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# GCSE

# LAW

Unit 2 Law in Action  
Mark scheme

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Mark schemes are prepared by the Lead Assessment Writer and considered, together with the relevant questions, by a panel of subject teachers. This mark scheme includes any amendments made at the standardisation events which all associates participate in and is the scheme which was used by them in this examination. The standardisation process ensures that the mark scheme covers the students' responses to questions and that every associate understands and applies it in the same correct way. As preparation for standardisation each associate analyses a number of students' scripts: alternative answers not already covered by the mark scheme are discussed and legislated for. If, after the standardisation process, associates encounter unusual answers which have not been raised they are required to refer these to the Lead Assessment Writer.

It must be stressed that a mark scheme is a working document, in many cases further developed and expanded on the basis of students' reactions to a particular paper. Assumptions about future mark schemes on the basis of one year's document should be avoided; whilst the guiding principles of assessment remain constant, details will change, depending on the content of a particular examination paper.

Further copies of this Mark Scheme are available from [aqa.org.uk](http://aqa.org.uk)

## GCSE Law

Suggested answers are neither prescriptive nor exhaustive.

Within the exam paper as a whole, questions are set involving a varying number of marks. In general, marks can vary between a minimum of 3 marks up to a maximum of 15 marks. All of these questions, irrespective of the number of marks, are to be marked according to the following banded types of response. Marks are to be awarded for identifying the legal issue(s) involved, together with the quality of the explanation, showing the application of knowledge and understanding of the legal issues involved and/or the level of critical awareness displayed. All answers must be judged according to the standard one would expect from a notional 16-year-old, under examination conditions.

### Banded Mark Scheme

<b>Band 0</b>	<b>Inappropriate answer showing no understanding</b>	The number of marks will reflect the marks appropriate to the individual question
<b>Band 1</b>	<b>Basic awareness</b>	
<b>Band 2</b>	<b>Answer based on limited understanding</b>	
<b>Band 3</b>	<b>Appropriate answer showing sound understanding</b>	

As an exception to the above banded mark scheme, some questions will be marked on the basis of a mark for a particular point which the Mark Scheme will prescribe. Such questions will clearly be identified in the detailed Mark Scheme below.

Whilst it is not expected that alternative answers to questions are likely to attract credit, candidates may, on occasions, interpret questions in an unexpected way and produce answers which, though not expected, should still be credited. Answers such as these will be discussed at Standardisation meetings in the period following each new examination and credited where appropriate.

**Question 1**

**1 (a)** An action for negligence requires the claimant to prove that they were owed a duty of care by the defendant.  
Explain how this can be proved.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

**Potential Content**

- Duty of care: based on the neighbour test and reasonable foreseeability (based on Lord Atkin's judgement from **Donoghue v Stevenson**).
- Reference should be made to the incremental three-part **Caparo** test (foreseeability, proximity, just, fair and reasonable).
- Credit any other sensible development.
- Authority probably based on **Donoghue v Stevenson/Caparo v Dickman**.
- However, credit other relevant cases/examples eg **Kent v Griffiths, Bourhill v Young, Alcock v South Yorkshire Police** etc.

**Note:** answer based on only **Donoghue v Stevenson** and neighbour test/reasonable foreseeability – max 4 marks for a good answer.

**Note:** examples only – max 2 marks

[AO1: 5, AO2: 0, AO3: 0]

- 1 (b)** Discuss the advice you would give ACC if:
- Clarrie brings a claim in negligence for damages against ACC **and**
  - David brings a claim in negligence for damages against ACC.
- [8 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-6 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>7-8 marks</b>

### Potential Content

#### Clarrie

- clear duty of care to spectator at match (proximity etc)
- breach of duty looks more marginal (have the club acted unreasonably?/risk factors?)
- damage both causally linked and foreseeable
- ACC can plead consent as a defence – **Hall v Brooklands Auto Racing Club** (voluntary assumption of known risk by spectator at a sporting event)

Credit any other appropriate case references / examples / references to occupiers' liability

Application and conclusion – liability looks unlikely (probably based on lack of breach and/or defence)

#### David

- duty of care based on foreseeability/proximity?
- very unlikely to be a breach of duty of care based on low risk/injury unlikely to occur.
- case/example eg **Bolton v Stone**

Credit any other appropriate case references/examples

Application and conclusion (probably no liability based on no breach) (credit **reasoned** alternative conclusion)

**Note:** one aspect only – max 5 marks for a good answer

**Note:** possible answer on David's claim which is based on public nuisance – credit max 6

**Note:** answers on Clarrie or David based on trespass – no credit

[AO1: 3, AO2: 5, AO3: 0]

**1 (c)** Freddie is also threatening to sue for negligence as a result of the food poisoning he suffered.

Briefly explain to ACC whether Freddie has a valid claim for negligence **and**, if so, whether it is ACC or Emma who is liable.

