Version 1.0

General Certificate of Secondary Education
June 2012

Law 41601

(Specification 4160)

Unit 1: The English Legal System

Report on the Examination

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

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.

Unit 1 (41601): The English Legal System

General

It is pleasing to report that standards are generally being maintained or improved upon from previous years. This appears, at least in part, to be attributable to an improvement in the techniques of answering exam questions in general, and law examination questions in particular. It was clear, from the pleasing number of excellent scripts seen (on Unit 1, scripts well into the 80s out of 90 marks), that there is a great deal of well-informed and stimulating teaching going on around the country.

The general improvement in the Quality of Written Communication (QWC) was also maintained from previous years, with the large majority of students achieving at least the average level of performance one would expect from a notional 16-year-old student under examination conditions. This has probably been helped by the fact that the QWC marks are now specifically assigned to particular questions, giving students a chance to try to perform at their best across a more limited range of questions.

Another feature commented on by examiners was the willingness of a noticeably larger proportion of students to attempt questions, even if the legal basis of the answer was a little shaky! The student who writes something, even where they are not sure of the relevant law, may get some reward.

Nevertheless, weaknesses still occur and whilst they may follow familiar patterns from previous years, how they arise will still vary from year to year. The following is a list of the main issues arising from this year's examination.

1 Specification Coverage

In Unit 1, there are compulsory questions in Section A of the examination and only a limited choice in Section B. Schools and colleges must therefore ensure that they cover the full range of topics on the Specification and produce both schemes of work and revision schedules which cover all of them. Whilst this year there were noticeably fewer questions which students did not attempt at all, there were still some areas where generally weaker responses were seen, often on a centre by centre basis. This suggests that certain areas had not been covered as well as others. These sometimes occurred in some surprising areas and included the following.

- Jury process (Question 2)
  Surprisingly, less than half the students were aware that the jury selection process in court is known as the jury ballot.

- Double liability (Question 9(b)(iv))
  There were a minority of good answers to this question, but many students did not seem to grasp the idea that one incident can give rise to liability in both civil and criminal law. One suspects that those students who have been taught thematically rather than on a topic by topic basis would have fared better on this question.

- Roles of judges (Question 9(c)(i))
  There were some obvious gaps in students' knowledge in this 3-part question, most notably in relation to the role of a High Court judge in a civil case and in relation to a Justice of the Supreme Court.

- Binding and persuasive precedents (Question 9(d)(i))
  Candidates were better on binding precedents, but persuasive precedents were less well addressed.

- Law reports (Question 9(d)(ii))
  There was a great deal of confusion about both the meaning and importance of law reports.

- Civil legal representation (Question 10(d)(ii))
  Qualification for civil legal representation was a mystery to many. The means test was known but not developed, and the Funding Code criteria were largely ignored.

As can be seen from the above list, there are some significant gaps of knowledge occurring right across the range of questions. Of course, if those gaps occur in areas where students get no choice (Section A of Unit 1) the effect of a lack of knowledge becomes proportionally that much greater on the students' final grade. The gaps themselves reflect perhaps too narrow a range of choice, either in specification coverage or in terms of the revision programme.

All schools and colleges are reminded that the Teacher Resource Bank on the website provides two alternative schemes of work, one of which is based around a 'thematic' approach to teaching law at this level. I would especially recommend this approach where schools and colleges are preparing students in one year and where both examinations are going to be taken at the same sitting. As this is going to be required from 2014 onwards, it is suggested that teachers take another look at their schemes of work and the different approaches that can be taken.

2 Answering the Question

Without doubt, this is the most basic of examination instructions and whilst examiners have a reasonable amount of leeway to credit alternative, but still creditworthy, responses, only limited credit will be awarded if students fail to answer the basic requirement of the question.

Question 3 required students to identify an appropriate bail condition and then explain why that condition had been chosen. That explanation, given the nature of the examination, was expected to be in a legal context. Imposing a curfew to stop someone coming home late would not be a valid legal use of that condition. Imposing a curfew to stop someone offending at night would have been the right way to justify that bail condition.

Question 8 required students to identify the similarity or difference between lay magistrates and District Judges (Magistrates Court). The differences in (a), (b) and (c) were generally competently handled. The similarities in (d) and (e) caused all sorts of difficulties, when all students needed to do was to indicate that the same powers applied. Marks were often lost simply by not answering the question in the simplest way possible.

