GCE EXAMINERS' REPORTS

GCE (NEW)
LAW
AS/Advanced

SUMMER 2022

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LAW

General Certificate of Education (New)

Summer 2022

Advanced Subsidiary/Advanced

UNIT 1 - THE NATURE OF LAW AND THE WELSH AND ENGLISH LEGAL SYSTEMS

General Comments

It was pleasing to note that there were minimal rubric infringements. The vast majority of candidates attempted all required questions which is commendable, especially considering the compulsory questions on the paper.

Despite the time pressure in examinations there was a significant number of scripts where the handwriting was practically unintelligible; can centres please remind the students about the importance of legible handwriting as examiners have to be able read their work. This is perhaps more evident this year where candidates might have had less opportunity to practice handwriting during COVID restrictions.

Unit 1 was generally well received and the questions covered a range of the specification. Candidates seemed better prepared for some questions rather than others and this was evident in the quality of their responses and the questions selected.

Some candidates seem to be intent on 'writing all they know' about a topic rather than focusing on the question itself; this was more evident in some questions than others, particularly questions 1, 2 and 6.

Unit 1 is split between Section A and Section B. Section A consists of two compulsory questions followed by one question from a choice of two. Section B consists of one question (part a) and b)) from a choice of two. The report below is divided between Section A and Section B observations.

- The compulsory nature of Question 1 (Judicial Precedent) in particular caused some problems for candidates who hadn't revised, resulting in lots of brief, confused and in a minority of cases, unanswered questions.
- There was decent use of legal authority and this is to be encouraged in all questions. Whilst **detailed** facts of cases are not needed, an explanation of the relevance of the case is desirable, especially in the questions that require an analysis and evaluation.
- Section B was generally weaker than Section A; this could be attributed to the analytical nature of the questions in section B or candidates could be struggling with time management.
- There was also evidence of weak case citation – for example, '*a case where….'*.
- Candidates need to be encouraged to read the question – as there were a lot of answers that missed the focus of the question.

Comments on individual questions/sections

SECTION A.

Q.1 Precedent (10 marks)

The majority of candidates could offer a clear and concise definition of obiter dicta and ratio decidendi and on occasions could refer to cases e.g. Balfour and Meritt, Donaghue. At Band 4 candidates set it within the hierarchy of the courts and discussed the binding nature, with case law to support. It was good to see some candidates explaining the ratio and obiter within reversing, overruling, distinguishing and departing

However, overall, there was a general lack of case law and this is imperative for a precedent question.

A significant number of candidates were unable to spot that this was a precedent question and many did not even attempt it as a result.

Q.2 Law Commission (10 marks)

The response to this question was satisfactory. Most candidates were able to identify that the Law Commission plays a role in law reform. Due to the specific nature of the question, few candidates achieved the top marks and more needed to include key terms such as repeal, consolidate and codification. There was very little reference to legal authority and to gain the top marks at least one statute (e.g. the Law Commission Act 1965, 2009 or an example where they have successfully influenced law reform) was needed. Some candidates addressed this as a law making question (Bill to an Act) and therefore received no marks.

Both questions 1 and 2 assess AO1 – explanation; knowledge and understanding. This is the most accessible of the three AOs. Centres and candidates should be prepared for questions on specific areas of topics in the 10-mark questions rather than perhaps more general questions.

Q.3 Delegated legislation controls (28 marks)

Question 3 is one of two questions on Section A where candidates get a choice. This was the least popular between 3 and 4 and in general candidates performed less well applying controls on delegated legislation for this question than they did applying the rules of interpretation for question 4.

Many candidates who opted for this tried to apply what type of delegated legislation it was and included little, if anything on the controls. There was a tendency to list and discuss the three types of delegated legislation and the enabling act (which was not required) Candidates missed the focus on the question which way controls on delegated legislation. Citation was very limited.

Most candidates who attempted this question had a basic attempt at application in that “Simon could write to his MP” or “Petition Parliament because he was outside Westminster.”

Only a few candidates answered this to an excellent standard, where they were able to demonstrate application of both statutory and judicial controls.

