



GCE A LEVEL MARKING SCHEME

SUMMER 2019

**A LEVEL
LAW - COMPONENT 1
THE NATURE OF LAW AND THE ENGLISH LEGAL
SYSTEM
A150U10-1**

INTRODUCTION

This marking scheme was used by WJEC for the 2019 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

It is hoped that this information will be of assistance to centres but it is recognised at the same time that, without the benefit of participation in the examiners' conference, teachers may have different views on certain matters of detail or interpretation.

WJEC regrets that it cannot enter into any discussion or correspondence about this marking scheme.

EDUQAS GCE A LEVEL LAW

COMPONENT 1: THE NATURE OF LAW AND THE ENGLISH LEGAL SYSTEM

SUMMER 2019 MARK SCHEME

Marking guidance for examiners

Summary of assessment objectives for Component 1

Component 1 assesses all three assessment objectives: AO1, AO2 and AO3. The assessment objectives focus on the ability to demonstrate knowledge and understanding of, the English legal system and legal rules and principles; the ability to apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology; and the ability to analyse and evaluate legal rules, principles, concepts and issues respectively..

The structure of the mark scheme

The mark scheme for both Section A and Section B has two parts:

- indicative content which can be used to assess the quality of the specific response. The content is not prescriptive and candidates are not expected to mention all the material referred to. Examiners should seek to credit any further admissible evidence offered by the candidates.
- an assessment grid advising bands and associated marks that should be allocated to responses which demonstrate the characteristics needed in AO1, AO2 and AO3.

Stage 1 - Deciding on the band

Beginning at the lowest band, examiners should look at the learner's answer and check whether it matches the descriptor for that band. If the descriptor at the lowest band is satisfied, examiners should move up to the next band and repeat this process for each band until the descriptor matches the answer.

If an answer covers different aspects of different bands within the mark scheme, a 'best fit' approach should be adopted to decide on the band and then the learner's response should be used to decide on the mark within the band. For instance if a response is mainly in band 2 but with a limited amount of band 3 content, the answer would be placed in band 2, but the mark awarded would be close to the top of band 2 as a result of the band 3 content.

Examiners should not seek to mark candidates down as a result of small omissions in minor areas of an answer.

- The first stage for an examiner is to use both the indicative content and the assessment grid to decide the overall band.
- The second stage is to decide how firmly the characteristics expected for that band are displayed.
- Thirdly, a mark for the question is awarded.

Stage 2 - Deciding on the mark

During standardising (marking conference), detailed advice from the Principal Examiner on the qualities of each mark band will be given. Examiners will then receive examples of answers in each mark band that have been awarded a mark by the Principal Examiner.

Examiners should mark the examples and compare their marks with those of the Principal Examiner.

When marking, examiners can use these examples to decide whether a learner's response is of a superior, inferior or comparable standard to the example. Examiners are reminded of the need to revisit the answer as they apply the mark scheme in order to confirm that the band and the mark allocated is appropriate to the response provided.

Indicative content is also provided for banded mark schemes. Indicative content is not exhaustive, and any other valid points must be credited. In order to reach the highest bands of the mark scheme a learner need not cover all of the points mentioned in the indicative content but must meet the requirements of the highest mark band. Where a response is not creditworthy, that is contains nothing of any significance to the mark scheme, or where no response has been provided, no marks should be awarded.

Section A

Question 1

Explain the literal and golden rules of statutory interpretation.

[5]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In explaining what is meant by the literal and golden rules of interpretation, candidates are expected to demonstrate knowledge and understanding of the English legal system and legal rules and principles underlying rule of interpretation. In demonstrating this knowledge and understanding, candidates are required to focus on the specific nature of the question and not simply give a general answer on statutory interpretation.

The response might consider issues such as:

- Role of the judge in interpreting statutes
- Literal rule –takes the words in an Act literally, grammatically, even if this causes an absurd result. Respects sovereignty of Parliament. Legal authority – LNER v Berriman, Whiteley v Chappell. Credit for other citation.
- Golden rule – Can be used where the literal rule causes an absurd result. Substitutes a ‘reasonable’ meaning in light of the statute as a whole. Legal authority – Adler v George, R v Allen. Credit for other citation.