However, a more positive feature, as last year, was the generally better use of the stem material. This was very apparent in Unit 1, Section B questions. This is a positive trend and to be encouraged, though some failings were still apparent. The key is to use the stem material, not just copy it!

3 Relating the Answer to the Number of Marks Available

This issue has been raised in successive Reports on the Examination and it is pleasing to note that the majority of the students now seem to have got the message. The basic rule is simple: one or two mark questions can generally be answered quite briefly and the examiner will be looking for a specific word/phrase, Act of Parliament etc. Questions which carry more marks require more depth/discussion/comment, depending on the 'trigger' word used (see below). Students who do follow this rule will inevitably score better than those who do not.

As indicated in previous years, inevitably some students did themselves no favours by ignoring this basic instruction. For example, descriptive/discussion/explanation or commentary questions which can be found in Section B do require more than two or three sentences for the five or more marks available.

By contrast, questions prefaced with trigger words 'name', 'state' or 'identify', will frequently carry only a limited number of marks with only an (accurate) minimum response required. Thus, in Unit 1, Question 5, students were asked to 'Identify or briefly describe any three aggravating factors and any three mitigating factors'. The (correct) word or short phrase was all that was required. Lengthy explanations simply waste time.

4 Trigger Words

Great care is exercised during the setting process to ensure that the question is prefaced by the appropriate trigger word - name; state; identify; describe; discuss; comment on etc. This care needs to be matched by the students when answering the question!

5 The 'Shopping List' Answer

The mark scheme for GCSE law is written in positive terms. Examiners are required to mark positively, giving credit for those aspects of an answer which are creditworthy, and generally ignoring those aspects which cannot be credited. However, the 'shopping list' or 'scatter-gun' approach to answering law questions will penalise students, as the following example, taken from this year's examination, illustrates.

Example Question: (from Unit 1, Question 9(b) (i))

"Identify two different criminal courts." (2 marks)

Answer: "*Magistrates Court, Crown Court*."
Both answers are correct = 2 marks.

Answer: "*Magistrates Court, Crown Court and Supreme Court*"
All three responses are (fortunately) correct = but still only the maximum 2 marks.

Answer: "*Magistrates Court, Crown Court and High Court*"
Two correct responses and the last one is wrong = 1 mark.

The rule that emerges is simple: there can be no benefit in giving more than the required number of responses demanded by the question, and there can be a penalty where errors creep in. So "stick to the prescribed number" is the only and best advice. To be fair to this year's students, examiners reported far fewer examples of students adopting the 'shopping list/scatter gun' approach to their answers, so perhaps the message is finally getting through!

6 Citation of Authority

This remains a significant problem, perhaps more so in relation to relevant case-law. Examiners reported this year that students, similarly to last year, often failed to cite relevant authority, even where the appropriate case could be seen as a 'standard'.

As last year, relevant Acts appeared a little more frequently (often gleaned from the stem, but that is perfectly acceptable), but Section numbers (where significant) and dates (where there is more than one Act with the same name) were more of a rarity. Schools and colleges are reminded of the general instruction to support answers by referring to relevant statutes, cases or examples. The latter opportunity is rarely used and would be credited.

On Unit 1, the nature of Section A questions often precludes the giving of authority and therefore students would not be criticised for that. However, Section B questions, which are more in-depth, certainly do not preclude that opportunity and students would be best advised to take advantage. For example; Question 9 (b) (iv) could have used either a case or example to illustrate the notion of double liability, and some students benefited from that approach. Question 9 (d) (ii) could have been enhanced by an example of either a *ratio decidendi* (eg the neighbour test) or an *obiter dicta* or decision of the Judicial Committee of the Privy Council (eg ***The Wagon Mound***) to illustrate binding and persuasive precedent. Question 10 (a) might have encouraged a reference to the **Parliament Acts**, and Question 10 (b) (i) would certainly seem to require a reference to the **European Communities Act 1972** and/or cases such as ***Chaney v Conn*** and/or ***Factortame***.

It cannot be too highly stressed how beneficial cases and other authority are in terms of raising students' marks. We live, as ever, in hope that this Report next year will able to comment on a significant increase in the use of authority by students to support their answers.

7 Out-of-date Material

Examiners reported generally less evidence of students using seriously out-of-date material this year which, pleasingly, continues a trend noticed from previous years. However, a few instances still occur.