Q.4 Statutory Interpretation (28 marks)

This was the stronger of the two section A choice responses. There were some excellent answers which illustrate the effort made by some centres to teach their learners how to deal with such an application question. The 4 rules, were generally explained and case law used to illustrate their application. The most sophisticated responses also considered the narrow and wide approach to the golden rule. Case law was also used well and cases were generally explained rather than just being 'dumped'. Better candidates set the scene explaining the need for statutory interpretation in context. There were some quite sophisticated responses to the scenario, with students drawing not only on the rules but also on the aids and rules of language. Conversely, in a few instances, however, a lack of understanding of the rules themselves was evident in a student's inability to apply them and occasionally candidates mixed up the mischief and purposive approaches. Students frequently lost a mark in the AO1 component due to a lack of detail on the rules themselves.

Some candidates also included evaluation of the rules in their responses but failed to gain additional marks as the question did not accommodate AO3 points.

SECTION B.

Q5 (a) Explain criminal appeal routes (8 marks)

Though most candidates were able to write in general terms about the criminal court hierarchy, responses to this question were generally weak.

There were some excellent responses that were able to explain the basis of an appeal, the prosecution's appeal routes and the powers within the Court of Appeal on granting leave.

However, there were many candidates who were unable to accurately explain the specific routes of appeal.

Some candidates did not know the difference between civil and criminal courts. Many candidates were unsure of the appeal route and opted to describe the general criminal trial process.

(b) Jury evaluation (24 marks)

This question was answered reasonably well, however, there were many 'common sense' answers that could have been produced by a student without any legal education. Candidates are to be reminded of the need to include legal authority in the form of cases, statutes, examples, statistics to support their evaluation.

Excellent responses understood how to refer back to the question for each point ("abolish") and justified their evaluation with legal citation. Many candidates were unable to link back to the question and presented a general evaluation of juries, using terms like 'advantage' and 'disadvantage'. Evaluation was often underdeveloped, lacked legal citation and did not read as a Law essay. Lots of evaluation was listed and generally did not move beyond band 3. In some instances, candidates used the word 'effectiveness' from Q6 in their evaluation instead.

It was disappointing to see the number of candidates who still think that those involved with the administration of justice still cannot sit as part of a jury, despite the fact that this was changed by the Criminal Justice Act in 2003.

Better candidates (middle band and above) were able to demonstrate how the expansion of eligibility since 1974 attempted to widen the pool of people who sit, and better candidates were able to argue with some citation and authority, referring to impact of people within the law sitting and adverse influences, as well as case references such as Romford, Twomey, Abdroikof and Khan. They were then able to link this to the relative strengths and weaknesses of the system. The strongest answers then considered a range of alternatives to the jury.

Q.6 (a) Explain civil appeal routes (8 marks)

As with 5a), there were many general responses without specific reference to the precise appeal routes and even more limited reference to any legal authority. On the whole, very few candidates achieved a top band mark for this question.

(b) Evaluation of tribunals (24 marks)

Weaker candidates achieved a common sense approach, but lacked depth in their answers. Most were able to offer a general discussion of the advantages and disadvantages of tribunals and some made comparisons with ADR and courts. There was little reference to legal authority in answers – the TCEA and the recent Briggs report would have been expected.

Summary of key points

- Candidates need to be encouraged to read and answer the question set – there were a lot of answers that missed the focus of the question. For the evaluation questions on Section B candidates should be assessing and evaluating throughout their answers and not just in the final paragraph.

- Candidates need to be reminded of the importance of supporting their points with relevant legal authority where possible, this will elevate their answers into the higher mark bands.

- The longer 24- mark part b) (section B) answers should be structured with a clear introduction, paragraphed (and linked) main body and a clear conclusion.

- Candidates should not waste time on peripheral content for the short answer responses in section A.

LAW

General Certificate of Education (New)

Summer 2022

Advanced Subsidiary/Advanced

UNIT 2 - THE LAW OF TORT

General Comments

The paper was an accessible paper and overall, candidates seemed to cope well with its demands.

Candidates coped with switching their approach for explanation, application and evaluation. All questions are compulsory and all assessment objectives are examined across the 5 questions, providing its own challenges for centres and candidates.

In comparison to previous examinations on unit 2, it seems candidates are better allocating their time appropriately between the shorter and longer responses. Many also decided to start with the longer higher mark responses. This can prove an effective tactic. This paper is one and a half hours long and timing is important to ensure sufficient time is allocated to the higher mark questions (questions 4 and 5).