**[6 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

**Potential Content**

**Negligence:**

- As a player, Freddie is clearly owed a duty of care (forseeability, proximity etc)
- Clear breach based on out-of-date food (Emma/ACC? have not acted reasonably etc)
- Causally linked damage + foreseeable
- Relevant authority

Application and conclusion (that liability is clear)

**Who to sue:**

- No reason why Emma should not be personally liable
- Are ACC vicariously liable? – Is Emma an employee/independent contractor/casual helper (volunteer)? (the first looks unlikely on the facts, either of the other two would lead to the same conclusion)
- Could ACC be liable directly by failing to check? (how could the check in practice be carried out?)
- Case/example

Application and conclusion (probably that Emma is liable, ACC is not) (credit **reasoned** alternative conclusion)

Note: only one aspect dealt with – max 4 marks

[AO1: 2, AO2: 4, AO3:0]

**1 (d) (i)** Considering Helen’s claim for negligence, discuss whether George was in breach of a duty of care to Helen when he was driving his car back to the car park.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

- Clear breach of duty of care (reasonable drivers do not drive ‘blind’)
- Possible reference to risk factors (high risk, potential seriousness, easily avoided etc)
- Case/example eg **Nettleship v Weston** (falling below the standard of the reasonable driver)

Application and conclusion (that George would almost certainly be liable for negligence)

**Note:** other aspects of negligence eg duty /damage only – max 1 mark

Possible reference to defence of Act of God (probably not pleadable on the facts)

**Note:** contributory negligence by Helen – do not credit.

**Note:** possible answer which focuses only on the defence of Act of God – max 1 mark

[AO1: 0, AO2: 4, AO3:0]

**1 (d) (ii)** Considering Helen’s claim for negligence, discuss the effect it may have on her claim that she was running, **without looking**, towards the clubhouse.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

- Recognition of contributory negligence
- Act/case/example eg Law Reform (Contributory Negligence) Act 1945, **Sayers v Harlow**  
**UDC, Froom v Butcher**
- Effect (liability remains but damages are reduced by an appropriate percentage)  
Application and Conclusion (that Helen’s claim will succeed, but reduced damages awarded)

**Note:** no authority – max 3 marks

[AO1: 0, AO2: 4, AO3: 0]

**1 (d) (iii)** Considering Helen’s claim for negligence **against ACC**, discuss the importance of the following facts:

- that George is an employee of ACC
- that George was at the club to collect a bag of manure for his own garden.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 marks</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

- Recognition of potential for vicarious liability/significance of George being an ‘employee’ (ie that prima facie ACC will be responsible for their employee’s actions).
- However, George appears not to be ‘acting in the course of his employment’ / ‘on a frolic of his own’.
- Case/example eg **Beard v LGO**  
Application and Conclusion (probably George liable, ACC not)

Credit **reasoned** alternative conclusion eg ACC can be liable if the club authorised George to remove the manure.



**Note:** no authority – max 3 marks

[AO1: 0, AO2: 4, AO3: 0]

**1 (e)** Discuss the advantages **and** disadvantages of the law relating to contributory negligence.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

### Potential Content

#### Advantages:

Eg

- prevents the claimant being awarded full damages when he is at fault
- damages are only reduced by an appropriate percentage etc.

#### Disadvantages:

Eg

- defendant is just as responsible but pays less money
- claimant left short of damages which may be needed in the future etc.

Possible reference to decided cases eg **Froom v Butcher**

Reasoned conclusion

**Note:** credit any other sensible points raised

**Note:** unbalanced answer, max 4 marks if well argued

[AO1: 0, AO2: 0, AO3:5]

**1 (f)** Iftikar is considering suing ACC because of the damage to his house caused by the flood. However, he has been advised that ACC may have a defence to his claim.

Identify the defence that ACC may be able to plead **and** briefly discuss whether that defence is likely to succeed.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 marks</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

- Identification of Act of God – **1 mark**
- Definition of defence – unforeseeable act of nature.
- Case/example eg **Nichols v Marsland**
- Application – ‘violent and heavy rainstorm’ likely to meet the definition.

Conclusion – no liability is the most likely conclusion (based on a successful defence).

Credit alternative reasoned conclusion eg based on ACC’s failure to ensure the ditch would drain properly.

**Note:** no authority – max 3 marks

**1(g)** Choose any **one** of the general defences in tort which include consent, inevitable accident, necessity and Act of God.

Briefly discuss why this defence exists **and** briefly comment on any criticisms of this defence. **(Answer in continuous prose.)**

**[5 marks]**

Band 0	Inappropriate answer showing no understanding. The candidate spells, punctuates and uses the rules of grammar poorly: he/she uses a very limited range of specialist terms, perhaps inaccurately.	<b>0 marks</b>
Band 1	Basic awareness. The candidate spells, punctuates and use the rules of grammar with some accuracy: he/she uses a limited range of specialist terms appropriately.	<b>1-2 marks</b>
Band 2	Answer based on limited understanding. The candidate spells, punctuates and uses the rules of grammar with reasonable accuracy: he/she uses a good range of specialist terms with facility.	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding. The candidate spells, punctuates and uses the rules of grammar with considerable accuracy: he/she uses a wide range of specialist terms adeptly.	<b>5 marks</b>

**Note: Quality of Written Communication is to be assessed in this part-question. Assess the law content first (up to max of 3 marks), then assess the QWC on the following basis:**

- **Average performance for a notional 16-year-old under exam conditions – 1 mark**
- **Better than average – 2 marks**
- **Significantly below average – 0 marks**

**Add the two marks (for law and QWC) together. Then place the response in the band which provides the ‘best fit’ in the light of both the legal content and the QWC.**

### **Potential Content**

#### **Eg as a general issue:**

Successful defence leaves a claimant who has suffered loss without a remedy **v** the law should only impose liability where there is fault. A valid defence would suggest no fault.