For example, in Unit 1, Question 1 (c), some students seemed to be under the impression that the fast track limit is still £15 000 when in fact it was raised to £25 000 some years ago. In Question 2 (b), some students are still of the view that the jury age limits are 18-65 rather than 70. In Question 7, too many students are still referring to the Bar Vocational Course as opposed to the Bar Professional Training Course and many students still believe that dining is a compulsory formal training requirement.

The general rule with out-of-date material is that we allow a minimum of a year following a change in the law before we expect students to be aware of the change. Beyond that, out-of-date material is unlikely to be credited.

8 Quality of Written Communication (QWC)

The general improvement noted in recent years was maintained this year. The majority of students scored 1 mark for QWC in those questions where QWC was assessed, and there were generally more twos awarded than there were zeros. Misspelling specialist terms remains something of an issue, but better use of the stem material removed some of the more obvious errors that have occurred in previous years. On a less positive note, the level

of legibility does not seem to be improving. Some students seem to think that an unintelligible scrawl which looks as if it was written by a spider is acceptable. Scripts are now scanned and viewed by examiners on-line and such writing is very difficult to decipher. In addition, students must use black ink or biro, as blue scans less well.

9 Rubric Infringement

Relatively few students made rubric errors this year and the opportunity only existed in Unit 1, Section B if both Questions 9 and 10 were answered. Schools and colleges need to spell out a clear message to their students to stick to the required number of questions. Surely the message from teachers should be that it is better to spend the time more wisely on the required number of responses rather than waste time and energy on additional questions, to no benefit.

10 Commentary Questions

Although the quality varied depending on the particular question, the general improvement in techniques was maintained. In short, trying to find both positive and negative features (where required) and then drawing a reasoned conclusion is the best way to tackle such questions, and many students tried to adopt this approach. One-sided (unless required by the question) and/or non-concluded responses will tend to attract less credit.

On a less positive note, some commentary question responses all too often produced disappointingly limited responses.

Work on commentary question technique in schools and colleges would appear to be needed. Commentary questions play a significant part in the examination, so good technique is vital. In Unit 1, students are required to answer three commentary questions and in Unit 2 a further four across the two topics offered. That is a total of 35 marks out of 180 or about 20% of the overall marks. The figures speak for themselves.

11 General Instructions to Candidates

These instructions should be drilled into students prior to the examinations.

(a) Do complete personal and other details, including Centre and Candidate Numbers on the front cover of the answer booklet.

(b) Students should stay within the designated area for writing their answers. Students who write outside of those areas risk their responses not being scanned into the computer. This could then affect their marks. If more space is needed, use a continuation sheet, and insert candidate/centre details at the top.

(c) Students should write as neatly as possible, and, if there is time, go back and underline Acts and cases (in black so they stand out).

(d) Students should manage their time effectively, acting on the advice given on the paper.

(e) Students must not use any colour ink other than **black**. This is particularly important as these answers are going to be scanned and other colours are not picked up as well.

(f) Students should not use correction fluid.

(g) Students should not waste time by writing out the question, nor indeed waste further time by writing out all of the relevant law in an area and then picking the right 'bit' for the answer. Students should answer the question as directly as they can.

SECTION A

Question 1

This question, on the jurisdiction of different courts within the English legal system, was well answered by the large majority of students. The only part questions which attracted any significant number of incorrect answers were Question 1(c) where 30% of students failed to identify the County Court (Fast Track) as the relevant answer. Of those, most went for the High Court, presumably based on an incorrect view of the Fast Track financial limit. Just over 20% of students failed to recognise the Court of Appeal (Criminal Division) in Question 1(d). Questions 1(a) and (b) produced a large majority of correct answers.

Question 2

As expected, most students scored well on this question on jury qualification and selection. Questions 2 (a), (b), (c) and (f) were the best answered, with students correctly identifying the three basic qualification requirements for jury service, and the process of swearing-in. Question 2 (d) was more problematic for about a third of the students, who failed to identify the role of the Central Summoning Bureau. Surprisingly, less than half the students were able to identify the jury ballot in Question 2 (e). A fair number went for 'lottery' as the correct answer, and some were even wider of the mark!

Question 3

In this question, students were presented with three scenarios, required to identify an appropriate bail condition and then justify that condition. On the whole, the question was well answered. The only issue for some students was the inability to justify legally their choice of condition.

In Question 3 (a), the large majority of students were able to identify a restraining order as an appropriate bail condition, with the correct justification based on stopping Frank either re-offending against the same victim or interfering with a witness. Other creditworthy responses included residence, elsewhere than at home, for the same reasons.