It was pleasing to note again that there were minimal rubric infringements. The vast majority of candidates attempted all required questions which is commendable, especially considering the compulsory nature of the questions on the paper. If a question was to be left out, it tended to be question 3 (primary and secondary victims) which, arguably, is one of the more challenging aspect of the spec or question 2 (OLA 1957) which is a new and perhaps unexpected question. Candidates are reminded to attempt all questions.

Comments on individual questions/sections

Q.1 This question required candidates to explain breach of duty of care. It was expected that to gain the 8 marks available, candidates would briefly put the answer in context with reference to Blyth v Birmingham Waterworks and the nature of breach (standard of care; reasonable person test). Candidates might then have considered how the standard of care is adjusted according to special characteristics such as age, professionals and learner drivers. Case law should have been included for each of these elements. In many cases, this is where candidates left their answer to this question. In order to achieve the top band, candidates then needed to explain a range (not necessarily all) of the risk factors again using case law to support. There was quite a lot to cover for this question and candidates are reminded that range is important with some question and not to spend far too long on repeating the facts of cases in great detail (for these short answer responses) but, rather, to focus on the point of law the case established.

Q.2 This question required candidates to explain the law under the OLA 1957 for both adults and children. It was important that candidates covered both adults and children in order to achieve the marks available. Perhaps an unexpected question for one of the 8-mark questions (having only featured as an apply question previously), there were some instances of this question omitted entirely. This might also be down to the fact that the OLA 1984 had been removed from the spec for summer 2022. Responses were generally strong for this question with some good, focused answers with accurate reference to the relevant sections of the OLA and case law to support. Weaker responses did not accurately define 'occupier', 'premises', 'the common duty of care' and did not include supporting case law. These same candidates then did not cite the relevant sections of the OLA and likely also did not include detail on the different treatment of children under the Act.

Q.3 The subject matter for this question was quite challenging. It focused on psychiatric harm and the differences between primary and secondary victims. It would have been preferable to see candidates put this answer in context with a brief overview of psychiatric harm as the issue of primary/secondary victims relates to this, but this was not often done. Candidates often struggle with this subject and there was a lot to cover in the time available. Most who attempted this question were able to identify the difference between a primary and secondary victim but then did not develop their answer by considering the controls. There were some instances of candidates omitting this question entirely but most did attempt, which was pleasing to see.

Answers that scored well tended to start with a brief overview of the area of law and why the law treats psychiatric harm differently, followed by an explanation of primary victims followed by secondary and the 4 controls with relevant case law to support. Range rather than depth was key to achieving the higher marks for this question.

Q.4 The assessment objective being examiner in this question was A02 for 18 marks which requires candidates to apply the law to the scenario. This was an accessible question requiring candidates to apply the law to a scenario involving the law of negligence.

Overall, there were some strong responses and it was pleasing to see developed and long answers to this question – evidence of preparation for appropriate timing in the exam. It is, however, essential that candidates do more than merely describe the law. Application to the scenario is a must to achieve a good or excellent mark.

It was essential to apply all three elements of negligence. For duty of care, it is now essential that candidates apply Robinson. This is now an established change and should be applied before considering Caparo. The full range of marks were not available without this.

Q.5 The assessment objective being examined in this question was A03 for 18 marks which requires candidates to analyse and evaluate an area of tort law.

Candidates and centres need to consider the structure of essays for question 5 – they should include a clear introduction with context, developed and linked paragraphs and a conclusion that addresses the question posed.

This was a relatively straightforward question that required candidates to evaluate general and special damages. It was mostly answered well and, to score highly, candidates needed to explain the correct terms and include some examples of each to analyse and evaluate the law. The strongest answers considered pecuniary and non-pecuniary damages and the multiplier/multiplicand though these were comparatively rare.

LAW

General Certificate of Education (New)

Summer 2022

Advanced Subsidiary/Advanced

UNIT 3 - THE PRACTICE OF SUBSTANTIVE LAW

General Comments

This is only the second sitting of this A Level law paper for the new specification due to the disruption of the COVID pandemic.

General observations are more difficult to make as whole papers were not seen due to online marking. There is an issue with the legibility of some candidates' handwriting which may have been exacerbated due to the COVID pandemic and online learning.

Unit 3 appears to have been generally well received. The questions covered the range of the specification. It was evident that candidates were more prepared for some questions than others.

- Significant lack of case law citation generally - especially in the defamation and murder questions where there is a plethora of case law that could be used to support the application, and thus give a holistically better quality answer.