Band	Marks	AO1: Demonstrate knowledge and understanding of the English legal system and legal rules and principles
3	4-5	<ul style="list-style-type: none">• Excellent knowledge and understanding of the English legal system and legal rules and principles relating to the literal and golden rules of interpretation. Response is clear, detailed and fully developed.
2	2-3	<ul style="list-style-type: none">• Good knowledge and understanding of the English legal system and legal rules and principles relating to the literal and golden rules of interpretation. Response is generally clear, detailed and developed.
1	1	<ul style="list-style-type: none">• Basic knowledge and understanding of the English legal system and legal rules and principles relating to the literal and golden rules of interpretation. Response includes minimal detail.
	0	Response not creditworthy or not attempted.

Question 2

Explain what is meant by the rule of law.

[5]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In explaining what is meant by the rule of law, candidates are expected to demonstrate knowledge and understanding of the separation of powers and legal rules and principles underlying the UK unwritten constitution focusing on the rule of law. In demonstrating this knowledge and understanding candidates are required to focus on the specific nature of the question and not simply give a general answer on the constitution.

The response might consider issues such as:

- UK unwritten constitution – separation of powers, parliamentary sovereignty and rule of law.
- Rule of Law – AV Dicey. No punishment without breach, equality before the law, supremacy of ordinary law. Bingham on the rule of law.
- Examples – Credit for any relevant citation. E.g. Belmarsh detainees, Black Spider memos, etc.

Band	Marks	AO1: Demonstrate knowledge and understanding of the English legal system and legal rules and principles
3	4-5	<ul style="list-style-type: none">• Excellent knowledge and understanding of the English legal system and legal rules and principles relating to the rule of law. Response is clear, detailed and fully developed.
2	2-3	<ul style="list-style-type: none">• Good knowledge and understanding of the English legal system and legal rules and principles relating the rule of law. Response is generally clear, detailed and developed.
1	1	<ul style="list-style-type: none">• Basic knowledge and understanding of the English legal system and legal rules and principles relating to rule of law. Response includes minimal detail.
	0	Response not creditworthy or not attempted.

Question 3

Read the scenario below and answer the question that follows.

In 2013 the Supreme Court in the (fictitious) case of R v Phillips held that the defence of self-defence for the crime of murder was only available where the defendant had been put in an unavoidable and imminent situation where life was at stake.

In 2016, Miriam killed her husband, Wyn. She had planned to do so over a period of months because she had been repeatedly physically abused by him over many years. The prosecution claimed that on a basis of the (fictitious) Supreme Court decision in R v Phillips that the defence of self-defence was not available to her. Miriam's case has now reached the Court of Appeal and they are considering the options available to them.

Using your knowledge of judicial precedent, advise the Court of Appeal as to the likely outcomes for Miriam's case [15]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In advising the court, candidates are expected to demonstrate knowledge and understanding of judicial precedent. Candidates are expected to apply the full range of legal rules and principles that affect the application of judicial precedent to Miriam's situation. In this case candidates may consider the application of following, distinguishing, departing, overruling and reversing, to the given scenario in order to present a legal argument, using appropriate legal terminology.

The response might consider issues such as:

- Operation of precedent within the court hierarchy. Position of Miriam's case in the Court of Appeal and the precedent case in the Supreme Court. Ratio – no defence of self-defence.
- Follow – if a judge follows the R v Phillips case, Miriam's case will be interpreted in the same way provided the judge feels the cases are sufficiently similar. Court of Appeal is bound by the Supreme Court.
- Distinguish – Court of Appeal could argue that Miriam's case is different in some way and reach a different conclusion. Authority – Balfour v Balfour, Merrit v Merrit.
- Overruling – As the Court of Appeal is below the Supreme Court, Miriam's case would need to be appealed to the Supreme Court for the R v Phillips decision to be overruled using the 1966 Practice Statement. Credit for examples of when this has been used. E.g. R v R (1991).
- Reversing – Not available as it is not the R v Phillips case on appeal.
- Departing.