Question 3 (b) was the most difficult for the students. The large majority correctly identified a curfew as being the appropriate bail condition, but were less clear on why that condition would be imposed. To stop George going to pubs or getting drunk is not a legal basis to impose such a condition. To prevent re-offending would be the correct response. Examiners also credited a bail condition of a restraining order not to go to his local pub as an arguable alternative.

Question 3 (c) was generally well answered in relation to removal of Harun's passport in order to stop him fleeing the country. However, students need to be a little more precise in terms of how reasons are expressed. It was important that students linked fleeing the country with the danger of Harun failing to surrender. Removal of passport is not intended to prevent

an accused person from going on holiday or travelling on business. Students were also credited for (daily) reporting to the police or a bail surety, linked to the same justification.

Question 4

Students generally performed well on this Crown Court personnel identification question. Strongest answers were in 4 (a) and 4 (b), with nearly 100% success rates. Question 4 (c) (witness giving evidence) was correctly identified by about two-thirds of the students. Only about half the students were able to identify the (defence) barrister in 4 (d) and the (prosecution) solicitor/Crown Prosecutor in Question 4 (e). A visit to a Crown Court would probably have helped with a question such as this.

Question 5

This question on aggravating and mitigating factors was well answered by students, with half of them achieving either 5 or 6 marks.

In relation to aggravating factors, there were some very good answers concerning vulnerable victims, racial motivation, groups and weapons. The most common error was to identify the seriousness of the offence rather than, for example, the extent of injury. It is not the charge which is the aggravating factor – it is the circumstances and/or consequences of the offence which aggravates. Some students confused aggravating factors with reasons for rejecting bail, eg danger to public/jumped bail before. Committing an offence whilst on bail was creditworthy. Some students incorrectly indicated that pleading not guilty is an aggravating feature.

Mitigating factors were often dealt with very well. The most commonly seen creditworthy answers referred to guilty pleas, first offence and remorse. Family responsibilities also featured heavily although some simply said ‘has children’, which on its own was not enough. Another common answer was ‘age’, which without some development could not be credited. If students indicated that, for example, a very young person may have been influenced by others or an elderly person may not be able to cope with a custodial sentence, then this was credited.

Question 6

Question 6 (a) produced a large majority of students with maximum marks. Those who missed out did so either because they failed to identify the proper remedy, ie damages, or because they did not indicate properly why that remedy was appropriate.

Question 6 (b) again produced a similar majority of correct answers, ie an injunction to prevent publication. Those students who went for damages were ignoring the fact that the article had not yet been published.

Question 6 (c) was also generally well answered. An award of damages for the damage to Nigel’s shrubs and an injunction to prevent/limit the nuisance by bonfires/parties were the expected responses. Most students recognised that this was a 3 mark rather than a 2 mark question, and therefore dealt with both remedies, rather than just one.

On the whole, this was a well-answered question.

Question 7

On the whole, this was a reasonably well answered question, often with the better marks acquired for barristers' training rather than for solicitors. The most common error was with students describing pre-law degree stages or alternative to law degrees, neither of which were required by the question.

In relation to solicitors, there were some very good answers, focussed around the Legal Practice Course and two-year training contract. Some students also mentioned the professional skills requirement and more also described enrolment (with varying degrees of accuracy). Common lapses included the incorrect course name or mixing and matching with barristers' training.

There were quite a lot of good answers in relation to barristers, though most students still referred to the Bar Vocational Course rather than the Bar Professional Training Course which it has now become. The BVC was credited this year, but will not be in the future. There were also pleasing references to joining an Inn of Court, pupillage and being called to the bar. Dining is no longer a training requirement and was not credited, though attending weekend residential training at the Inn was mentioned by a few students and was credited.

Question 8

This question was reasonably well answered but most marks were obtained for the first three questions, relating to identifiable differences, which the students were happy to identify.

Questions 8(d) and (e) were far less well answered. All that was required was for students to indicate that the powers/jurisdiction of lay magistrates and District Judges (Magistrates Court) were the same. What students seemed intent on doing was finding differences where none exist. As a result, marks were lost. It is a moot point as to whether this was due to a lack of knowledge or to not reading the stem of the question properly.

Another (presumed) error students tried to describe the powers of District Judges, presumably operating in the County Court. This clearly arose from not reading the question properly.