- Candidates seem to spend a lot of time on conclusions which essentially repeat what they have said in the main body - this is not sensible practice as the time could be better spent on more detailed application or knowledge of the law.

- Candidates need to be aware of the weighting in relation to Assessment Objectives for this paper. There are 20 marks available for AO1 which is the Knowledge and Understanding element and so to achieve the full range of marks, there needs to be an excellent explanation of the law followed by a detailed application to achieve the full range of 30 AO2 marks.

- Questions on contract and human rights were generally weaker than criminal.

- There was also evidence of weak case citation – for example, 'a case where….'.

- Candidates need to be encouraged to read the question – as there were a lot of answers that missed the focus of the question.

- In order to apply the law effectively, candidates should structure their answers by identifying the issue, stating the rule, the law, applying it to the scenario and then concluding (using, for example, the IRAC method), this should be done for each issue in the problem questions.

Comments on individual questions/sections

Section A

Q.1 This was the most popular question on the human rights section. There were many excellent answers where candidates were able to apply the law on defamation, including the Defamation Act 2013; serious harm test with cases to support e.g Munroe v Hopkins and Collins, and the various defences available, e.g sections 2, 3 and 4.

Weaker candidates simply discussed Article 8 and 10 of the ECHR with little reference to the law on defamation, though these were in the minority.

Q.2 Human Rights has traditionally been asked as a Unit 4 evaluation question, but it could quite possibly feature on Unit 3 as it has this year. Though this was far less popular a choice compared with question 1. Of those seen, the majority of candidates seemed to cope well with the question and most were able to explain the key sections of the HRA 1998 through description of sections such as S.2, S.3, S.4, S.6, S.19 and S.7.apply them to Adam, with a particular focus on sections 3 and 4 and whether Adam could seek a declaration of compatibility.

Some candidates failed to discuss the HRA at all, this was surprising as the question was very clear as to what was expected of the candidates.

Some candidates simply discussed Article 8 of the ECHR. Whilst this would receive some credit the focus of the question, as clearly stated was the HRA 1998.

However, as candidates were perhaps expecting to evaluate the law on human rights, AO1 was much stronger than AO3 and this was reflected in the marks.

Section B

Q.3 Overall this question was not well answered. It should have been straightforward to address the basics of definition of frustration of contract, impossibility with cases, illegality, relevant acts, when frustration cannot be used, remedies, bilateral and unilateral, discharge by breach (actual and anticipatory) and discharge by performance.

Strong answers, there was an excellent focus on the question. Candidates gave a clear introduction with recognition that the elements of a contract needed to be present before a breach could take place. Excellent focus on the scenario with systematic application taking the sections of the scenario and applying relevant law, also well substantiated with case law and arriving at a focused conclusion.

Weaker answers managed a focused introduction. e.g. the need for the elements of a contract before it can be frustrated. Unfortunately many candidates lacked the basic knowledge and addressed one or two very basic points.

Q.4 This question was well answered. Candidates clearly had revised CRA with sections and express and implied terms. Candidates could refer to product and services and the rights of claims. A few candidates at the very top could refer to EU Distance Selling.

Stronger answers achieved a sharp focus on the question. Definition of express and implied terms with cases. A systematic approach to dealing with the scenario identifying the differences between the filter as a product and the Jack's services for installation.

Candidates had clearly revised this and were capable of addressing each section, frequently well substantiated with citation.

Section C

Q.5 Criminal law questions remain the more popular choices on the paper and responses were strong in comparison to some of the other questions.

This question was a traditional non-fatal application question. It was one of the strongest responses on the paper and most candidates who attempted this question accurately moved through the various offences with good use of case law to support.

However there are still a significant number who cannot clearly explain the actus reus and mens rea for each offence and are confused between section 47 and section 20 and 18. Many answers also failed to discuss section 47 and focussed solely on assault and battery.

Q.6 A sensible approach for this question is to look at the actus reus and mens rea for murder, taking actus reus first and discussing in detail factual and legal causation and whether there had been a break in the chain of causation with case law to support. Then moving on to discuss mens rea and direct and indirect intent and then look at the partial defences which could reduce the charge to manslaughter and then the other general defence of intoxication

Weaker candidates did not include enough case law to support their answers. There are a plethora of cases for this topic, especially for causation and these were lacking in many scripts.

Some responses to this question however were concerning, candidates frequently showed a lack of understanding of basic elements of criminal law. For example: involuntary manslaughter was frequently referred to as a defence; recklessness was stated to be the mens rea for murder and there was the usual confusion between voluntary and involuntary manslaughter.

