

Pearson BTEC Level 3 Nationals Certificate, Extended Certificate

January 2020

Paper Reference **20170K**

Applied Law

Unit 3: Applying the Law

Part A

You do not need any other materials.

Instructions

- **Part A** contains material for the completion of the preparatory work for the Set Task in **Part B**.
- **Part A** is given to learners two weeks before **Part B** is scheduled. Learners are advised to spend no more than 6 hours on **Part A**.
- **Part A** must be given to learners on the date specified by Pearson so that learners can prepare in the way specified.
- **Part A** is specific to each series and this material must only be issued to learners who have been entered to take the task in that series.
- **Part B** materials for the Set Task must only be issued to learners on the date specified by Pearson.

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Instructions to Teachers/Tutors

This paper must be read in conjunction with information on conduct for the task in the unit specification and the *BTEC Nationals Instructions for Conducting External Assessments (ICEA)* document. For further details please see the Pearson website.

This Set Task has a preparatory period. **Part A** sets out how learners should prepare for the completion of the task under supervised conditions.

Learners should undertake independent research on the **Part A** Set Task Information given in this booklet.

Learners are advised to spend no more than 6 hours undertaking **Part A**.

Centres must issue this booklet at the appropriate time and advise learners of the timetabled sessions during which they can prepare. It is expected that scheduled lessons or other timetabled slots will be used for some or all of the preparation.

Learners may prepare summary notes on the cases. Learners may take up to two sides of A4 notes into the supervised assessment period (**Part B**). Learner notes must only contain details of legal principles and authorities, such as case law and statute law. Learners' notes must also comply with the guidelines stated in the Administrative Support Guide for this unit.

Teachers/tutors cannot give any guidance or feedback to learners in the preparation of assessment notes, which must be completed independently by the learner.

The **Part B** supervised assessment will take place in a timetabled slot on a date specified by Pearson.

Refer carefully to the instructions in this booklet and the *Instructions for Conducting External Assessments (ICEA)* document to ensure that the preparatory period is conducted correctly so that learners have completed their preparation validly and independently.

Learner notes will be retained securely by the centre after the **Part B** supervised assessment and may be requested by Pearson if there is suspected malpractice.

Instructions for Learners

Read the Set Task Brief and Set Task Information carefully.

This contains **Part A** of the information you need to prepare for the Set Task in **Part B**.

In **Part B** you will be given detailed information. Use this **Part A** booklet to prepare by relating your learning to the specific information given.

You must work independently and must not share your work with other learners.

Your teacher/tutor may give you guidance on when you can complete the preparation.

Your teacher/tutor cannot give you guidance or feedback in the preparation of your assessment notes.

Set Task Brief

You must research the law relating to the extracts in the **Part A** Set Task Information.

You need to know about the different types of homicide (murder, voluntary manslaughter and involuntary manslaughter) and police powers.

You need to know about the law relating to offences against property and any general defences that may be raised.

In **Part B** you will need to apply your research to the new information provided.

Using this **Part A** booklet, you may prepare short notes to refer to when completing the Set Task in **Part B**, for example on specific cases. Your notes may be up to two sides of A4. Your notes must only contain details of legal principles and authorities, such as case law and statute law.

You should spend no more than six hours on this research.

Part A Set Task Information

Article 1 – Homicide

Man questioned in connection with fatal stabbing of a rival football fan

Football fan Colin Rogers, aged 54, is being questioned by police after it was alleged that he deliberately stabbed a rival fan outside a football stadium last week. The victim, Thomas Craig, had gone home following the incident and was found dead by his mother the next morning.

Article 2 – Offences against Property

Bank worker charged over text message scam

Aaliyah Ahmed, a customer services representative at Prestlake Bank, was charged this morning for sending out false text messages claiming to be from the bank. It is alleged that she was trying to gain access to her victims' accounts so that she could take their money.

Pearson BTEC Level 3 Nationals Certificate, Extended Certificate

Monday 13 January 2020

Supervised hours: 2 hours

Paper Reference **20170K**

Applied Law

Unit 3: Applying the Law

Part B

You do not need any other materials.

Instructions

- **Part B** contains material for the completion of the Set Task under supervised conditions.
- **Part B** should be undertaken by learners in 2 hours on the date specified by Pearson.
- **Part B** is specific to each series and this material must only be issued to learners who have been entered to undertake the task in that series.
- **Part B** should be kept securely until the start of the supervised assessment periods.

Information

- The total mark for this Set Task is 72.

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Instructions to Teachers/Tutors and/or Invigilators

This paper must be read in conjunction with the information on conduct for the task in the unit specification and in the *BTEC Nationals Instructions for Conducting External Assessments (ICEA)* document. For further details please see the Pearson website.

The **Part B** Set Task is undertaken under supervision in a single session of two hours on the timetabled date.

The **Part B** Set Task requires learners to apply research. Learners should bring in notes as defined in **Part A**. The teacher/tutor and/or invigilator needs to ensure that notes comply with the requirements set out in the Administrative Support Guide for this unit.

Learners will need to complete the activities for the **Part B** Set Task using a computer.

The **Part B** Set Task is undertaken in a single session of two hours in a timetabled period.

Centres should schedule all learners in the same timetabled period and must release **Part B** to individual learners only for this period.

Learner work must be completed independently and authenticated before being submitted to Pearson by the teacher/tutor and/or invigilator.