SECTION B

Question 9

This was the more popular of the two Section B questions, answered by about 70% of the students. Common strengths and weaknesses were apparent and are detailed below. There were a significant number of very good or excellent responses and nearly all students achieved reasonable marks, with hardly any in single figures or even in the low teens.

(a) (i) There were some good answers, which focussed on the relationship between citizen and State and used the criminal law as the supporting example. The other half of the good answers recognised the relationships between individuals with contract, tort and/or family as the examples most often seen. About a quarter of the students achieved maximum marks, and this must be viewed very positively.

There were some common errors/misunderstandings. These included mistaking public/private law for public and private court hearings of a case or for public and private bills going through Parliament. Another, but less frequent, error was mistaking public/private for Acts v delegated legislation.

(b) (i) A large majority of students (over 90%) successfully identified two criminal courts. Crown Courts and Magistrates Courts were the popular choices.

(b) (ii) Nearly 90% of students successfully identified two civil courts. High Courts and County Courts were the popular choices.

(b) (iii) Despite the clear instruction in the question, some students still talked about different courts. Clearly, that could not be credited.

More positively, burden/standard of proof was often well understood, as were the different verdicts. The aims of civil/criminal law also featured heavily, as did the different sanctions.

One weaker aspect was when students included relevant material as one half of the difference, but without the equivalent point for the other type of law. On a point of technique, it is far better, in a 'differences' question, to address those differences directly rather than writing about crime initially and then later writing about civil law. Addressing the difference directly is more likely to ensure that the 'opposite' point is included. It also makes the answer much easier to mark which, for any student, is desirable!

(b) (iv) Whilst this question might not have been expected by students, it would be surprising if they had not come across the idea of double liability at some point during their course.

The range of comments put forward by students was relatively narrow and usually confined to the advantage of the defendant getting his full 'just deserts' through to the disadvantage of two court actions with the inevitable issues of cost and time. Relatively few students addressed the issue that some civil breaches are too serious to be entrusted to the civil law alone, and if the 'victim' cannot take civil action, then the State must step in.

Some students were under the misapprehension that this was a new proposal, namely that both civil and criminal issues could be dealt with in one trial, thereby saving money and time. Inevitably, the credit achieved for such answers was limited.

(c) (i) Students generally recognised the criminal/civil division between the judicial roles of the Circuit Judge in the Crown Court and the High Court Judge in the High Court. The best answers were almost universally in relation to the Circuit Judge (criminal trial, serious offence, legal rulings, summing-up and sentencing). Fewer students were as confident about the role of a High Court Judge and too many students simply repeated their criminal-based answer from earlier. The weakest responses were often about the role of Supreme Court Justices. Only a minority of students were conversant with the appellate role on major points of law in both civil and criminal cases and with the pre-eminent position of the Supreme Court in terms of precedent.

(c) (ii) Somewhat ironically, the marks for the commentary question in relation to the same material as in (c) (i) were, proportionally, marginally better, though that was partly as a result of the additional credit available for quality of written communication. Many answers related to the qualifications and experience of the English judiciary and, on balance, were usually very positive about the judges. A lack of effective balance was often an issue, and it was surprising not to see more answers reflecting on the perception that our judges are all old and out-of-touch, and that there is a genuine gender imbalance within the judiciary. Some students, clearly disappointed at being faced with a judiciary evaluation, decided to answer an evaluation of magistrates question instead. This was not completely uncreditworthy, but was not the main focus of the question as set.

(d) (i) Of the two aspects to the question, binding precedent was clearly better understood, though only a minority of (clearly stronger) students were able to relate that properly either to *ratio decidendi* or the hierarchy of the courts. Persuasive precedent was frequently translated but rarely developed in any meaningful way, eg *obiter dicta*, Privy Council decisions etc. The examiners reported hardly any reference to examples or authority. Common misconceptions included a belief that persuasive precedent was the same as distinguishing, or the belief that only the Supreme Court can set precedents or all courts can set them. This could be seen as a pretty basic ‘starter’ question on precedent, and we might have hoped for a better set of responses.

(d) (ii) Most students recognised that these are reports detailing cases decided in court. However, many students thought that every single case is contained in Law Reports, plainly confusing them with transcripts of what is said in court. Another common misconception was to say that Law Reports are all about the sentence which has been handed down in a case. A significant minority of students confused Law Reports with White Papers or Law Commission Reports. Where examples of Law Reports were provided, the most common references were online or newspaper reports, but only rarely were students able to refer to the All England Law Reports.

