

version 1.0



ASSESSMENT and
QUALIFICATIONS
ALLIANCE

General Certificate of Education

Law 2007

This specification should be read in conjunction with:

Past Papers and Mark Schemes
Reports on the Examination
Teachers' Guide

AQA ADVANCED SUBSIDIARY GCE 5161
AQA ADVANCED GCE 6161

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Background Information

1

Advanced Subsidiary and Advanced Level Specifications

1.1 Advanced Subsidiary (AS)

Advanced Subsidiary courses were introduced in September 2000 for the award of the first qualification in August 2001. They may be used in one of two ways:

- as a final qualification, allowing candidates to broaden their studies and to defer decisions about specialism;
- as the first half (50%) of an Advanced Level qualification, which must be completed before an Advanced Level award can be made.

Advanced Subsidiary is designed to provide an appropriate assessment of knowledge, understanding and skills expected of candidates who have completed the first half of a full Advanced Level qualification. The level of demand of the AS examination is that expected of candidates half-way through a full A Level course of study.

1.2 Advanced Level (AS+A2)

The Advanced Level examination is in two parts:

- Advanced Subsidiary (AS) – 50% of the total award;
- a second examination, called A2 – 50% of the total award.

Most Advanced Subsidiary and Advanced Level courses are modular. The AS comprises three teaching and learning modules and the A2 comprises a further three teaching and learning modules. Each teaching and learning module is normally assessed through an associated assessment unit. The specification gives details of the relationship between the modules and assessment units.

With the two-part design of Advanced Level courses, centres may devise an assessment schedule to meet their own and candidates' needs. For example:

- assessment units may be taken at stages throughout the course, at the end of each year or at the end of the total course;
- AS may be completed at the end of one year and A2 by the end of the second year;
- AS and A2 may be completed at the end of the same year.

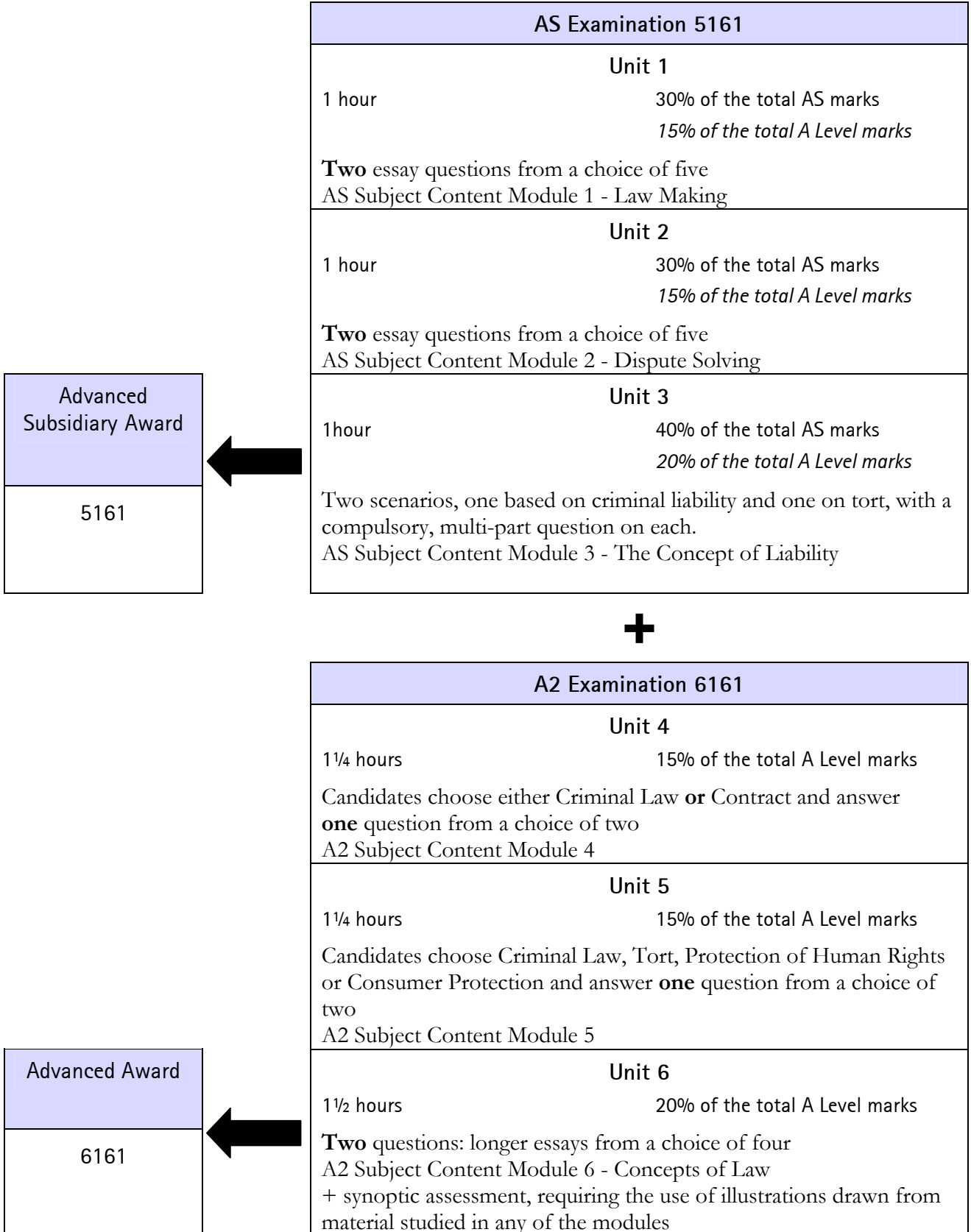
Details of the availability of the assessment units for each specification are provided in Section 3.

