



**General Certificate of Education (A-level)  
January 2012**

**Citizenship Studies**

**CIST3**

**(Specification 2100)**

**Unit 3: Power and Justice**

***Report on the Examination***

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## **GCE CITIZENSHIP CIST3 – POWER and JUSTICE**

### ***General***

As reported last January, it is pleasing to note a further increase in entries for this paper. Stronger students were able to raise appropriate reasoning for both sides of an argument and use up to date examples to illustrate their answers. Again, the issue of university tuition fees featured heavily along with student riots, but a few chose to use their responses to air their anti-government views in strong terms which was inappropriate.

Weaker students 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. Centres must, when teaching this course, ensure that students have a clear understanding of the key concepts and terminology, without which they cannot develop their knowledge or create a valid argument. Students must be encouraged to consider both side of an argument before reaching a reasoned conclusion.

Spelling continues to be a problem and centres should ensure that candidates learn key terminology correctly.

Time management did not appear to be a problem for most students and there was little evidence that they were unable to finish the paper due to lack of time. Some students wasted time by writing out the question which is never necessary.

Weaker students seemed to find difficulty writing at a level expected for an A2 examination and answered questions at AS Level standard. They need to learn to extend and develop their answers using explanations and examples and making reasoned arguments.

Few students mentioned work undertaken for Active Citizenship under CIST2 or CIST4 or personal observation from court visits or talks given by MPs, which would greatly enhance marks gained for synthesis under AO4. This is to be encouraged.

### **SECTION A**

#### ***Question 01***

This was the least popular question (linked with Question 2) in Section A and was attempted by very few students. It may be that many students did not choose this question as it was linked with a challenging question concerning the Human Rights Act.

Generally, students could identify the application process for lay magistrates and referred to the two interviews: the six key qualities sought were sometimes mentioned. Students were hazy, however, with regard to the training received by lay magistrates and little comment was made on the appointment or training systems.

#### ***Question 02***

This question concerned the impact of the Human Rights Act 1998 on the powers of the police. It was clear that this question was avoided by most students. The students who did attempt it tended to concentrate on the existing powers of the police as legislated in the Police and Criminal Evidence Act 1984 and Serious Organised Crime and Police Act 2005, and related these to human rights. Some students identified the human rights issues involved in detailing suspected terrorists.

However, no students mentioned relevant articles from the European Convention on Human Rights, such as right to a fair trial, freedom from degrading treatment and torture, which was disappointing.

### **Question 03**

This pair of questions was far more popular and the better prepared students were able to explain the role and powers of the police and the Crown Prosecution Service in some detail. More able students explained why the CPS was formed in 1986 and identified both the evidential and public interest tests. Few students commented on or evaluated the police or CPS in their role of charging and prosecuting suspects which would gain marks under AO2. Even when the question does not specifically say 'evaluate' or 'comment on', some analysis and evaluation are required and will enhance an answer.

### **Question 04**

Students approached this question from different angles. Some concentrated on sentencing aims, whilst others detailed various powers of the court relating to young offenders. More sophisticated responses looked at both the above and commented on rehabilitation strategies in Young Offender Institutions, Youth Offending Teams and under Community Orders. Reoffending rates were also considered and examples included. Some students only considered one side of the argument for successful rehabilitation.

Less able students gave details of supposed luxuries provided for young people in Young Offender Institutions.

### **Question 05**

This pairing was also a popular choice and produced some interesting responses. Few students, however, identified that the state was involved in criminal law which is considered to be a wrong against society. However, most students were able to identify the difference between crime and morality and consider behaviour which may be a crime in one country but not another, such as adultery, homosexuality.

Few students referred to social change causing behaviour to be decriminalised or indeed new technological advances leading to newer crimes such as phone and computer hacking.

Some students referred to the necessity of proving both *actus reus* and *mens rea* in order to successfully prosecute a crime, which was credited. However, strict liability crimes appear not to have been mentioned. Victimless crime such as prostitution and drug taking were raised and arguments put forward for decriminalisation.

This question was, therefore, on the whole, well answered.