#### **Specific issues related to particular defences:**

**Eg consent:** risks willingly undertaken by the claimant should not be subject a claim **v** did the claimant fully appreciate the risk?

**Eg inevitable accident:** society accepts that some losses cannot be avoided **v** argument for compulsory social insurance?

**Eg necessity:** given a choice of two ‘evils’, a responsible defendant should chose the lesser **v** claimant may suffer a completely undeserved loss eg Cope v Sharpe

**Eg Act of God:** some losses are beyond human control **v** but not beyond human’s ability to insure against etc.

**Note:** Credit any other sensible points raised

**Note:** Unbalanced answer – max 4 marks (2 law, 2 QWC)

**Note:** no law marks, max 1 QWC

[AO1: 0, AO2: 0, AO3:5]

**Question 2**

**2 (a)** Briefly explain what is meant by the terms, ‘actus reus’, ‘mens rea’ and ‘strict liability’.

**[6 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

**Potential Content**

**Actus reus:**

- guilty act/physical aspect of crime. **(1 mark)**
- Possible reference to omissions, consequences.
- Case/example to illustrate eg **Miller**.

**Mens rea:**

- guilty mind/mental aspect of crime. **(1 mark)**
- Intention + recklessness.
- Case/example to illustrate eg **Mohan, Hancock & Shankland, Cunningham**.

**Strict Liability:**

- Offences which require no/less mens rea **(1 mark)**
- Possible reference to common law/statutory offences or understanding of regulatory offences
- Case/example to illustrate eg **Evening Standard, Sweet v Parsley, Smedleys v Breed**

**Note:** only one aspect – max 3 marks for a good answer

**Note:** only two aspects – max 5 marks for two good answers

[AO1: 6, AO2: 0, AO3:0]

**2 (b) (i)** Discuss the criminal liability of Jason as he entered Ken’s house.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based upon limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

- Recognition of burglary – **1 mark**
- Definition ie Entry as a trespasser with intent to inflict gbh
- S.9(1)(a) Theft Act 1968
- Possible case eg **Walkington**
- Possible reference to intoxication

Application and conclusion (that Jason would be guilty of a S.9(1)(a) burglary)

[AO1: 1, AO2: 3, AO3:0]

**2 (b) (ii)** Discuss the criminal liability of Jason as a result of him hitting Ken and breaking his nose. Include in your answer any defence that Jason may be able to plead.

**[6 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

**Potential Content**

**Most likely charge – assault occasioning actual bodily harm or S.20 gbh - 1 mark**

- Actus reus (assault or battery, causing, injury/infliction of serious? injury)
  - Mens rea (intention or recklessness as to the assault or battery/intention or reckless some injury)
  - S.47 Offences against the Person Act 1861/S.20 1861 Act
  - Case/example eg **Chan Fook /Savage/Smith**
- Application and conclusion (that Jason is charged with a S.47 abh or S.20 gbh)

**Note:** max 5 marks for abh only

**Note:** battery only – max 2 marks

**Other possible charges – S 9 (1) (b) burglary - 1 mark**

- Having entered then inflicts gbh (broken nose?)
  - Case/example eg **Saunders** (gbh = serious injury)
- Application and conclusion (that Jason may be charged with a S. 9(1)(b) burglary)

**Note:** max 4 marks for burglary only

**Reference to self-defence - 1 mark**

- Belief in need to use force + reasonable force
  - Case/example eg **Martin**
- Application and conclusion (that the defence may or may not succeed)

**Note:** max 3 marks for self-defence only. Possible reference to intoxication (max 2 marks if properly applied)

**Note:** where two or more aspects are raised, credit the best one and enhance the mark with the other aspect(s)

**Note:** check Band at end to confirm mark

[AO1: 1, AO2: 5, AO3:0]

**2 (c) (i)** Identify and briefly explain the offence Ken may have committed as a result of each of the two actions described below. Ignore any possible defence in your answer.

- When Ken swings the baseball bat at Jason.
- When Ken fractures Jason’s skull.

**[6 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

### Potential Content

#### (i) Recognition of assault - 1 mark

- Definition of offence – an act which intentionally/recklessly causes the victim to apprehend (fear) immediate unlawful application of force
- Reference to authority (Act – S.39 Criminal Justice Act 1988, case eg **Logdon**)

Application

Conclusion (clear basis to charge)

#### (ii) Recognition of gbh - 1 mark

- Definition of offence – malicious infliction (cause) serious injury (with intent)
- Reference to authority (Act – S.20 and/or S.18 Offences against the Person Act 1861, case eg **Saunders, Savage & Parmenter, Belfon**)

Application to S.18/ or S.20 offences

Conclusion (clear basis to charge – either version of gbh can be justified)

**Note:** only one aspect – max 4 marks for a good answer

[AO1: 1, AO2: 5, AO3:0]

**Note:** no authority – max 5 marks

**2 (c) (ii)** Ken has been advised that he may be able to plead a defence if charged with offences committed against Jason.