2

Specification at a Glance

Law

at Advanced Level



3

Availability of Assessment Units and Entry Details

3.1 Availability of Assessment Units

Examinations based on this specification are available as follows:

	Availability of Units		Availability of Qualification	
	AS	A2	AS	A Level
January Series	All	4 & 5	✓	✓
June Series	All	All	✓	✓

3.2 Sequencing of Units

In Law it is recommended that Units 1, 2 and 3 are taken before the A2 units, although the order in which the AS units are taken is for teachers and candidates to decide. When answering questions in Unit 6, candidates will be expected to cite examples from material studied for other units.

3.3 Entry Codes

Normal entry requirements apply, but the following information should be noted.

The following unit entry codes should be used:

AS	A2
Unit 1 - LAW1	Unit 4 - LAW4
Unit 2 - LAW2	Unit 5 - LAW5
Unit 3 - LAW3	Unit 6 - LAW6

The **Subject Code** for entry to the AS only award is *5161*.

The **Subject Code** for entry to the Advanced Level award is *6161*.

3.4 Prohibited Combinations

Candidates entering for this examination are prohibited from entering for any other GCE Law specification in the same examination series. This does not preclude candidates from taking AS and A2 units with AQA in the same examination series.

Every specification is assigned to a national classification code indicating the subject area to which it belongs.

Centres should be aware that candidates who enter for more than one GCE qualification with the same classification code, will have only one grade (the highest) counted for the purpose of the School and College Performance Tables.

The classification code for this specification is 4770.

3.5 Private Candidates

This specification is available to private candidates. Private candidates should write to AQA for a copy of '*Supplementary Guidance for Private Candidates*'.

3.6 Access Arrangements and Special Consideration

AQA pays due regard to the provisions of the Disability Discrimination Act 1995 in its administration of this specification.

Arrangements may be made to enable candidates with disabilities or other difficulties to access the assessment. An example of an access arrangement is the production of a Braille paper for a candidate with a visual impairment. Special consideration may be requested for candidates whose work has been affected by illness or other exceptional circumstances.

Further details can be found in the Joint Council for Qualifications (JCQ) document:

*Access Arrangements and Special Consideration
Regulations and Guidance Relating to Candidates who are Eligible for
Adjustments in Examination
GCE, VCE, GCSE, GNVQ, Entry Level & Key Skills*
This document can be viewed via the AQA web site
(www.aqa.org.uk)

Applications for access arrangements and special consideration should be submitted to AQA by the Examinations Officer at the centre.

3.7 Language of Examinations

All assessment units in this subject are provided in English only.

Scheme of Assessment

4

Introduction

This GCE Law specification complies with:

- the *Subject Criteria for Law*;
- the *GCSE, GCSE in vocational subjects, GCE, VCE, GNVQ and AEA Code of Practice 2004/5*;
- the *GCE Advanced Subsidiary and Advanced Level Qualification-Specific Criteria*;
- the *Arrangements for the Statutory Regulation of External Qualifications in England, Wales and Northern Ireland: Common Criteria*.

It has been designed to encourage candidates to take a broad view of the law, to develop their capacity for critical thinking and to appreciate the relationship between different aspects of the subject.