### **Question 06**

Questions concerning the jury system are always popular and it is to be hoped that many students were able to observe a jury during their Citizenship Studies.

However, it was disappointing to note that few students referred to case law examples to illustrate either advantages or disadvantages of the use of juries and also few suggested any reforms. Some students were able to cite the juror, Theodora Dallas, who had been imprisoned for contempt of court for investigating the defendant on the internet. This was

excellent synthesis as the case was reported in the same week as the examination. Most students concluded that the jury was worth retaining despite its many disadvantages.

Often in responses, mainstream advantages and disadvantages were not included 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, perverse verdicts and jury nobbling. The most frequently cited disadvantages were secrecy of the jury (also used as an advantage), bias and cost.

Unfortunately, some students were under the impression that a jury also passes the sentence.

## **SECTION B**

### ***Question 07***

This pair of questions was popular with students and had some good responses. Most students were able to explain the composition of the current coalition government and that although compromise was necessary on both sides, as the Conservatives were in the majority, then mostly it was the Liberal Democrats who were forced to compromise their policies.

Most students were able to give the examples of the Liberal Democrats having to change their policy on university tuition fees and also the more able candidates cited the recent European Union veto by David Cameron which was not welcomed by the pro-Europe Liberal Democrats.

Some students were able to comment on coalition governments during war time but few were able to add analytical comment in responding to the question.

### ***Question 08***

There were some excellent and extended responses to this question where more able students explained both representative democracy and referendums. Some students cited Switzerland as a country where referendums are frequently used and also referred to the referendum on continuing with EU membership held in 1975. Most students could refer to the referendum held in 2011 relating to the Alternative Voting system. More able students could identify this as a concession to the Liberal Democrats. Some also referred to the proposed Scottish referendum on independence.

Students pointed out that although the electorate may vote in a representative democracy, this happened only every four or five years and a referendum was a method of addressing unforeseen issues or policy changes. Again, more able students were able to put forward both sides of the argument.

### ***Question 09***

These linked questions were less frequently answered than 07 and 08, and 11 and 12. Most students understood that MPs are accountable to their constituents and may lose an election if they lose popularity in the constituency.

Many raised the example of the MPs' expenses scandal and related this to the media.

Students also referred to MPs being accountable to their party and party leader. However, students often did not refer to the party whip system or the local constituency party who have powers of de-selection. Some students were able to cite Prime Minister's and Ministers' Question Time where MPs who are ministers may be questioned by the opposition.

Unfortunately, there were some students who did not seem to understand the concept of accountability.

### **Question 10**

This question was not particularly well answered as students were frequently confused concerning pressure groups and international issues. They tried to relate national pressure groups such as Fathers for Justice to the question. Other students used aid agencies as examples rather than pressure groups.

More successful students were able to explain the work of pressure groups such as Amnesty International and Greenpeace, refer to specific campaigns and comment on their success. Some students used the Stop the War Coalition as an example of a pressure group relating to an international issue which was not so successful in achieving its aims.

### **Question 11**

This, along with question 12, was probably the most popular one in Section B. All students attempting this question were able to cite examples of how the citizen's voice may be heard. The most frequently mentioned methods were through a pressure group, using the media and lobbying an MP. Many students also referred to e-petitions and use of social networking sites such as Facebook and Twitter. Some students suggested active participation such as becoming a local councillor, standing as an MP or forming a pressure group. The response was generally pleasing although some students failed to develop their response by giving examples.

### **Question 12**

More able students were able to describe the powers of the Prime Minister before suggesting how they are limited and it was pleasing to see examples used such as Margaret Thatcher and the poll tax problem, Tony Blair and the war in Iraq and David Cameron and the EU veto. Many students referred to the different styles of prime ministers and how they ran their cabinets.

The question referred to both the 'powers and influence' of prime ministers and too many answers failed to differentiate between the two. Weaker students failed to identify specific powers of the Prime Minister and wrote generally about influence, mainly at home, although some mentioned the prime minister's influence within the EU. Again, stronger students could access both the strengths and weaknesses of prime ministers and reach a reasoned conclusion.

### **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)