Consider whether he has been well advised **and** whether the defence may succeed.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based upon limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

**Recognition of self-defence - 1 mark**

- Subjective test - belief in need to use force
  - Objective test – use of reasonable force in the circumstances
  - Case/example eg **Williams, Martin**
  - Application and conclusion (either way, depending on whether the jury see the force used as reasonable. Good candidates may distinguish between the initial assault and the later gbh).
- [AO1: 0, AO2: 4, AO3:0]

**2 (d)** Briefly discuss the criminal liability of Maria for pushing Ken.

**[3 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based upon limited understanding	<b>2 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>3 marks</b>

**Potential Content**

**Recognition of battery (assault not creditworthy) – 1 mark**

- Definition (application of unlawful force, intentionally or recklessly) **OR**
- Relevant authority eg Act S.39 Criminal Justice Act 1988, or case eg **Collins v Wilcock/** credit other relevant examples **- 1 mark**
- Application and conclusion (clear basis to charge) – **1 mark**

**Note:** the identified marks are required for sound understanding. Check Band at end.

[AO1: 0, AO2: 3, AO3:0]



<b>2 (e)</b>	Discuss the criminal liability of Nick for the injury suffered by Ken. Include in your answer any relevant defence he may be able to plead.	<b>[6 marks]</b>
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Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

**Potential Content**

**Recognition of wounding as the most appropriate offence – 1 mark**

- Definition of actus reus (break in both layers of the skin such that blood flows) **and**
- Definition of mens rea  
(with particular reference to the S.18/S.20 distinction)
- Authority in support ie Offences against the Person Act 1861 and/or cases  
eg **C v Eisenhower, Savage & Parmenter**

Application and conclusion (most likely charge under S.20, more questionable under S.18)

**Defence** – potential defence of insanity – **1 mark**

- Definition/authority (**McNaghten’s case 1843**)/effect, if successfully pleaded (special verdict of not guilty by reason of insanity)

**Note:** wounding only - max 4 marks

**Note:** alternative charges, abh only – no credit, gbh only – max 4 marks if well argued

**Note:** defence only – max 3 marks for a good answer

**Note:** diminished responsibility/loss of control – no credit

(Notional 4:2 split offence/defence)

[AO1: 1, AO2: 5, AO3:0]

**2 (f) (i)** Comment on whether the law relating to non-fatal offences is in need of reform.  
**(Answer in continuous prose.)**

**[5 marks]**

Band 0	Inappropriate answer showing no understanding. The candidate spells, punctuates and uses the rules of grammar poorly: he/she uses a very limited range of specialist terms, perhaps inaccurately.	<b>0 marks</b>
Band 1	Basic awareness. The candidate spells, punctuates and use the rules of grammar with some accuracy: he/she uses a limited range of specialist terms appropriately.	<b>1-2 marks</b>
Band 2	Answer based on limited understanding. The candidate spells, punctuates and uses the rules of grammar with reasonable accuracy: he/she uses a good range of specialist terms with facility.	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding. The candidate spells, punctuates and uses the rules of grammar with considerable accuracy: he/she uses a wide range of specialist terms adeptly.	<b>5 marks</b>

**Note: Quality of Written Communication is to be assessed in this part-question. Assess the law content first (up to max of 3 marks), then assess the QWC on the following basis:**

- Average performance for a notional 16-year-old under exam conditions – 1 mark
- Better than average – 2 marks
- Significantly below average – 0 marks

**Add the two marks (for law and QWC) together. Then place the response in the band which provides the ‘best fit’ in the light of both the legal content and the QWC.**

### Potential Content

Recognition that the law in this area has been the subject of much criticism

**Eg**

- Language issues (assault and maliciously (public perception and the law are different), grievous (not a suitable word for the 21<sup>st</sup> century), wounding (unnecessarily specific definition) etc)
- paired offences under the same Section (S.39 (assault and battery), Ss.18 and 20 (gbh and wounding))
- sentencing structure (S.47 and 20 – same maximum sentence for different levels of offence)
- more general problems relating to consent (when allowable?), domestic violence (proof and issues at trial) etc

Conclusion (probably in favour of reform, but credit reasoned alternatives)

**Note:** credit any other sensible critical comments made

**Note:** unbalanced answer can still achieve max marks

**Note:** no law marks, max 1 QWC

[AO1: 0, AO2: 0, AO3: 5]

**2 (f) (ii)** According to the old saying, “An Englishman’s home is his castle”.

Discuss how well the law allows householders to defend their homes against intruders.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

**Potential Content**

**Arguments for the current law – eg**

- The law on self-defence allows householders to use reasonable force to defend themselves, others, property. This supports the public perception that ‘An Englishman’s home...’.
- CPS guidelines have recently been re-defined to broaden what would be reasonable force. This reinforces that perception.
- Juries are generally sympathetic to householders and unsympathetic to burglars. This is part of the notion of ‘jury equity’ etc.

**Arguments against the current law – eg**

- It is difficult for a householder to judge what is reasonable. How can a householder know what a jury in the future may judge as reasonable?
- It is difficult for juries to apply the law on reasonable force with consistency. This is because of the objective nature of the test etc.