Some of the Subject Content of the specification can be found in optional units of the AVCE in Business. **APPENDIX B** of this specification outlines subject content areas which match the GNVQ. However, credit cannot be transferred between the GNVQ and the GCE Advanced Subsidiary/Advanced Level examinations.

Prior level of attainment and recommended prior learning

The specification builds on, but does not depend upon, the knowledge, understanding and skills specified for GCSE Law. No prior knowledge of law is necessary. It is suggested, however, that candidates should be able to demonstrate good communication skills equivalent to those required to gain at least a Grade C in GCSE English.

The specification provides an appropriate foundation for further study of Law or related subjects in higher education and various vocational courses. In addition, the specification provides a worthwhile course for candidates of various ages and from diverse backgrounds, in terms of general education and lifelong learning. Equally, material studied would be useful for candidates intending to pursue business careers.

5

Aims

A course based on this specification should encourage candidates to:

- a. develop an understanding of legal method and reasoning;
- b. develop the techniques of logical thinking and the skills necessary to analyse and solve problems by applying legal rules;
- c. develop the ability to communicate legal arguments and conclusions with reference to appropriate legal authority;
- d. develop a critical awareness of the changing nature of law in society.

6

Assessment Objectives

The Assessment Objectives are common to both AS and A Level. The schemes of assessment will assess candidates' ability to:

1. recall, select, deploy and develop knowledge and understanding of legal principles accurately and by means of example and citation;
2. analyse legal material, issues and situations, and evaluate and apply the appropriate legal rules and principles;
3. present a logical and coherent argument and communicate relevant material in a clear and effective manner using appropriate legal terminology.

6.1 Quality of Written Communication

The quality of written communication is assessed in all assessment units where candidates are required to produce extended written material. Therefore, this assessment takes place in all six of the AS and A2 units. Candidates will be assessed according to their ability to:

- select and use a form and style of writing appropriate to purpose and complex subject matter;
- organise relevant information clearly and coherently, using specialist vocabulary when appropriate;
- ensure text is legible, and spelling, grammar and punctuation are accurate, so that meaning is clear.

The assessment of the quality of written communication is included in Assessment Objective 3.

7

Scheme of Assessment – Advanced Subsidiary (AS)

The Scheme of Assessment has a modular structure. The Advanced Subsidiary (AS) award comprises three compulsory assessment units which assess teaching and learning modules described in the Subject Content as shown below.

7.1 Assessment Units

Unit 1	Written Unit	1 hour
30% of the total AS marks	65 marks	

Theme: Law Making

This unit requires candidates to write **two** essays, from a choice of five, and assesses **Module 1** of the AS Subject Content.

Unit 2	Written Unit	1 hour
30% of the total AS marks	65 marks	

Theme: Dispute Solving

This unit requires candidates to write **two** essays, from a choice of five, and assesses **Module 2** of the AS Subject Content.

Unit 3	Written Unit	1 hour
40% of the total AS marks	65 marks	

Theme: The Concept of Liability

This unit will require candidates to answer two compulsory, multi-part questions, each based on a short “problem” scenario. One scenario will address matters relating to criminal liability and the other tort. There will be a part-question on either sanctions or remedies, in relation to one of the scenarios. The unit assesses **Module 3** of the AS Subject Content.

7.2 Weighting of Assessment Objectives for AS

The approximate relationship between the relative percentage weighting of the Assessment Objectives (AOs) and the overall Scheme of Assessment is shown in the following table.

Assessment Objectives	Unit Weightings (%)			Overall Weighting of AOs (%)
	1	2	3	
Recall, select, deploy and develop knowledge and understanding of legal principles accurately and by means of example and citation (AO1)	18.5	18.5	17	54
Analyse legal material, issues and situations, and evaluate and apply the appropriate legal rules and principles (AO2)	9	9	20.5	38.5
Present a logical and coherent argument and communicate relevant material in a clear and effective manner using appropriate legal terminology (AO3)	2.5	2.5	2.5	7.5
Overall Weighting of Units (%)	30	30	40	100

Candidates' marks for each assessment unit are scaled to achieve the correct weightings.

8

Scheme of Assessment – Advanced Level (AS+A2)

The Scheme of Assessment has a modular structure. The A Level award comprises three compulsory assessment units from the AS Scheme of Assessment and three compulsory assessment units from the A2 Scheme of Assessment which assess the teaching and learning modules described in the Subject Content as shown below.