Assessment Grid for Question 3

Band	Marks	AO2: Apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology
4	12-15	<ul style="list-style-type: none"> • Excellent application of legal rules and principles to the situation. • Excellent presentation of a legal argument using appropriate legal terminology, case law and other legal authorities relating to judicial precedent. The legal argument is detailed, fully developed and persuasive.
3	8-11	<ul style="list-style-type: none"> • Good application of legal rules and principles to the situation. • Good presentation of a legal argument using appropriate legal terminology, case law and other legal authorities relating to judicial precedent. The legal argument is generally detailed, developed and persuasive.
2	4-7	<ul style="list-style-type: none"> • Adequate application of legal rules and principles to the situation. • Adequate presentation of a legal argument using some appropriate legal terminology, case law and other legal authorities relating to judicial precedent. The legal argument includes some detail which is developed in places.
1	1-3	<ul style="list-style-type: none"> • Basic application of legal rules and principles to the situation. • Basic presentation of a legal argument using minimal legal terminology relating to judicial precedent. The legal argument includes minimal detail.
	0	Response not creditworthy or not attempted.

Question 4

Read the text below and answer part the question that follows.

Following concerns about the polluting effect of diesel cars, Parliament passed an Act – the Diesel (fictitious) Act 2018 which makes it an offence to drive a diesel car in certain circumstances, without a license.

Diesel (Fictitious) Act 2018

Section 1: Any motor vehicle used for private driving which consumes diesel at a rate exceeding 25 miles per gallon (mpg) is classified, for the purposes of this Act, as a gas guzzler.

Section 1 (2): It is an offence to drive a gas guzzler on a long journey without a license, which can be bought for an annual fee of £1000. The offence carries with it a fine of £5000.

Section 2: A long journey consists of a maximum of 200 miles in one day or a period of 24 hours.

Olga has imported a diesel vehicle from Poland which only manages 15 mpg. She does not have a license as she does not intend to drive it on a long journey. Olga leaves home at 8pm and drives her car to her mother-in-law's house which is 180 miles away but due to an emergency back home, Olga has to turn around at 1am the next day to go back home. The total journey is 300 miles. Olga is charged with an offence under Section 1(2) of the Act.

Using your knowledge of statutory interpretation, advise Olga as to the possible outcomes of her case. [15]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In advising Olga, candidates are expected to apply the full range of legal rules and principles that affect the application of the rules of statutory interpretation to Olga's situation. In this case candidates may apply the literal, golden, mischief and purposive rules, plus other aids of interpretation, including both intrinsic and extrinsic aids, to the given scenario in order to present a legal argument.

The response might consider issues such as:

- Applying the four rules of statutory interpretation to the scenario:
 - Literal: gives words their natural and grammatical meaning, even if the result is absurd – *Whitely v Chappel*, *Lees v Secretary of State*, *Fisher v Bell*, *London LNER v Berriman*. Application of the rule to the scenario.
 - Golden: allows words in a statute to be modified in order to avoid an absurdity or repugnant result – *Sweet v Parsley*, *Adler v George*, *Re Sigsworth*, *R v Allen*. Application of the rule to the scenario.
 - Mischief: looks at the gap in the law Parliament intended to fill. Established in *Heydon's Case*. Used in *Smith v Hughes*, *Royal College of Nursing v DHSS*, *Pepper v Hart*. Application of the rule to the scenario.
 - Purposive: looks at the 'spirit of the law' and looks to see what Parliament intended, favoured approach of interpretation of EU Law – *Magor v St Mellons*, *Quinatown*, *Jones v Tower Boot Company*. Application of the approach to the scenario.

