

Pearson BTEC Level 3 Nationals Certificate, Extended Certificate

**January 2021**

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 six 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 six 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. Learner 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 *BTEC Nationals 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

### Article 1 – Homicide

#### **Animal rights activist held by police in connection with death of homeless man**

Activist Emma Lopez, aged 16, is being held by Laintown Police after the death of a homeless man, Jake Taylor. The death was the result of an arson attack on a shop last Sunday night. The shop was known to sell cosmetics tested on animals. Jake had been sleeping in the doorway of the shop that night. It is alleged that Emma started the fire but was unaware that anyone was on the premises.

### Article 2 – Offences against Property

#### **Man charged in connection with incident at his father's home**

Christopher South has been charged this morning following an incident at his father's home. It is alleged that he was trying to steal his father's expensive new television.

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**Monday 11 January 2021**

Supervised hours: 2 hours

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**Applied Law**

**Unit 3: Applying the Law**

**Part B**

**You must have:**

Your prepared notes from **Part A** (maximum two A4 sides).

### 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. In order to enable learners to have access to computer resources, a period of one day is provided for centres to timetable the assessment.

Centres should schedule all learners in the same session if possible and must release **Part B** to individual learners only for their scheduled session.

Learner's 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 teacher/tutor and/or invigilator 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

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

- a report 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 report 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 to prosecute the case of Emma Lopez. The case follows the death of homeless man Jake Taylor. Jake died as a result of an arson attack on a shop. The barrister has provided you with the facts of the case and would like you to decide which homicide offence, if any, Emma may have committed and whether or not the police exercised their powers lawfully.

You have been requested to produce a report for the barrister on the given case that:

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

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**(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 the prosecution against Christopher South. Christopher has been charged in connection with an incident at his father's home.

Produce a report for the case file that:

- shows your understanding of any relevant property offences and any possible defence
- shows how any relevant property offences and any possible defence would apply to this case
- establishes the likely outcomes of the case.

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**(Total for Activity 2 = 36 marks)**

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**TOTAL FOR PAPER = 72 MARKS**



## Set Task Information

### Activity 1 – Homicide Case Facts

Emma (aged 16) was arrested following the death of Jake Taylor. Investigations by the police established the following facts:

- Emma had been seen at 11pm on CCTV riding quickly up to the cosmetics shop on her moped. She threw a petrol bomb into the doorway of the shop, before speeding away from the scene.
- The petrol bomb exploded, setting fire to some cardboard boxes left in the doorway and the fire spread quickly.
- Local residents were aware that homeless people sometimes slept in shop doorways in that area.
- The emergency services were called to the scene and they discovered Jake, a known local homeless man, who had been sleeping under the cardboard in the doorway of the shop. The petrol bomb had hit him and caused severe burns. He was rushed to hospital.
- Jake was put on a life-support machine at the hospital. However, the doctor treating him realised that nothing more could be done as he had suffered such serious injuries. The decision was made to turn the machine off and Jake was declared dead.
- Emma had been posting on her social media about how concerned she was that the shop sold cosmetics that had been tested on animals, making it clear that she intended to do something about it.

In Emma's first meeting with her solicitor she alleged that she was not treated fairly by the police during her detention. She raised the following points:

- She was not allowed to contact anyone to inform them of her arrest.
- She was refused access to a solicitor for the first 24 hours of her detention.
- She was not permitted to have an appropriate adult present when she was first interviewed.

## Activity 2 – Offences against Property Case Facts

Christopher South has been charged after an incident at his father's house late on Thursday night.

Investigations by the police established the following facts:

- Christopher told his girlfriend that he was annoyed with his stepmother, Moira, for using his father's money to buy expensive new things for the house. He said that he planned to go to his father's house late in the night, when he knew they would both be asleep, and steal their expensive new television.
- Christopher had been told by his father that he was always welcome at the house and had been given a key to let himself in. He went to the house late on Thursday night and used the key to enter through the back door.
- Having entered the kitchen through the back door, Christopher was confronted by Moira who was holding a knife. Moira had thought she heard someone entering the house and suspected it was a burglar breaking in.
- In the dim light, Moira did not recognise Christopher and lunged towards him with the knife. Believing he was about to be attacked, Christopher picked up a heavy frying pan and hit Moira across her face with it. Moira fell to the ground and Christopher ran out of the house without taking the television.
- Moira suffered a broken jaw as a result of being hit with the frying pan.

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