8.1 AS Assessment Units	Unit 1 15% of the total A Level marks	Written Unit 65 marks	1 hour
	Unit 2 15% of the total A Level marks	Written Unit 65 marks	1 hour
	Unit 3 20% of the total A Level marks	Written Unit 65 marks	1 hour
8.2 A2 Assessment Units	Unit 4 15% of the total A Level marks	Written Unit 85 marks	1¼ hours
	<p>Theme: Criminal Law (Offences against the Person)/Contract</p> <p>Candidates choose one of the above themes and answer one question from a choice of two on each theme. Each is a “problem” question and assesses Module 4 of the A2 Subject Content. It is assumed that candidates have studied Module 3 of the AS Subject Content.</p>		
	Unit 5 15% of the total A Level marks	Written Unit 85 marks	1¼ hours
	<p>Theme: Criminal Law (Offences against Property)/Tort/Protection of Human Rights/Consumer Protection</p> <p>Candidates choose one of the above themes and answer one question from a choice of two on each theme. Each is a “problem” question and assesses Module 5 of the A2 Subject Content. It is assumed that candidates have studied Module 3 of the AS Subject Content.</p>		

Unit 6	Written Unit	1½ hours
20% of the total A Level marks	70 marks	

Theme: Concepts of Law

Candidates are required to write **two** longer essays, from a choice of four. This is a synoptic paper and candidates are required to answer questions on the Subject Content for **Module 6** and to illustrate their answers with material studied in any of the modules.

8.3 Synoptic Assessment

The Advanced Subsidiary and Advanced Level Criteria state that A Level specifications must normally include synoptic assessment (representing at least 20% of the total A Level marks). The study of Law is one that lends itself to such connections by its very nature and 20% of the marks in this specification are awarded for synoptic assessment. The synoptic unit is **Unit 6** where candidates are required to demonstrate the links between various aspects of Law. They may draw their illustrations from material from any of modules 1-6.

8.4 Weighting of Assessment Objectives for A Level

The approximate relationship between the relative percentage weighting of the Assessment Objectives (AOs) and the overall Scheme of Assessment is shown in the following table.

A Level Assessment Units (AS + A2)

Assessment Objectives	Unit Weightings (%)						Overall Weighting of AOs (%)
	1	2	3	4	5	6	
Recall, select, deploy and develop knowledge and understanding of legal principles accurately and by means of example and citation (AO1)	9.25	9.25	8.5	3.75	3.75	11.5	46
Analyse legal material, issues and situations, and evaluate and apply the appropriate legal rules and principles (AO2)	4.5	4.5	10.25	9.5	9.5	5.5	43.75
Present a logical and coherent argument and communicate relevant material in a clear and effective manner using appropriate legal terminology (AO3)	1.25	1.25	1.25	1.75	1.75	3	10.25
Overall Weighting of Units (%)	15	15	20	15	15	20	100

Candidates' marks for each assessment unit are scaled to achieve the correct weightings.

Subject Content

9

Summary of Subject Content

9.1 AS Modules

MODULE 1 – Law Making

MODULE 2 – Dispute Solving

MODULE 3 – The Concept of Liability

9.2 A2 Modules

MODULE 4 – A choice of one topic from two – Criminal Law (Offences against the Person) or Contract

MODULE 5 – A choice of one topic from four – Criminal Law (Offences against Property) or Tort or Protection of Human Rights or Consumer Protection

MODULE 6 – Concepts of Law

10

AS Module 1

Law Making

10.1 European Legislative Process and Institutions

Treaties, regulations, directives and decisions. The way in which European Law takes effect. The functions of the Council, Commission, Parliament and the European Court of Justice. Article 234 references.

10.2 Domestic Legislative Process and Institutions

Formal processes of statute creation; roles of House of Commons in formulating and introducing Bills, the House of Lords in acting as a check on the Government's power, the constitutional position of the Crown acting as "The Queen in Parliament". The doctrine of parliamentary supremacy, having the power to make or unmake any law, and limitations on it, such as the European Treaties, European Convention on Human Rights and Human Rights Act 1998.

10.3 Delegated legislation

Statutory instruments (Orders in Council and Ministerial Regulations), bye-laws (Local Authority, professional and public bodies/services/utilities). Control of delegated legislation: judicial, such as *ultra vires* and reasonableness, and parliamentary, such as the role of the Scrutiny Committee, positive and negative processes, Ministerial approval. Advantages and disadvantages of delegated legislation.

10.4 Influences upon Parliament

The role of the Law Commission in initiating research and proposing reform. The work of Royal Commissions investigating and proposing changes in specific areas. Political considerations and power through the manifesto and electoral mandate. The media and the pressure of events. Pressure groups, including, for example, lobbying by Trade Unions and agricultural/scientific/industrial/commercial concerns.

