



Examiners' Report Principal Examiner Feedback

October 2018

Pearson Edexcel International Advanced Level in
Law (YLA1)
Paper 1: Underlying Principles of Law and the
English Legal System

Introduction

This was the fourth paper in this 2015 new specification for IAL Law. The new Paper 1 contains 5 questions of 20 marks each. There is no question choice on the paper, candidates are required to answer all questions. The format of the paper is that the first two questions consist of short to medium response questions, the next two questions consist of multi-part, problem-solving questions and the last question on the paper is a problem-solving question. The paper is worth 50% of the total IAL raw marks. The subject content for the paper is selected from the nature, purpose of and liability in Law, and the sources of English law, its enforcement and administration.

Most candidates attempted all questions, although some candidates omitted to answer questions 4a and 4c. This would appear to be because of lack of knowledge, rather than time issues.

Interpretation of questions and their command words need to be improved upon. Candidates must remember that each part of a question is marked in isolation, so if the correct information for part a of a question is put wrongly in the answer to part b of that question rather than in part a, no marks will be awarded for that information.

General issues

Questions carrying 2 or 4 marks are asking candidates for points based answers which means they could receive a mark for every correct accurate point made in answering the question. Space provided for answers should inform candidates of the length of the required response. Command words such as 'Describe' or 'Explain', gain marks for providing knowledge, description or explanation and providing examples for exemplification of specific legal concepts.

Questions worth 6, 10, 12, 14 or 20 marks are asking candidates to provide an explanation, assessment, analysis or evaluation of a given legal concept or issue using a combination of appropriate legal knowledge together with an assessment of the issue. Candidates answers are awarded a mark based on the level of response they display.

Questions asking for 'Analyse' require candidates to weigh up a legal issue with accurate knowledge supported by authorities or legal theories and to display developed reasoning and balance. Questions asking for 'Evaluation' additionally require a justified conclusion based on this reasoning and balance.

Question 1a: (2 Marks)

This question is a points-based one where the candidate needs to briefly state the burden and standard of proof required to prove guilt in a criminal case.

Many candidates could only state either the burden or the standard of proof. This meant they were awarded 1 mark rather than 2 marks as in the example below.

In criminal case the standard of proof required to prove
guilt is "
~~34-15~~ beyond a reasonable doubt."

Question 1b: (6 Marks)

This was marked using a levels-of-response based mark scheme. The candidates' answers were assessed in their entirety and allocated a level based on where this best fitted the level descriptors.

The command word in this question was 'Explain', which was looking for an extended answer, candidates were required to demonstrate understanding of two of the three criminal sanctions listed and provide examples of when they should be used.

Candidates' answers often just attempted to describe one of the sanctions listed rather than explaining two. These answers were usually very simplistic and were particularly weak on suspended sentences.

For level 1 candidates were only able to provide isolated elements of knowledge and understanding.

For level 2 candidates provided several elements of knowledge supported by some application

For level 3 candidates demonstrated detailed understanding supported by relevant application.

1. Suspended prison sentence are sentences which are used for a defendant. They are suspended for five years. example disqualification from driving license. If a person is drunk and he is driving he commits the crime then the courts will cancel his license or suspend him for 3 years with a fine.
2. Community service order:- it is when a person commits crime to public so the courts will give community orders such as fines, discharge and community work. These orders are usually for young offender.

Examiner comments

This scored 1 mark. It is a very weak answer.

Question 1c: (12 Marks)

This question was marked using a levels-of-response based mark scheme. The candidates' answers were assessed in their entirety and allocated a level based on where this best fitted the level descriptors.

The command word in this question was 'Assess', which was looking for an extended answer, weighing up how the theories of retribution, deterrence and rehabilitation can be achieved through criminal sanctions. This should have included an explanation of the aims of the three theories and then the impact or effect of the theories on the sanctions / sentences imposed by the courts in criminal cases, together with any problems or criticisms.