(d) (iii) Answers to the ‘standard’ precedent question were generally narrow and often poorly developed. Answers could have focussed on certainty of decision-making for inferior judges, real-life situations, potential for growth and development, detailed nature of rules, and the ability of judges to avoid ‘bad’ precedents. Sadly, very few responses were along those sort of lines. This topic needs to be addressed in greater depth by schools and colleges.

Question 10

This was the less popular of the two Section B questions, answered by about 30% of the students. Common strengths and weaknesses were apparent and are detailed below. There were a significant number of very good/excellent responses and nearly all students achieved reasonable marks.

(a) A large majority of students scored very well on this question on Parliamentary process. Both Houses of Parliament were widely recognised but fewer students were able to develop this part of their answer concerning either constitution and/or the relationship between the two Houses. Some students were clearly confused when they claimed that the House of Lords is now known as the Supreme Court. Some students also ignored the space provided and attempted to describe all of the stages of legislation under this particular section of the question.

Most students recognised that there are three readings and generally knew the nature and purpose of the first two but the third posed more difficulties. Parliamentary Committees was either well or poorly answered, depending presumably on what the candidates had been taught and/or had revised. The Royal Assent was the best answered part-question, with the vast majority describing the role of the Queen, and many students able to develop their answers beyond there.

(b) (i) This question was better answered than in previous examinations. The students were probably helped by the more specific two-part question, but irrespective of that, answers generally showed more understanding than answers to this question have demonstrated in the past.

Supremacy was usually explained in terms of importance or priority but only the very good students were able to develop much beyond that. Most students were able to assert with some confidence that EU law prevails over English law, but again only the best students got much further. There were a few brilliant answers incorporating cases such as ***Cheney v Conn and Factortame*** and including creditworthy references to the **European Communities Act 1972**.

(b) (ii) The first of the Quality of Written Communication questions produced another strong performance. The most popular answer related to the lengthy and detailed process which, in students' terms, equated to better laws. Would that real life was that simple! The other widely known advantage is that law-making in Parliament is a democratic process, though only a few students were able to apply that notion separately to the House of Commons and the House of Lords.

Other advantages which could have been raised, but only rarely were, included the opportunities for public involvement, planned changes to the law and press scrutiny.

Some students chose to ignore the question and dealt with the disadvantages as well. Such material could not be credited.

(c) (i) There were a small number of schools and colleges who were concerned enough about this question to contact AQA in the post-examination period. It is hoped that their fears may be somewhat allayed by learning that this part-question was generally well answered.

The large majority of students knew about duty solicitors both at the police station and in the Magistrates Court. Development was a little patchier in terms of both roles, but references both to advice and (initial) legal representation were creditworthy.

The best students were aware that both roles are limited by the notion of qualifying offences and were also able to say something about government funding and the Access to Justice Act 1999. There were a few very detailed responses, especially in relation to the Magistrates Court, and such students seemed to be drawing up on the experience of a visit to their (local) court. Such an experience is invaluable in answering a question such as this.

(c) (ii) Students seemed to find this a great deal more straightforward that some of their teachers thought they might! The fact that this was (deliberately) selected as a Quality of Written Communication question would also have helped many students to improve their mark.

The most commonly seen creditworthy responses recognised that duty solicitors are widely and freely available and that they provide an invaluable service both at the police station and in court. Properly expressed, such an answer would have merited sound understanding.

(d) (i) Well over half the students were able to glean the 1 mark available by identifying either Legal Help or Citizens Advice Bureau. There were some imaginative alternatives which, sadly, were not creditworthy.

(d) (ii) Students found this question, on qualification for civil Legal Representation, particularly challenging. Most students had some idea about the means test, though answers were not fully developed to explain what the means test is based up on. In terms of the Funding Code, the only thing some students seemed to be aware of was the requirement that the case has to have a decent chance of success. Other criteria (importance of the case, exclusions, availability of alternative funding etc) were almost universally ignored.

This is clearly a topic which centres need to develop a little further with their students.

(d) (iii) There were a pleasing number of good answers, generally based on access to those on limited income for clients with government funding set against choice of the client's own representative, where the case was privately financed. Other students benefited from a sensible discussion of the quality issue, not surprisingly concluding that the best advice/representation goes to those who can afford to pay.

Students did not have to compare the two types of funding to achieve sound understanding, but those students who did generally scored better.

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