10.5 Statutory Interpretation

Approaches to interpretation: literal, golden and mischief 'rules', purposive approach. Intrinsic and extrinsic aids.

10.6 The Doctrine of Judicial Precedent

The hierarchy of the courts, *ratio decidendi* and *obiter dicta*, law reporting. The obligations and powers of the courts in following, overruling, distinguishing and disapproving precedents, supported by examples drawn from any area of law and illustrating the differing approaches adopted by judges.

NB: When studying each of the above topics, candidates should be encouraged to engage in **simple** analysis and evaluation, considering the advantages and disadvantages of systems and procedures.

11

AS Module 2

Dispute Solving

11.1 The Court structure	<p>Original and appellate jurisdiction of civil and criminal courts: outline knowledge of civil process: promotion of pre-trial settlement, allocation of claims to tracks/courts, relative informality of small claims track and routes and grounds of appeal.</p> <p>Outline knowledge of criminal process: distinction between bail and remand, classification of offences (summary, indictable and 'either way'), mode of trial, committal, administrative hearing, routes and grounds of appeal.</p>
11.2 Alternatives to courts	<p>Tribunals, arbitration, mediation, conciliation, negotiation. Comparison of these alternatives with each other and with civil courts: issues of cost, time, privacy, appeals, formality, representation, accessibility and appropriateness for particular issues.</p>
11.3 The legal profession	<p>The work of barristers, solicitors and legal executives. Training and regulation.</p>
11.4 Finance of advice and representation	<p>Private finance, insurance, conditional fees, <i>pro bono</i> work. Statutory provision of Legal Help and Legal Representation in civil and criminal matters. Alternative sources of advice, eg CAB, media.</p>
11.5 The judges	<p>Selection and appointment, training, role, independence and immunity, dismissal.</p>
11.6 Lay people	<p>Magistrates: selection and appointment, training, role, powers. Jurors: qualification and selection, role.</p>

NB: When studying each of the above topics, candidates should be encouraged to engage in **simple** analysis and evaluation, considering the advantages and disadvantages of systems and procedures.

AS Module 3

The Concept of Liability

12.1 Introduction to criminal liability

Actus reus: voluntary acts and omissions, causation.

Mens rea: intention and subjective recklessness, transferred malice.

Coincidence of *actus reus* and *mens rea*. The principle of strict liability. Concepts of *actus reus* and *mens rea* should be explored in the context of assault, battery, actual bodily harm, wounding and grievous bodily harm.

12.2 Introduction to tort

Liability in negligence for physical injury to people and damage to property: duty, breach and damage.

12.3 Sanctions and remedies

Outline of aims of sentencing. Outline of sentences available to criminal courts for adult offenders: custodial, community sentences, fines and discharges. Basic knowledge of aggravating and mitigating factors in sentencing.

Outline of damages: personal injury and property: general and special, pecuniary, non-pecuniary and associated heads of damage. Lump sum and structured payment.

13

A2 Module 4

Criminal Law (Offences against the Person) or Contract

Candidates will study **ONE** of the following:

A **Criminal Law (Fatal and non-fatal offences against the person)**

13.1	Murder	<i>Actus reus</i> , malice aforethought.
13.2	Voluntary manslaughter	Defences of provocation, diminished responsibility and suicide pact.
13.3	Involuntary manslaughter	Gross negligence manslaughter. Unlawful act manslaughter.
13.4	Non-fatal offences against the person	Assault, battery, actual bodily harm, wounding, grievous bodily harm.
13.5	Defences	Insanity, automatism, consent, intoxication, self-defence/prevention of crime. The effect of mistake. <i>(Critical evaluation of these defences is not required.)</i>

OR

B **Contract**

13.6	Formation	Offer, acceptance, consideration (including an outline of the privity rule), intention to create legal relations.
13.7	Contract terms	Conditions and warranties. Express and implied terms. An outline of common law and statutory approaches to exclusion clauses.
13.8	Vitiating factors	Effect of void and voidable contracts. Mistake and misrepresentation.
13.9	Discharge of contract	Performance, agreement, frustration, breach.
13.10	Remedies	Damages and equitable remedies.