Intoxication was an issue in the scenario. Voluntary and involuntary intoxication were referred to, along with Majewski. Commendably, some candidates properly identified murder as a specific intent offence and explained that the defence of voluntary intoxication could lead to a manslaughter conviction, thereby avoiding a mandatory life sentence. Others seemed to be totally unaware of the specific / basic intent rule and failed to see the potential relevance of the defence.

Strong candidates also considered involuntary manslaughter- unlawful act manslaughter.

Many scripts, the structure was not clear and the answers jumped from mens rea to actus reus then back to mens rea, with no clear application to the scenario.

Summary of key points

- Centres are reminded of the need to develop writing skills to address the varying question styles – e.g. application for A02 questions.

- Candidates need to be reminded of the importance of supporting their points with relevant legal authority. This could be case law, statute law or other supporting authorities, depending on the nature of the question.

- Cases – whilst copious facts are not required, candidates need to do more than merely ‘case drop’. Cases should be explained in relation to the point of law that they established.

- Centres should identify candidates with illegible handwriting and put measures in place to provide them with support and adjustments as required.

LAW

General Certificate of Education (New)

Summer 2022

Advanced Subsidiary/Advanced

UNIT 4 - SUBSTANTIVE LAW PERSPECTIVES

General Comments

This is only the second sitting of this A Level law paper for the new specification due to the disruption of the COVID pandemic. It appears to have been well received and it was pleasing to see the majority of candidates adhered to the rubric of the paper, answering the required number of questions. Candidates also appeared to have organised their time appropriately between the
two required answers.

General observations are more difficult to make as whole papers were not seen due to online marking. There is an issue with the legibility of some candidates' handwriting which may have been exacerbated due to the COVID pandemic and online learning.

Essay skills also need to be refined as, although candidates did well to explain the law clearly, this was not always brought back to the question posed and there were few instances where this evaluative theme was a strong feature of the response. In addition, essays should be structured appropriately with a clear introduction that unpacks the question, a paragraphed and focused main body and a clear conclusion that directly addresses the question posed.

As a general observation it was apparent that the use of model answers were prominent in some centres marked. On the whole this resulted in outstanding answers in 'standard' questions such as Strict Liability and human rights Act. However, learners were unable to cope with the more unusual questions (such as Qu 2 (public order) which required a degree of more independent thought. It is apparent that the use of model answers is detracting from the skill of developing legal argument in response to the question set. Disappointingly, it was also clear that some of the model answers, circulated by Centres, were actually sometimes inaccurate and/or out of date and reliance on these restricted candidate marks.

The most popular sections were criminal law and human rights law. The AOs being examined are AO1 for 20 marks and AO3 for 30 marks. As such, answers need to be evaluative in order to secure the top marks. They also need to address the specific question set rather than candidates writing all they know about a particular topic.

Some general observations:

• Whilst detailed facts of cases are not needed, an explanation of the relevance of the case is desirable, especially in questions that require an analysis and evaluation as they all do on Unit 4.

- Questions on contract and human rights were generally weaker than criminal.
- There was also evidence of weak case citation – for example, 'a case where….'.

- Candidates need to be encouraged to read the question – as there were a lot of answers that missed the focus of the question.

- In order to evaluate effectively, candidates must structure their answers with a clear introduction that unpacks the question, a paragraphed main body that evaluates back to the question and a conclusion that draws together the key issues and 'answers' the question posed. Centres should develop writing skills in order to help candidates cope with the demands of these higher order questions.

Comments on individual questions/sections

Q.1 Candidates coped well with the demands of the question and there were many comprehensive and well-focused answers.

Common themes included an exploration of the residual freedoms of the ECHR and how these have been strengthened by the impact of the HRA through description of sections such as S.2, S.3, S.4, S.6, S.19 and S.7. It was pleasing to note that generally there was case law such as R v A, Bellinger, Ghaidan. The cases were most commonly related to S.3 and S.4 although some learners did identify YL and Poplar in relation to S.6. Most candidates answered this as an HRA answer but included an evaluative comment against each section noting the benefits of said section and what would happen if it was no longer law i.e. an erosion of protection. Excellent answers (which were in smaller, but not insignificant, numbers) were able to go further to provide a comparative analysis between the pre 1998 position of residual freedoms, the current protection and a possible return to this if the HRA were to be repealed.