- Applying other methods of interpretation:
 - Intrinsic aids (short title, long title, preamble interpretation sections, margin notes)
 - Rules of Language
 - Extrinsic aids (Hansard, dictionaries, textbooks, Human Rights Act 1998, international conventions)
 - Presumptions

Assessment Grid for Question 4

Band	Marks	AO2: Apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology
4	12-15	<ul style="list-style-type: none"> • Excellent application of legal rules and principles to Olga's situation. • Excellent presentation of a legal argument using appropriate legal terminology, case law and other legal authorities relating to statutory interpretation. The legal argument is detailed, fully developed and persuasive.
3	8-11	<ul style="list-style-type: none"> • Good application of legal rules and principles to Olga's situation. • Good presentation of a legal argument using appropriate legal terminology, case law and other legal authorities relating to statutory interpretation. The legal argument is generally detailed, developed and persuasive.
2	4-7	<ul style="list-style-type: none"> • Adequate application of legal rules and principles to Olga's situation. • Adequate presentation of a legal argument using some appropriate legal terminology, case law and other legal authorities relating statutory interpretation. The legal argument includes some detail which is developed in places.
1	1-3	<ul style="list-style-type: none"> • Basic application of legal rules and principles to Olga's situation. • Basic presentation of a legal argument using minimal legal terminology relating to statutory interpretation. The legal argument includes minimal detail.
	0	Response not creditworthy or not attempted.

Section B

Question 5(a)

Explain the eligibility criteria required to become a judge.

[10]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In explaining the eligibility criteria required to become a judge, candidates are expected to demonstrate knowledge and understanding of legal rules and principles underlying the judiciary. In demonstrating this knowledge and understanding candidates are required to give an answer which is focused on the eligibility criteria required to become a judge at each level and not issues such as selection, independence, role, etc.

The response might consider issues such as:

- Judicial appointment eligibility criteria must be met – relevant legal qualification and gained experience in law.
- Criteria widened by Courts and Legal Services Act 1990
- Tribunals Courts and Enforcement Act 2007 widened pool of applicants (solicitor, barristers, CILEX, Registered Patent Attorneys, Trade Mark Attorneys).
- TCEAct 2007 – allowed other methods of ‘gaining experience in law’. E.g. teaching law, working in arbitration/mediation. Act also reduced the time a person must work in the law before they can apply to become a judge – 5 and 7 years depending on level of judge.
- Individual judicial qualifications:
 - Justice of Supreme Court – appointed from those who have held high judicial office or qualified to practice in senior courts for at least 15 years or have been a barrister or solicitor for at least 15 years.
 - Lords/Ladies Justice of Appeal – gained experience in law for at least 7 years or have been a barrister or solicitor for at least 7 years. Or be an existing High Court judge.
 - High Court Judge – gained experience in law / qualified as a barrister or solicitor for at least 7 years or have been a barrister or solicitor for at least 7 years. Or be a Circuit judge for 2 years.
 - Circuit Judge – gained experience in law/qualified as a barrister or solicitor for at least 7 years or have been a recorder.
 - Recorder – Part time. Gained experience in law / qualified as a barrister or solicitor for at least 7 years.
 - District Judge – Qualified as a barrister or solicitor / gained experience in law for at least 5 years.
 - Tribunal Judge – Qualified as a barrister or solicitor / gained experience in law for at least 5 year.

Assessment Grid for Question 5(a)

Band	Marks	AO1: Demonstrate knowledge and understanding of the English legal system and legal rules and principles
4	8-10	<ul style="list-style-type: none"> Excellent knowledge and understanding of the English legal system and legal rules and principles relating to the qualifications required to become a judge. Response is clear, detailed and fully developed.
3	5-7	<ul style="list-style-type: none"> Good knowledge and understanding of the English legal system and legal rules and principles relating to the qualifications required to become a judge. Response is generally clear, detailed and developed.
2	3-4	<ul style="list-style-type: none"> Adequate knowledge and understanding of the English legal system and legal rules and principles relating to the qualifications required to become a judge. Response includes some detail which is developed in places.
1	1-2	<ul style="list-style-type: none"> Basic knowledge and understanding of the English legal system and legal rules and principles relating to the qualifications required to become a judge. Response includes minimal detail.
	0	Response not credit worthy or not attempted.