14

A2 Module 5

Criminal Law (Offences against Property) or Tort or Human Rights or Consumer Protection

Candidates will study **ONE** of the following:

A Criminal Law (Offences against Property)

14.1	Theft	<i>Actus reus</i> (appropriation, property, belonging to another). <i>Mens rea</i> (dishonesty, intention permanently to deprive).
14.2	Robbery	Theft with use or threat of use of force.
14.3	Burglary	Elements of section 9(1)(a) and section 9(1)(b) Theft Act 1968, burglary in dwellings and other buildings.
14.4	Deception Offences and making off without payment	Obtaining property (s15 Theft Act 1968), obtaining services (s1 Theft Act 1978), evasion of liability (s2 Theft Act 1978) Making off without payment (s3 Theft Act 1978)
14.5	Criminal Damage	Basic (s1(1), Criminal Damage Act 1971) and aggravated (s1(2), Criminal Damage Act 1971) and by fire (arson s1(3), Criminal Damage Act 1971).
14.6	Defences	Intoxication, duress, duress of circumstances, self-defence/prevention of crime. The effect of mistake. <i>(Critical evaluation of these defences is not required.)</i>

OR

B Law of Tort

14.7	Negligence	Issues of duty, breach and damage with respect to pure economic loss, negligent misstatement, psychiatric harm.
14.8	Occupiers' Liability	Liability in respect of visitors and trespassers, specific defences.
14.9	Nuisance	Elements of public and private nuisance, specific defences.
14.10	Strict and vicarious liability	Rylands v Fletcher, specific defences. Vicarious liability.
14.11	Defences	Contributory negligence, consent.
14.12	Remedies	Outline of damages. Injunctions.

OR

C Protection of Human Rights

14.13	Rights	The range of rights protected by the European Convention on Human Rights, with particular emphasis on a knowledge of Articles 8, 10 and 11 (the right to respect for private and family life, home and correspondence; the right to freedom of expression; the right to freedom of assembly and association). Human Rights Act 1998.
14.14	Restrictions	Restrictions permitted by the Convention and their relationship with UK statutes and English common law, for example: public order offences and preventative powers, police powers of stop and search and arrest, interception of communications, duty of confidentiality, obscenity, torts of defamation and trespass, harassment (criminal law and tort).
14.15	Enforcement	Role of domestic courts; process of judicial review; role of European Court of Human Rights.
14.16	Underlying concepts	Basic human rights, rule of law, due process.

OR

D Consumer Protection

14.17	Consumer contracts	Offer, acceptance, consideration, intention, privity. Standard form contracts.
14.18	Consumer legislation	Statutory provisions relating to the sale and supply of goods and services.
14.19	Exclusion clauses	Common law rules and UK and European legislation.
14.20	Criminal law and tort	Trade descriptions, tort of negligence and liability for dangerous products in civil law.
14.21	Enforcement, sanctions and remedies	Role of local authorities, advice to traders and prosecutions; civil actions by the consumer; ombudsmen, sources of advice, small claims. Sanctions and remedies.

15

A2 Module 6

Concepts of Law

Candidates are expected to relate their knowledge of legal processes, institutions and substantive law, gained in study in any of the modules, to the following concepts:

15.1	Law and morals	The distinction between law and morals; the diversity of moral views in a pluralist society; the relationship between law and morals and the legal enforcement of moral values.
15.2	Law and justice	The meaning of 'justice', theories of justice. The extent to which substantive legal rules, legal institutions and processes achieve justice.
15.3	Balancing conflicting interests	Identification of the different interests of parties to disputes. Public interests against private interests, the subordination of individual rights to community interests.
15.4	Fault	The meaning and importance of fault in civil and/or criminal law.
15.5	Judicial creativity	The extent to which the judges are able to display creativity in the operation of the system of judicial precedent and in statutory interpretation. Consideration of the balance between the roles of Parliament and the judiciary.

Key Skills and Other Issues

16

Key Skills – Teaching, Developing and Providing Opportunities for Generating Evidence

16.1 Introduction

The Key Skills qualification requires candidates to demonstrate levels of achievement in the Key Skills of *Application of Number*, *Communication* and *Information Technology*.

The units for the ‘wider’ Key Skills of *Improving own Learning*, *Working with Others* and *Problem-Solving* are also available. The acquisition and demonstration of ability in these ‘wider’ Key Skills is deemed highly desirable for all candidates, but they do not form part of the Key Skills qualification.

Copies of the Key Skills Units may be downloaded from the QCA web site (www.qca.org.uk/keyskills)

The units for each Key Skill comprise three sections:

- A What you need to know.
- B What you must do.
- C Guidance.

