based politics in recent years. Some able candidates related ideology to specific policies such as welfare benefits and the NHS, and this was rewarded appropriately.

Question 9

This question linked with question 10 was the least popular in Section B and was not particularly well answered. Some candidates did not realise that this referred to the official Opposition party and wrote generally about the public, pressure groups and the media.

More able candidates referred to specific opportunities for the Opposition to hold the Government to account, such as Prime Minister's question time, but fewer included Ministers' question time and general debate in the House of Commons. Few also referred to select and standing committee work or votes on legislation. It would have been pleasing for candidates to refer to specific examples but few actually did.

Question 10

This question was generally well done, with most candidates giving an outline of both the 'first past the post' system and various forms of PR, and the effect that PR may have on our electoral system. Many candidates referred to the May 2011 referendum on AV, which is not strictly a form of PR.

Unfortunately, some weaker candidates misunderstood the question completely and thought that proportional representation referred to the extent to which the social background of MPs resembled that of the electorate, and consequently failed to gain any marks on this question.

Question 11

This question, linked with question 12, was the most popular in Section B. Most candidates chose to write about the EU but had difficulty in actually defining the UK's role in the EU and wrote instead about free trade and immigration from eastern European countries. Some candidates incorrectly thought that Japan and the USA were members of the EU and that the EU were fighting in Libya.

Very few candidates cited the European Parliament, the European Council, the Council of Ministers, the European Commission and European Court of Justice, or the UK's role therein.

Some candidates chose to write about NATO or the United Nations which were generally good responses.

Unfortunately, some candidates chose to write about significant charities such as Amnesty International or Greenpeace. As the UK as a state cannot be a member of such a body, these candidates gained no marks.

Question 12

This question was generally well done, with candidates suggesting several reasons why people failed to get involved with politics, such as voter apathy, lack of time, scandals and that politics were 'boring'. Candidates generally agreed with the statement under discussion, although evidence to support it – such as voter turnout – was rarely given.

Many wrote at length on how this issue could be addressed including making voting compulsory, with candidates using the Australian system as an example. Other suggestions were for MPs and local councillors to visit schools regularly and discuss politics, and for Citizenship Studies to become a compulsory national curriculum subject. The vast majority

agreed that school was the best place to start education on the importance of political involvement and that the televised forum of the three potential prime ministers prior to the 2010 election was very informative and raised awareness of their political ideals.

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