A question on the impact of the HRA 1998 would not be complete without a discussion of the possibility of replacing this with a British Bill of Rights and the strongest answers considered the debates on this and whether this would consequently strengthen protection. Very few were up to date with the recent developments on this matter although the law remains in a state of flux and so credit was given where it could be, considering this uncertainty.

Q.2 Public order has traditionally been asked as a Unit 3 'application' question, but it could quite as possibly feature on Unit 4 as it has this year. Though this was far less popular a choice compared with question 1, of those seen, the majority of candidates seemed well prepared for this question having perhaps just revised it for Unit 3. Most were able to explain a wide range of public order offences; there was consequently good citation of legal authority. However, as candidates were perhaps expecting to apply the law on public order, AO1 was much stronger than AO3 and this was reflected in the marks.

In a minority of scripts, there were some good attempts to draw the discussion back to the question posed and the central issue of the balancing of rights, and there were some excellent examples of sophisticated arguments made. Reference had to be made to the relevant articles of the ECHR in order to frame the evaluation. There were some sophisticated discussions of the nature of these qualified rights and the balancing act that takes place.

Q.3 Contract law remains a less popular choice for centres to teach.

Of the responses seen, question 3 was the more popular choice. There were some instances of the question being misinterpreted as a breach of contract question rather than a question that required a discussion of the adequacies of remedies. Candidates are reminded to focus on the question posed and ensure they bring back the evaluation to link to the question. This might also then assist with identifying the topic words of the question and ensure they are focusing on the correct material.

The answers seen were broad and tended to cover both common law and equitable remedies. There was limited citation of legal authority in a significant minority of scripts, without which, candidates did not score highly for AO3.

Q.4 This was the less popular choice for the contract law option but, where attempted, was generally answered well.

Common themes included a discussion of the requirements of a misrepresentation and the types of misrepresentation. There was generally good and accurate citation of legal authority and, with this question, candidates really did try to focus on the extent to which the Misrepresentation Act 1967 protects buyers against negligent statements made by sellers. This sophisticated evaluation and link to the question is necessary for marks in the top band.

Q.5 Criminal law questions remain the more popular choices on the paper and responses were strong in comparison to some of the other questions.

This question was a traditional CPS essay. It was one of the strongest responses on the paper and most candidates who attempted this question accurately moved through the reasons for the establishment of the CPS, to their roles and then evaluated the criticism and subsequent reforms. The strongest scripts referred to recent criticisms and cases / issues involving the CPS – e.g. failed sex abuse cases, Lord Janner, Chris Kapesa, etc. Weaker scripts focused only on the Glidewell and Narey reforms – these are important but there are some more current issues that could also be considered.

Again it was important to bring the discussion back to the question and the strongest scripts were well structured with a clear introduction, paragraphed main body that linked to the question and then a conclusion that drew it all together and 'answered' the question posed with a clear statement.

Q.6 As with question 5, responses to this question were also strong – candidates seem to get on well with criminal law questions.

Answers tended to be very well structured, particularly in terms of explaining the Gammon factors. What was weaker was the link to the question and a discussion of the advantages/disadvantages and any reform proposals. As a result, surprisingly few achieved the top band for A03. Whilst answers were well structured in terms of providing a clear intro/context on SL, then proceeding to consider the Gammon factors with case law, too much time was perhaps spent on this to the detriment of the evaluation. Though cases are important, it is not necessary to write copious amounts on their facts but, rather, focus on the point of law established and then evaluate this in light of the question posed.

Centres/candidates are reminded that evaluation is worth 30 of the 50 marks.

Summary of key points

Centres are reminded of the need to develop writing skills to address the varying question styles – e.g. evaluation for AO3
questions.

- Candidates need to be encouraged to read and answer the question set – there were a lot of answers that missed the focus of the question. For the evaluation questions, candidates should be assessing and evaluating throughout their answers and not just in the final paragraph.

- Candidates need to be reminded of the importance of supporting their points with relevant legal authority. This could be case law, statute law or other supporting authorities, depending on the nature of the question.

- Cases – whilst copious facts are not required, candidates need to do more than merely 'case drop'. Cases should be explained in relation to the point of law that they established.

- Essay structure is important and centres should focus on developing this skill.

- Centres should identify candidates with illegible handwriting and put measures in place to provide them with support and adjustments as required.

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