Candidates following a course of study based on this specification for Law can be offered opportunities to develop and generate evidence of attainment in aspects of the Key Skills of *Communication*, *Information Technology*, *Improving own Learning* and *Working with Others*. Areas of study and learning that can be used to encourage the acquisition and use of Key Skills, and to provide opportunities to generate evidence for Section B of the units, are signposted below. More specific guidance on integrating the delivery of Key Skills in courses based upon this specification is given in the AQA Teachers’ Guide.

16.2 Key Skills Opportunities in Law

The broad, multifaceted nature of a course of study in Law, which calls upon candidates' abilities to demonstrate the transferability of their knowledge, understanding and skills, make it an ideal vehicle to assist candidates to develop their knowledge and understanding of the Key Skills and to produce evidence of their application. The matrices below signpost the opportunities for the acquisition, development and production of evidence for Section B of each of the four Key Skills units at *Level 3*, in the teaching and learning modules of this specification. The degree of opportunity in any one module will depend upon a number of centre-specific factors, including teaching strategies and level of resources.

Communication

What you must do:	Signposting of Opportunities for Generating Evidence in Modules					
	1	2	3	4	5	6
C3.1a Contribute to discussions	✓	✓	✓	✓	✓	✓
C3.1b Make a presentation	✓	✓	✓	✓	✓	✓
C3.2 Read and synthesise information	✓	✓	✓	✓	✓	✓
C3.3 Write different types of documents	✓	✓	✓	✓	✓	✓

Information Technology

What you must do:	Signposting of Opportunities for Generating Evidence in Modules					
	1	2	3	4	5	6
IT3.1 Plan and use different sources to search for and select information	✓	✓	✓	✓	✓	✓
IT3.2 Explore, develop and exchange information, and derive new information	✓	✓	✓	✓	✓	✓
IT3.3 Present information including text, numbers and images	✓	✓	✓	✓	✓	✓

Working with Others

What you must do:	Signposting of Opportunities for Generating Evidence in Modules					
	1	2	3	4	5	6
WO3.1 Plan the activity	✓	✓	✓	✓	✓	✓
WO3.2 Work towards agreed objectives	✓	✓	✓	✓	✓	✓
WO3.3 Review the activity	✓	✓	✓	✓	✓	✓

Improving own learning and performance

What you must do:	Signposting of Opportunities for Generating Evidence in Modules					
	1	2	3	4	5	6
LP3.1 Agree and plan targets	✓	✓	✓	✓	✓	✓
LP3.2 Seek feedback and support	✓	✓	✓	✓	✓	✓
LP3.3 Review progress	✓	✓	✓	✓	✓	✓

NB. The signposting recorded in the four tables above represents opportunities to acquire and produce evidence of the Key Skills which are possible through this specification. There may be opportunities to achieve other aspects of Key Skills via this specification, but such opportunities are dependent on the detailed course of study delivered within centres.

Whilst some of the modules lend themselves to the development of Key Skills more than others, in each module there are opportunities to generate evidence for each part-unit. For example, with reference to C3.3, in Unit 1, two pieces of writing could be produced on judicial approaches to statutory interpretation, one of which would be an extended essay and might contain a flow chart demonstrating an overview of the process. In Module 2, two reports could be written following visits to different courts, one of which could include a diagram of the layout of the court. In Unit 4, a mini-project on legal liability could be produced, based on a scenario, including an essay containing a flowchart which summarised the liability in the particular case.

With regard to IT3.3, in Module 2, students could analyse the difficulties of funding legal cases. Sources would include textbooks, journals, newspapers and the Internet. Various reports could be prepared which included numerical information about government spending on legal services, some of which might be presented as bar charts or pie charts.

-
- 16.3 Key Skills in the Assessment of Law
- The 'main' Key Skill of *Communication* must contribute to the assessment of Law. Aspects of *Communication* are an intrinsic part of Assessment Objective Three and hence will form part of the assessment requirements for all units.
-
- 16.4 Further Guidance
- More specific guidance and examples of tasks that can provide evidence of one or more Key Skill are given in the AQA Teachers' Guide.

Spiritual, Moral, Ethical, Social, Cultural and Other Issues (including the European Dimension)

17.1 Spiritual, Moral, Ethical, Social and Cultural Issues

The study of Law contributes to candidates' understanding of Spiritual, Moral, Ethical, Social and Cultural Issues. These issues tend to permeate the subject, affecting any discussion of what law **should** be. They are specifically raised in **Module 6**, in which candidates are required to draw on a range of material from other modules.

Candidates should be aware that society is made up of individuals with a variety of opinions and moral codes and from a range of cultural backgrounds. They should be encouraged to develop an understanding that differing values and attitudes exist, and to reflect on these and their own beliefs, within the legal framework.