Probable reference to cases such as **Martin**

**Note:** credit any other sensible points raised

**Note:** unbalanced answer – max 4 marks

[AO1: 0, AO2: 0, AO3:5]

**Question 3**

**3 (a) (i)** Briefly explain **three** basic requirements of a valid will.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

**Potential Content**

- In writing (**1 mark**), can also be typed, can be written on anything, can be marked eg cross., thumbprint
- Signed by the testator (**1 mark**), mark or thumbprint will suffice, should be signed at the end of the will, effect of S.17 Administration of Justice Act 1982 (depends on the intentions of the testator).
- Witnessed (**1 mark**), two witnesses, present at the same time, witness the signature not the will, minor witnesses (valid if old enough to understand), blind witnesses (invalid as cannot see testator's signature).

Possible reference to Wills Act 1837

Possible case in support eg **Re Gibson**

**Note:** credit also age (18+), free will and sound mind as valid requirements (max 2 marks)

**Note:** the three identified marks add up to bottom of limited understanding. Any two 'bits' of development beyond there may be enough for sound understanding – Check Band at end.

[AO1: 5, AO2: 0, AO3: 0]

**3 (a) (ii)** Discuss why the requirements you explained in question 3(a)(i) would **not** have applied to Oliver’s informal will made 34 years ago.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based upon limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4marks</b>

**Potential Content**

- Recognition of a privileged (informal) will
- Special rules ie must be armed forces (on active service) or merchant seaman (emergency situation) Relaxation of usual legal formalities ie testator can be under 18, will can be in writing without witnesses, will can be spoken with a witness.
- Relevant authority – Wills (Soldiers and Sailors) Act 1918, **Re Jones**

Application and conclusion

**Note:** no authority – max 3 marks

[AO1: 0, AO2: 4, AO3: 0]

**3 (b) (i)** Under normal circumstances, outline the legal effect on a will of the following actions:

- marriage (or entering into a civil partnership).
- divorce
- destruction of a will.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

### Potential Content

**Marriage:** normally revokes an earlier will in its entirety. Possible reference to a will made in contemplation of marriage.

**Divorce:** will remains valid, but ex-spouse removed as beneficiary and executor  
Possible reference to ex-spouse's right to contest the will

**Destruction:** if deliberate by or on behalf of the testator, the will is revoked. Accidental destruction has no effect upon the will (unless (being practical) it is the only copy)

Possible reference to Wills Act 1837

**Note:** all three aspects must be addressed for sound understanding

**Note:** any two aspects (max 4 marks), any one aspect (max 2 marks)

[AO1:5, AO2: 0, AO3:0]

**3 (b) (ii)** Briefly discuss the following.

- the legal effect on Oliver’s informal will, when he made a new will two years later
- the legal effect of Oliver’s marriage to Poppy on the will he made three months before they got married.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

### Potential Content

#### New will:

- a new will, provided it is valid, and provided it is inconsistent with the earlier will, revokes the earlier will.
- Application and conclusion ie that the informal will would be revoked in its’ entirety.

#### Marriage:

- normally a marriage revokes a prior will, but if the will was made in contemplation of marriage to a named person + marriage taking place within 6 months of the will.
- Application (will made only three months ago) and conclusion – subject to the above limitations, Oliver’s will likely to remain valid. Credit reasoned alternative conclusion.

**Note:** only one aspect dealt with – max 3 marks

[AO1: 0, AO2: 5, AO3: 0]

**3 (b) (iii)** Both Poppy and Willow may feel they have rights in respect of Oliver's estate.  
Discuss how the law may distribute Oliver's estate. **[6 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

### Potential Content

**Note:** there are two potentially correct answers to this question, depending on how candidates have addressed the issue of the will made in contemplation of marriage. Treat both answers as equally creditworthy and potentially worth full marks, provided the candidate indicates why they are dealing with the estate in this way. If this aspect is not addressed – **max 5 marks**.

**Assuming the will made in favour of Poppy is still valid** (by far the most likely approach):

Oliver's entire estate will pass to Poppy under his will.

Willow may seek to claim under the Inheritance (Provision for Family and Dependants) Act 1975.

She was being maintained by the deceased immediately prior to his death (5 year period)

No financial provision made by Oliver to continue that provision for Willow

Willow would need to make application to the High Court

High Court can order payment of a lump sum / periodical payments if claim successful

Application – credit reference to large estate, possibly because of the lottery win at a time when

Willow was being maintained.

Conclusion (either way in terms of Willow's rights)

**Assuming the will made in favour of Poppy was revoked by his marriage** (unlikely, but possible):

Oliver's marriage to Poppy would revoke both his preceding wills

Oliver would then die intestate

His estate would then be distributed under the intestacy rules (Administration of Estates Act 1925 as amended)

Poppy would be the major beneficiary (personal chattels, £250,000 absolutely + life interest in half the residue (£200,000)).

Possible reference to balance of the estate to his surviving child (Tulip) (£100,000 on the statutory trusts), and grandchildren (through Saffron) (£50,000 each on the statutory trusts)

Possible explanation of 'statutory trusts' – money held in trust for a minor until the age of 18 or prior marriage.

Recognition that Willow would get nothing on an intestacy

Recognition that Willow may seek to claim under the Inheritance (Provision for Family and Dependants) Act 1975 (as above).