Question 5(b)

Analyse and evaluate the independence of the judiciary.

[15]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In order to achieve the highest marks, candidates must demonstrate their ability to draw together details from pervasive areas including the rule of law, the English legal system and the nature of law. For example, a response may include reference to the importance of the judiciary in the separation of powers, and their role in upholding justice.

Candidates will offer an analysis of the legal rules, principles, concepts and issues in order to evaluate the independence of the judiciary. In order to reach a substantiated judgement about this issue, candidates may argue that judges must be independent from the executive and legislature. Candidates might consider challenging this judgment by arguing judges may be biased and are not necessarily representative of society. Overall candidates will offer a debate and come to a substantiated judgement regarding the independence of the judiciary.

The response might consider aspects such as:

- Importance of independence of the judiciary.
- Principles of natural justice – e.g. Pinochet case
- Role of the judiciary in the separation of powers:
 - Independence from the legislature – creation of Supreme Court – CRA 2005.
 - Independence from the executive – security of tenure. CRA 2005. Reformed role of the Lord Chancellor.
- Freedom from pressure:
 - Financial independence – salary.
 - Immunity from being sued – *Sirros v Moore* (1975)
 - Security of tenure
- Independence from political bias. Arguments of e.g. Griffith regarding potential bias pro-establishment and right wing bias.
- Examples of pro-government decisions – e.g. GCHQ case. Credit for any relevant citation.
- Examples of anti-government decisions – e.g. Greenham common protest. Credit for any relevant citation.
- Role in judicial review and protection of independence.
- Role in human rights – e.g. *A V Others* (2004). Credit for any relevant citation.
- Reform of the role of the Lord Chancellor to promote independence.

Assessment Grid for Question 5(b)

Band	Marks	AO3: Analyse and evaluate legal rules, principles and concepts
4	12-15	<ul style="list-style-type: none"> • Excellent analysis of legal rules, principles and concepts relevant to the independence of the judiciary. Analysis is detailed with appropriate range of supporting evidence which draws together knowledge, skills and understanding. • Excellent evaluation of the success of the independence of the judiciary, including a valid and substantiated judgement. • Excellent citation of supporting case law and legal authorities.
3	8-11	<ul style="list-style-type: none"> • Good analysis of legal rules, principles and concepts relevant to the success of the independence of the judiciary. Analysis is generally detailed with appropriate range of supporting evidence. • Good evaluation of the success of the independence of the judiciary, including a valid judgement. • Good citation of supporting case law and legal authorities.
2	4-7	<ul style="list-style-type: none"> • Adequate analysis of legal rules, principles and concepts relevant to the success of the independence of the judiciary. Analysis includes some detail with some supporting evidence. • Adequate evaluation of the success of the independence of the judiciary, including reference to a judgement. • Adequate citation of supporting case law and legal authorities.
1	1-3	<ul style="list-style-type: none"> • Basic analysis of legal rules, principles and concepts relevant to the success of the independence of the judiciary. Analysis includes minimal detail. • Basic evaluation of the success of the independence of the judiciary. • Basic citation of supporting case law and legal authorities.
	0	Response not creditworthy or not attempted.

Question 6 (a)

Explain the role of the jury in trials in England and Wales

[10]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In explaining the role of jury trial in England and Wales, candidates are expected to demonstrate knowledge and understanding of the English legal system and legal rules and principles underlying the role of the jury. In demonstrating this knowledge and understanding, candidates are required to be aware of the role of jury in civil, criminal and coroner's court trials and not issues such as selection, qualifications or the reliability of the jury.. The response might consider issues such as:

- Jury independence – Bushell's case, R v Wang, Magna Carta
- Deciders of fact
- Role in criminal trials – present in the Crown Court. Decide guilt or innocence 'beyond reasonable doubt'.
- Usually 12 jurors present who must all be in agreement on the verdict (unanimous). Judge can instruct them to reach a majority verdict of 10:2 or 11:1 after a 'reasonable' period of time. Criminal Justice Act 2003 allows trial by judge alone where evidence of jury tampering exists – R v Twomey. Hussain 2017.
- Role in civil trials – very rare. Limited since Defamation Act 2013 and Ward v James in personal injury cases. Remains option in fraud, malicious prosecution and false imprisonment.
- Role in coroner's court – inquests; decide cause of death where unnatural or unexplained.