17.2 European Dimension

AQA has taken account of the 1988 Resolution of the Council of the European Community in preparing this specification and associated specimen papers. This specification requires candidates, in **Module 1, 10.1** and **10.2**, to acquire knowledge and understanding of the impact of European Union membership on UK legislative activity and Parliamentary sovereignty, the different kinds of EU legislation and the functions of the EU institutions. There is an opportunity in **Module 5** to study the European Convention on Human Rights.

17.3 Avoidance of Bias

AQA has taken great care in the preparation of this specification and associated specimen papers to avoid bias of any kind.

Awarding and Reporting

18

Grading, Shelf-Life and Re-Sits

- | | |
|---------------------------------|---|
| 18.1 Qualification Titles | <p>The qualifications based on these specifications have the following titles:</p> <p>AQA Advanced Subsidiary GCE in Law;
AQA Advanced GCE in Law.</p> |
| 18.2 Grading System | <p>Both the AS and the full A Level qualifications will be graded on a five-grade scale: A, B, C, D and E. Candidates who fail to reach the minimum standard for grade E will be recorded as U (unclassified) and will not receive a qualification certificate.</p> <p>Individual assessment unit results will be certificated.</p> |
| 18.3 Shelf-Life of Unit Results | <p>The shelf-life of individual unit results, prior to the award of the qualification, is limited only by the shelf-life of the specification.</p> |
| 18.4 Assessment Unit Re-Sits | <p>Each assessment unit may be re-taken an unlimited number of times within the shelf-life of the specification. The best result will count towards the final award. However, marks for individual units may be counted once only to an AS and/or an A Level award. Candidates who repeat an award and who do not decline their previous grade must re-take all units.</p> <p>An AS result can be converted into a full A Level award by taking the A2 examination at any examination series when Law is available.</p> |
| 18.5 Minimum Requirements | <p>Candidates will be graded on the basis of work submitted for the award of the qualification.</p> |
| 18.6 Awarding and Reporting | <p>This specification complies with the grading, awarding and certification requirements of the GCSE, GCSE in vocational subjects, GCE, VCE, GNVQ and AEA Code of Practice 2004/5, and will be revised in the light of any subsequent changes for future years.</p> |

Appendices

A

Grade Descriptions

The following grade descriptions indicate the level of attainment characteristic of the given grade at A Level. They give a general indication of the required learning outcomes at each specific grade. The descriptions should be interpreted in relation to the content outlined in the specification; they are not designed to define that content.

The grade awarded will depend in practice upon the extent to which the candidate has met the Assessment Objectives (as in Section 6) overall. Shortcomings in some aspects of the examination may be balanced by better performances in others.

- Grade A** Candidates are able to recall a substantial body of relevant information and present a well structured response to the question, identifying a range of issues. They are able consistently to integrate descriptive and evaluative material, make connections where appropriate, demonstrate strong analytical and problem-solving skills and construct a sound, coherent and relevant argument, supported appropriately.
- Grade C** Candidates recall a sound body of information and are able to relate it to issues raised by the questions. They demonstrate some analytical and problem-solving skills, make connections and present a sound argument with some use of authority or other evidence.
- Grade E** Candidates either provide generally accurate accounts of some relevant, descriptive material and/or identify issues raised by the question, identify connections and offer a basic evaluation drawing simple conclusions.

B

Overlaps with other Qualifications

Some of the Subject Content of this specification can be found in optional units of the AVCE in Business. To enable some co-teaching of GCE Advanced Subsidiary/Advanced Level and the AVCE in Business, this appendix outlines subject content areas which match. However, credit cannot be transferred between the GNVQ and the GCE Advanced Subsidiary/Advanced Level examinations. No marks or grades relating to the assessment of completed units can be transferred.

Links with draft AQA GNVQ Optional Units

Unit 8: Law
Introduction to Law

GCE Module 1	10.1	European Legislative Process and Institutions
	10.2	Domestic Legislative Process and Institutions
	10.3	Delegated legislation
	10.4	Influences upon Parliament
	10.5	Statutory Interpretation
	10.6	The Doctrine of Judicial Precedent
GCE Module 2	11.1	The Court structure

Unit 8: Law
Contract, consumer and employment law

GCE Module 4	Option B - Contract
GCE Module 5	Option D - Consumer Protection

Unit 22: Business and the European Union
The European Union as a law maker affecting businesses

GCE Module 1	10.1	European Legislative Process and Institutions
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