**Note:** where a candidate deals with both possibilities, either credit the best one, or credit both (making allowance for breadth rather than depth), whichever approach favours the candidate.

[AO1: 0, AO2: 6, AO3:0]



**3 (b) (iv)** Comment on how well the law might deal with Oliver's estate.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

### Potential Content

The following range of comments may validly be raised:

**Eg**

- Difficulties relating to the proof requirements of informal wills.
- Problems associated with wills made before marriage, especially as many couples may live together (and make wills) for years before they marry.
- Difficulties associated with the distribution under the intestacy rules (may not meet testator's wishes or family needs etc).
- Testator's right to leave his/her estate to whom they wish should be protected by the law. This right must be set against the Family Provision Rules and meeting the (expected and/or unexpected) needs of both close family and dependants.

**Note:** credit any other sensible points raised

**Note:** a balanced approach may be better, but candidates can still achieve max marks with a well-argued, one-sided answer.

[AO1: 0, AO2: 0, AO3:5]

**3 (c)** Both Rose and Saffron have died intestate.

**3 (c) (i)** Explain how the law will deal with the distribution of Rose's estate.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 marks</b>
Band 2	Answer based upon limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

### **Potential Content**

Recognition that Rose has died intestate. Therefore the estate will be distributed under the intestacy rules.

Rose has a civil partner (Violet) and no children. Therefore Violet will receive:

- Personal chattels (household/personal goods)
- £450 000 + half the residue (£25 000) absolutely
- The balance (£25 000) will be distributed to Oliver and Poppy.

Possible reference to the Administration of Estates Act 1925 (as amended)

Possible reference to the appointment of an administrator + duties

**Note:** the maths does not have to be correct, but the principles of division must be for a sound answer.

**Note:** old intestacy limits used – max 3 marks for an answer which is otherwise correct

**Note:** recognition of Violet as primary beneficiary only – 1 mark

[AO1: 0, AO2: 4, AO3:0]

**3 (c) (ii)** Explain how the law will deal with the distribution of Saffron's estate.

**[6 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based upon limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

### Potential Content

Recognition that Saffron has died intestate. Therefore, the estate will be distributed under the intestacy rules. (1 mark)

Saffron has a husband and two young children. Therefore husband will receive:

- Personal chattels (household/personal goods) (1 mark)
- £250 000 + a life interest in half the residue (£100 000, invested - husband can spend interest but not the capital). (2 marks)
- The balance (£100 000 will be divided equally between Saffron's children, on the statutory trusts (18<sup>th</sup> birthday or prior marriage). (2 marks)

Possible reference to children inheriting the other £100 000 on the death of their father.

Possible reference to the Administration of Estates Act 1925 (as amended)

Possible reference to the appointment of an administrator + duties

**Note:** the maths does not have to be correct, but the principles of division must be for a sound answer.

**Note:** old intestacy limits used – max 5 marks for an answer which is otherwise correct

**Note:** recognition of husband as primary beneficiary only – 1 mark

[AO1: 0, AO2:6, AO3: 0]

<b>3 (d)</b>	Comment on the <b>advantages</b> of making a will as opposed to dying intestate. <b>(Answer in continuous prose.)</b>	<b>[5 marks]</b>
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Band 0	Inappropriate answer showing no understanding. The candidate spells, punctuates and uses the rules of grammar poorly: he/she uses a very limited range of specialist terms, perhaps inaccurately.	<b>0 marks</b>
Band 1	Basic awareness. The candidate spells, punctuates and use the rules of grammar with some accuracy: he/she uses a limited range of specialist terms appropriately.	<b>1-2 marks</b>
Band 2	Answer based on limited understanding. The candidate spells, punctuates and uses the rules of grammar with reasonable accuracy: he/she uses a good range of specialist terms with facility.	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding. The candidate spells, punctuates and uses the rules of grammar with considerable accuracy: he/she uses a wide range of specialist terms adeptly.	<b>5 marks</b>

**Note: Quality of Written Communication is to be assessed in this part-question. Assess the law content first (up to max of 3 marks), then assess the QWC on the following basis:**

- **Average performance for a notional 16-year-old under exam conditions – 1 mark**
- **Better than average – 2 marks**
- **Significantly below average – 0 marks**

**Add the two marks (for law and QWC) together. Then place the response in the band which provides the ‘best fit’ in the light of both the legal content and the QWC.**

### Potential Content

Comments may include, for example:

- Freedom of choice for testator to leave estate to whom he chooses
- Intestacy rules may not suit the testator
- Testator can appoint an executor of his choosing
- Cheaper + quicker than administration
- Testator can express other wishes in a will eg funeral arrangements, guardianship of children etc,
- Testator can set up a trust beyond the age of 18
- Will can be updated before death etc

**Note:** credit any other sensible comments in a legal context

**Note:** unbalanced answer can still achieve max marks (3 law, 2 QWC)

**Note:** no law marks, max 1 QWC

[AO1: 0, AO2: 0, AO3: 5]

**Question 4**

**4 (a)** Outline what is meant by the terms **offer** and **acceptance** in contract law. **[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

**Potential Content****Offer:**

- Definition (statement of terms by which the offeror is prepared to be bound)
- Examples of situations where offers are made eg bids at an auction, customer at the cash desk

Possible reference to rules of offer eg communication, difference with an invitation to treat etc.