For level 1 candidates gave isolated elements of knowledge.

For level 2 candidates demonstrated some understanding and began to make connections.

For level 3 candidates demonstrated accurate understanding and attempts application using examples.

For level 4 candidates demonstrated thorough and accurate understanding, logical chains of reasoning and good application.

WHEN IMPOSING SENTENCES THE COURTS NOT ONLY CONSIDER THE TYPE OF SENTENCE TO BE IMPOSED, BUT ALSO THE AIM OF SENTENCING. RETRIBUTION IS GIVEN TO THE OFFENDER SIMPLY ON THE BASIS THAT HE/SHE DESERVES TO BE PUNISHED BECAUSE OF THE CRIME THEY HAVE COMMITTED. RETRIBUTION DOES NOT SEEK TO REHABILITATE THE OFFENDER IN ANYWAY NOR IS AN ATTEMPT TO PREVENT THE FROM REOFFENDING IN THE FUTURE. RETRIBUTION CAN BE ACHIEVED THROUGH SENTENCING A CUSTODIAL SENTENCE, AIMED AT PUNISHING THE OFFENDER SIMPLY. OR IT CAN BE ACHIEVED THROUGH A COMBINATION OF A CUSTODIAL SENTENCE AND A COMMUNITY SENTENCE.

DETERRENCE CAN INCLUDE INDIVIDUAL DETERRENCE WHICH WAS THE AIM OF PREVENTING THE OFFENDER FROM COMMITTING THE OFFENCE IN THE FUTURE. THIS CAN CERTAINLY BE ACHIEVED BY IMPOSING SERIOUS, LONG-TERM SENTENCES SUCH AS MANDATORY-LIFE SENTENCES AND SUSPENDED PRISON SENTENCES, WHICH MAY INFLICT FEAR ON THE OFFENDER OF FUTURE PUNISHMENT AND PREVENT THEM FROM REOFFENDING. DETERRENCE CAN ALSO INCLUDE GENERAL ^{DETERRENCE} ~~THE AIM OF REHAB~~ WHICH IS TO PREVENT THE PUBLIC OVERALL FROM COMMITTING OFFENCES. THIS CAN BE ACHIEVED SEVERAL SERIOUS SENTENCES SUCH AS DEATH PENALTIES FOR MURDERING OFFENCES OR EVEN A DISCHARGE FROM DRIVING AFTER CONVICTION FOR RECKLESS

OR CARELESS DRIVING. REHABILITATION IS AIMED TOWARDS THE REFORM OF THE INDIVIDUALS PERSONALITY AND THIS CAN BE ACHIEVED BY SENTENCES THAT KEEP THE OFFENDER WITHIN THE COMMUNITY. THIS CAN BE ACHIEVED BY PASSING SEVERAL COMMUNITY SENTENCES TO HELP THE OFFENDER IN STRUCTURING OF HIS PERSONALITY. IN CONCLUSION, SANCTIONS TO BE IMPOSED ON CRIMINALS ALMOST ALWAYS FULFILL SOME SORT OF 'AIM' AND CERTAIN AIMS OF SENTENCING BECOME EVIDENT WITH THE ONSLAUGHT OF PUNISHMENT THAT THEY CARRY WITH THEM. SO THE FEAR OF BEING PUNISHED IF OFFENDERS RE-OFFEND CAN STOP THEM FROM RE-OFFENDING.

Examiner comments

This scored 8 marks and illustrates a good band 3 answer.

Examiner tip

Try and identify the key issues/cases to enhance your mark. This will mean your answers will be more concise and focused.

Question 2a: (4 Marks)

This question is a points-based one where the candidate needs to explain the role of the European Court of Justice. There were up to 2 marks for an accurate definition and up to 2 additional marks for each linked example or expansion, up to a maximum of 4 marks in total for the question.

The command word is 'explain' which requires candidates to provide an extended answer, including examples or expansion.