Learners must not bring anything into the supervised environment or take anything out of it without your knowledge and approval.

Centres are responsible for putting in place appropriate checks to ensure that only permitted material is introduced into the supervised environment.

Maintaining security

- During supervised assessment periods, the assessment areas must be accessible only to the individual learners and to named members of staff.
- Learners can access their work only under supervision.
- Any work that learners produce under supervision must be kept securely.
- Any materials being used by learners must be collected in at the end and retained by the centre.
- Learner notes related to **Part A** must be checked to ensure length and contents comply with the requirements. Learner notes will be retained securely by the centre after **Part B** has been undertaken and may be requested by Pearson if there is suspected malpractice.

Outcomes for submission

Learners will need to submit three documents on completion of the supervised assessment period:

- a brief for Activity 1
- a report for Activity 2
- a completed Declaration of Authenticity.

Instructions for Learners

Read the activities **and** the Set Task Information carefully.

You have a total of two hours in this session to complete the task.

You should use the notes you prepared during **Part A** to complete this Set Task.

Your notes must be your own work and will be retained by your centre until results are issued.

You will complete this Set Task under supervision and your work will be kept securely at all times.

You must work independently throughout the supervised assessment period and must not share your work with other learners.

You should complete **both** activities.

Outcomes for submission

You will need to submit three documents on completion of the supervised assessment period:

- a brief for Activity 1
- a report for Activity 2
- a completed Declaration of Authenticity.

Your work must be word processed in size 12-point font.

Your prepared notes do not need to be submitted with the final outcomes to Pearson.

Set Task

You should complete **both** activities.

Using the information provided in the **Set Task Information** and your notes from **Part A**, complete the following activities.

Activity 1: Homicide

Refer to your notes for the preparatory work completed in **Part A** and the new information provided in **Activity 1 – Homicide Case Facts** of the Set Task Information.

You are shadowing a barrister who has been instructed by a solicitor to prepare a brief for a homicide that occurred outside a football stadium.

Prepare a brief for the given case that:

- shows your understanding of the law relevant to homicide and the exercise of police powers
- shows how the law relating to homicide and the exercise of police powers apply to this case
- establishes the likely outcomes of the case.

(Total for Activity 1 = 36 marks)

Activity 2: Offences against Property

Refer to your notes for the preparatory work completed in **Part A** and the new information provided in **Activity 2 – Offences against Property Case Facts** of the Set Task Information.

The barrister you are shadowing is also preparing a case for her client, Aaliyah Ahmed, who has been charged in connection with a text message scam.

Produce a report for the case file that:

- shows your understanding of the law relating to the relevant property offence(s) and any possible defence that might be raised
- shows how the law relating to offences against property and any possible defence would apply to this case
- establishes the likely outcomes of the case.

(Total for Activity 2 = 36 marks)

TOTAL FOR PAPER = 72 MARKS

Set Task Information

Activity 1 – Homicide Case Facts

Colin Rogers was arrested on Thursday following the death of Thomas Craig who was found dead at his home that morning.

Colin had been seen on CCTV stabbing Thomas outside Burrowdale City's stadium following a football match.

Investigations of the incident by the police established the following facts:

- Colin and Thomas were supporters of rival football teams. The two teams had played a match on the day of the incident.
- Colin was known to carry a pocket knife with him to all matches.
- On the day of the incident, Colin's team had lost. Colin had made it clear to fellow fans that he would stab any fan from the other team who taunted him about losing.
- After the match, Thomas was heard shouting at Colin that his team were awful and deserved to lose.
- Colin was then seen running after Thomas as he left the stadium. When Colin caught up with Thomas, he stabbed him twice and ran off.
- Seeing that he had been injured so badly, Thomas's friends tried to convince him to go to hospital. Thomas insisted he would be fine and, if he felt any worse, he would go to the hospital. He went home.
- Thomas was found by his mother the next morning lying unresponsive in his bed. His mother rang for an ambulance. When paramedics arrived, they identified that Thomas had suffered serious internal injuries and pronounced him dead at the scene.

During his initial interviews with his solicitor, Colin is alleging that he was not treated fairly by the police when they interviewed him. He has raised the following points:

- His initial request to see a lawyer was refused.
- The police only started recording the interview after an hour of questioning.
- He was interviewed continuously by the police over an eight-hour period.

Activity 2 – Offences against Property Case Facts

Aaliyah Ahmed was charged by police after her manager at Prestlake Bank reported her for sending out false text messages pretending to be from the bank.

During questioning by the police, the following facts were established:

- Aaliyah was found using her work computer to send out text messages to customers. The text messages stated that they needed to change their password to their online banking and contained a link to the bank's website so that they could do this.
- The link directed customers to a fake website. If they had entered their details then Aaliyah would have been able to gain access to their bank accounts.
- The manager caught Aaliyah and was able to inform customers before any of them had entered any personal information. Therefore, no money or personal details were obtained. Her manager then rang the police.

Aaliyah admitted to sending out the false text messages. However, in her defence she claims that:

- She was forced into doing this by Rick, a friend that she borrowed money from.
- When she told Rick that she was unable to pay him, he suddenly became violent. He told her that unless she set up the text message scam to get him some money, he would make her elderly mother 'suffer'.
- She says that she would have contacted the police, however Rick was following her and sending her text messages on a daily basis saying he was watching her and her family.

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