Possible reference to relevant case(s) eg **Carlill v Carbolic Smokeball Co**, **Fisher v Bell**

**Acceptance:**

- Definition (complete agreement to terms of offer)
- Examples eg hammer falls at an auction, cashier at cash till etc

Possible reference to rules of acceptance eg communication, unqualified (counter offers), postal rule

Possible reference to relevant case(s) eg **Felthouse v Bindley**, **Household Fire Insurance Co v Grant**

**Note:** Offer or acceptance only max 3 marks

[AO1:5, AO2:0, AO3:0]

**4 (b)** Explain to Ben the relevant consumer protection law that will apply to the following:

**4 (b) (i)** Chantelle’s shrunk swimsuit.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

### Potential Content

- Recognition of a contract for the sale of goods
- Sale of Goods Act 1979 as amended
- Potential for claim under S.13 (sale by description)
- Potential for claim under S.14(3) (fitness for purpose) – sale made by shop in the course of a business, buyer relies on the skill and judgement of the seller.
- Possible case(s) eg **Beale v Taylor**
- Remedy

Application and conclusion (after only two weeks, purchase price should be refunded)

**Note:** candidates can achieve max marks with a sound understanding/application of **one** of the relevant implied terms

**Note:** no authority, max 3 marks

[AO1:0, AO2:4, AO3:0]

**4 (b)** Explain to Ben the relevant consumer protection law that will apply to the following:

**4 (b) (ii)** Donna's wrongly priced water bottle.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

### **Potential Content**

- Recognition of an invitation to treat
- Understanding of legal implications (display on the shelf is an invitation to treat, customer makes the offer at the till, shop accepts or can reject the offer)
- Relevant case/example eg **Boots v Pharmaceutical Society of Great Britain, Fisher v Bell**  
Application and conclusion (shop not legally obliged to sell at the lower price)

**Note:** no case /example – max 3 marks

[AO1:0, AO2:4, AO3:0]

<p><b>4 (b)</b> Explain to Ben the relevant consumer protection law that will apply to the following:</p> <p><b>4 (b) (iii)</b> Elliot’s stale cake <b>and</b> poor service in the cafe.</p> <p style="text-align: right;"><b>[5 marks]</b></p>
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Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

**Potential Content**

**Cake:**

- Recognition of a contract for the sale of goods
- Sale of Goods Act 1979 as amended
- Potential for claim under S.14(2) (satisfactory quality) – sale in the course of a business. Cake not fit for the purpose for which goods of that kind are commonly bought.
- Possible case(s) eg **Wilson v Rickett Cockerell**
- Remedy

Application and conclusion (full refund looks appropriate)

**Service:**

- Recognition of a contract for the supply of services
- Supply of Goods and Services Act 1982
- Potential for claim under S.13 SGSA (implied term that the contract must be carried out with reasonable care and skill)
- Possible case/example
- Remedy

Application and conclusion (full refund looks appropriate)

**Note:** candidates may address the whole problem under the 1982 Act (S.4 for the cake, S.13 for the service) – credit fully

**Note:** only one aspect dealt with – max 3 max marks

**Note:** no authority, max 4 marks

[AO1:0, AO2:5, AO3:0]



**4 (b) (iv)** Any claim arising out of these problems in the shop would almost certainly be heard in the County Court, using the Small Claims Track.

Discuss the advantages **and** disadvantages of using the Small Claims Track.

**[5 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5 marks</b>

**Potential Content**

**Advantages** – Eg

- relatively informal
- reduced cost
- parties represent themselves
- straightforward process
- relatively quick etc.

**Disadvantages** – Eg

- imbalance where other party can afford representation
- limited appeals
- lack of understanding amongst ordinary consumers etc.

Possible conclusion – Either way is acceptable, but probably in favour

**Note:** imbalanced answer – max 4 marks

[AO1:0, AO2:0, AO3:5]

**4 (c)** Outline the key provisions of the Consumer Protection Act 1987 **and** explain how that Act may apply to the damage and injury suffered by Faye.

**[6 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1-2 marks</b>
Band 2	Answer based on limited understanding	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>5-6 marks</b>

### **Potential Content**

#### **Key provisions** (max 3 marks)

- Liability for a defective product (subject to a manufacturing process)
- Producer (liability rests with the manufacturer or person who claims to be the manufacturer eg an own-brander such as a supermarket)
- Defect (the product exhibits a lack of safety)
- Damage (must be £275+, excludes damage to the product itself)

#### **Application to Faye** (max 4 marks)

- The gym equipment is a product
- GFS are the manufacturers
- The product was not safe to use
- Conclusion - GFS appear to be liable to Faye assuming the damage exceeds £275.
- None of the statutory defences (eg claimant at fault) seem to apply.