Assessment Grid for Question 6(a)

Band	Marks	AO1: Demonstrate knowledge and understanding of the English legal system and legal rules and principles
4	8-10	<ul style="list-style-type: none">• Excellent knowledge and understanding of the English legal system and legal rules and principles relating to the role of the jury. Response is clear, detailed and fully developed.
3	5-7	<ul style="list-style-type: none">• Good knowledge and understanding of the English legal system and legal rules and principles relating to the role of the jury. Response is generally clear, detailed and developed.
2	3-4	<ul style="list-style-type: none">• Adequate knowledge and understanding of the English legal system and legal rules and principles relating to the role of the jury. Response includes some detail which is developed in places.
1	1-2	<ul style="list-style-type: none">• Basic knowledge and understanding of the English legal system and legal rules and principles relating to the role of the jury. Response includes minimal detail.
	0	Response not credit worthy or not attempted.

Question 6 (b)

Analyse and evaluate the advantages and disadvantages of trial by jury.

[15]

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates. In order to achieve the highest marks, candidates must demonstrate their ability to draw together details from areas including civil courts, the English legal system and the nature of law.

In order to reach a substantiated judgement about this issue, candidates may argue that the reliability of jury trial has been enhanced by the reforms to qualifications made under the CJA 2003. Candidates might consider challenging this by arguing the use of lay people who are not trained in setting aside bias may not lead to the correct result. Overall candidates will offer a debate and come to a substantiated judgement regarding the advantages and disadvantages of trial by jury.

The response might consider issues such as:

- Trial by jury mentioned in Magna Carta
- Jury reliability strengthened by increasing those eligible – Criminal Justice Act 2003. However, cases such as R v Abdroikof and R v Khan question whether this increased eligibility (police officers, CPS, judges) is appropriate
- Trial by jury has a number of advantages, including (but not limited to):
 - o Open system of justice
 - o Secrecy of the jury room
 - o Jury equity
 - o Public participation in the legal system
- Trial by jury has a number of disadvantages, including (but not limited to):
 - o Perverse verdict
 - o Secrecy
 - o No reasons for verdicts given
 - o Distress to jury members
- Credit for any relevant citation.

Assessment Grid for Question 6(b)

Band	Marks	AO3: Analyse and evaluate legal rules, principles and concepts
4	12-15	<ul style="list-style-type: none"> • Excellent analysis of legal rules, principles and concepts relevant to the advantages and disadvantages of trial by jury. Analysis is detailed with appropriate range of supporting evidence which draws together knowledge, skills and understanding. • Excellent evaluation of the success of the advantages and disadvantages of trial by jury, including a valid and substantiated judgement. • Excellent citation of supporting case law and legal authorities.
3	8-11	<ul style="list-style-type: none"> • Good analysis of legal rules, principles and concepts relevant to the success of the advantages and disadvantages of trial by jury. Analysis is generally detailed with appropriate range of supporting evidence. • Good evaluation of the success of the advantages and disadvantages of trial by jury, including a valid judgement. • Good citation of supporting case law and legal authorities.
2	4-7	<ul style="list-style-type: none"> • Adequate analysis of legal rules, principles and concepts relevant to the success of the advantages and disadvantages of trial by jury. Analysis includes some detail with some supporting evidence. • Adequate evaluation of the success of the advantages and disadvantages of trial by jury, including reference to a judgement. • Adequate citation of supporting case law and legal authorities.
1	1-3	<ul style="list-style-type: none"> • Basic analysis of legal rules, principles and concepts relevant to the success of the advantages and disadvantages of trial by jury. Analysis includes minimal detail. • Basic evaluation of the success of the advantages and disadvantages of trial by jury. • Basic citation of supporting case law and legal authorities.
	0	Response not creditworthy or not attempted.