**Note:** no or wrong application – max 3 marks

[AO1:2, AO2:4, AO3:0]

<p><b>4 (d)</b> There may be a number of legal implications relating to the incident involving Henrick and Imelda.</p> <p><b>4 (d) (i)</b> Outline the health and safety implications of this incident.</p>	<p><b>[4 marks]</b></p>
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Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

- Reference to the Health and Safety at Work Act 1974
- Duties on both employer and employee to protect others in the workplace
- Clear breach (employee leaving his post putting a child at risk) risking the safety of a member of the public
- Role of H & S Executive/inspectors to enforce the Act (enter and investigate, prohibition notice, improvement notice, potential for a criminal prosecution)
- Case(s) in support eg **Dexter v Tenby Electrical**

Application + conclusion (Henrick and/or ADC could be prosecuted)

**Note:** answers which deal with Health and Safety in the wrong context (civil) – max 2 marks

[AO1:0, AO2:4, AO3:0]

**4 (d) (ii)** Henrick was sacked immediately by the leisure centre manager. Henrick has indicated that he may bring a case for unfair dismissal.

Briefly explain where **and** how such a case would be heard.

**[3 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based on limited understanding	<b>2 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>3 marks</b>

**Potential Content**

- Recognition of an (Employment) Tribunal – **1 mark**
- Application to Employment Tribunal by Henrick within 3 months of dismissal
- Relatively informal hearing
- Possible reference to composition of tribunal (legally qualified chair + two lay members)
- Possible reference to powers of tribunal (reinstate, re-engage, compensation)
- Possible reference to case eg **Blackman v Post Office**

[AO1:3, AO2:0, AO3:0]

**4 (d)(iii)** Any claim for compensation brought by or on behalf of Imelda is likely to be brought against ADC. This principle is known as vicarious liability.

Briefly explain how this principle may operate in this case.

**[4 marks]**

Band 0	Inappropriate answer showing no understanding	<b>0 marks</b>
Band 1	Basic awareness	<b>1 mark</b>
Band 2	Answer based on limited understanding	<b>2-3 marks</b>
Band 3	Appropriate answer showing sound understanding	<b>4 marks</b>

**Potential Content**

- Recognition of employer’s liability for the actions of employees
- Key requirements of an ‘employee’, acting in the ‘course of their employment’
- Case(s)/example in support eg **Limpus v LGO**

Application (that Henrick was an employee and was doing his job at the time)

Conclusion (straightforward claim against ADC)

**Note:** no case/example – max 3 marks

[AO1:0, AO2:4, AO3:0]

**4 (d) (iv)** Comment on the **advantages** of vicarious liability for a claimant who has suffered loss. **(Answer in continuous prose.)**

**[5 marks]**

Band 0	Inappropriate answer showing no understanding. The candidate spells, punctuates and uses the rules of grammar poorly: he/she uses a very limited range of specialist terms, perhaps inaccurately.	<b>0 marks</b>
Band 1	Basic awareness. The candidate spells, punctuates and use the rules of grammar with some accuracy: he/she uses a limited range of specialist terms appropriately.	<b>1-2 marks</b>
Band 2	Answer based on limited understanding. The candidate spells, punctuates and uses the rules of grammar with reasonable accuracy: he/she uses a good range of specialist terms with facility.	<b>3-4 marks</b>
Band 3	Appropriate answer showing sound understanding. The candidate spells, punctuates and uses the rules of grammar with considerable accuracy: he/she uses a wide range of specialist terms adeptly.	<b>5 marks</b>

**Note: Quality of Written Communication is to be assessed in this part-question. Assess the law content first (up to max of 3 marks), then assess the QWC on the following basis:**

- **Average performance for a notional 16-year-old under exam conditions – 1 mark**
- **Better than average – 2 marks**
- **Significantly below average – 0 marks**

**Add the two marks (for law and QWC) together. Then place the response in the band which provides the ‘best fit’ in the light of both the legal content and the QWC.**

#### **Potential Content**

**Advantages** – eg:

- justice is done (employer has a duty to ensure competent staff + should be responsible if they are not competent)
- higher standards for the general public (better trained employees)
- safer working environments for all employees
- claimant has a better chance of recovering damages from the employer (not will get more money)
- employer must be insured (employee may be a ‘man of straw’) etc

**Note:** credit any other sensible comments

**Note:** no balancing arguments required / disadvantages are not creditworthy

**Note:** conclusion may be desirable but not required for max

**Note:** no law marks, max 1 QWC

[AO1: 0, AO2: 0, AO3: 5]

**ASSESSMENT GRID  
41602**

	Maximum Mark	Assessment Objective 1	Assessment Objective 2	Assessment Objective 3
Question 1	45	a) 5 b) 3 c) 2 d) 0 e) 0 f) 0 g) 0	0 5 4 12 0 4 0	0 0 0 0 5 0 5
Question 2	45	a) 6 b) 2 c) 1 d) 0 e) 1 f) 0	0 8 9 3 5 0	0 0 0 0 0 10
Question 3	45	a) 5 b) 5 c) 0 d) 0	4 11 10 0	0 5 0 5
Question 4	45	a) 5 b) 0 c) 2 d) 3	0 13 4 8	0 5 0 5
SUB-TOTAL	90	20	50	20

**ASSESSMENT GRID OVERALL (Both Papers)**

**AO1 Target 30-40% Achieved 37.2%**

**AO2 Target 20-30% Achieved 27.8%**

**AO3 Target 30-40% Achieved 35.0%**

Assessment objective coverage identical to Specimen Papers, taking into account also 41601