The European Court of Justice ensures that all Member States interpret European Law correctly. It also acts as a court of first instance for areas such as employment of EU citizens. The ECJ is the highest court in the court hierarchy, it binds lower courts up until the Supreme Court or House of Lords. The ECJ also decides on disputes ~~let~~ regarding European Law.

Examiner comments

This is a good answer and scored 3 out of 4 marks. It needed another example /expansion for full marks.

Question 2b: (4 Marks)

The command word here is also 'explain' which requires candidates to explain the differences between Regulations and Directives.

This question is a points-based one where the candidate needs to explain the meaning of both terms and then also the differences between them. There were up to 2 marks for each term's definition and an example, and then there were 2 marks for further explanation of their differences.

Candidates did well on this question.

A regulation passed by the European Commission ~~is~~ generally applies to all citizens and firms within the EU. It ^{does not} give more flexibility to member states than a directive does, to make their own primary legislation. Directives on that matter have to still be binding, while it rather sets the standards on which the domestic law has to be made. Such UK law that was made to comply to an EU directive on product liability was the Consumer Protection Act 1987. Regulations are somewhat stricter, coming into force immediately regardless of conflicting national legislation. Re Pachography the Commission v the UK is authority to do this

Examiner comments

The example script above scored full marks for this question.

Question 2c: (12 Marks)

This question was marked using a levels-of-response based mark scheme. The candidates' answers were assessed in their entirety and allocated a level based on where this best fitted the level descriptions.

The command word in this question was 'Assess', which was looking for an extended answer, weighing up the effect on the sovereignty of the United Kingdom Parliament of leaving the European Union. This should have included an explanation of the impact of leaving on Parliament and UK law and then an assessment of the impact together with a discussion of relevant authorities together with any problems/criticisms, advantages / disadvantages.

For level 1 candidates gave isolated elements of knowledge.

For level 2 candidates demonstrated some understanding and began to make connections.

For level 3 candidates demonstrated accurate understanding and attempts application using examples.

For level 4 candidates demonstrated thorough and accurate understanding, logical chains of reasoning and good application.

The assessment in many candidates' answers was very simplistic, often unbalanced and without any examples or authorities for justification.

The UK joined the EU in 1973 by compliance to abiding its overriding legislation. A.V Dicey's theory on the sovereignty of the parliament was, thus, intruded. When the UK parliament could not be questioned by the courts, the church or any other body; the EU intruded this concept by passing regulations and directives to alter domestic legislation by the authority vested in SR(1) and SR(4) of the European Communities Act.

With the UK to leave the EU by March, 2019, the intention behind the referendum of 2016 is sparked over and over on regaining power. No longer will the UK have to abide the directives and regulation of the EU. This would then not allow EU citizens to have a say on the UK Acts. The Merchant Shipping Act 1988 had to be replaced when some Spanish fishermen could not go fishing in English without a licence. The sovereignty of the UK parliament will not then be questioned.

However, most regulations and directives that prompted the parliament to comply to EU law for decades will still apply as the ~~smooth~~ smooth transition is ensured by the Great Repeal bill, which would still be effective. This consists of many European legislation that has been incorporated into domestic law, hindering parliamentary sovereignty. Moreover, should the Chequer's plan succeed, most rules on customs will remain to exist within the common market. This is unlikely, however since the European Commission disagrees on the proposed term of restraining the free movement of labour.

The Human Rights Act 1998 that was passed by the Labour

government to incorporate the European Convention on Human Rights, also to infringe the sovereignty of the UK parliament. The fact that should this continue to remain even after the UK has left, by s.19 a government minister would have to read the compatibility of the relevant bill. Hirst v the UK stands as authority to what also may happen, should the UK remain. In such an instance, European Human Rights law that has not been incorporated into the HRA could be disregarded, allowing the UK to not be turned down by the courts on not complying with the ECHR.

Examiner comments

This scored 8 marks and is an example of a good band 3 piece of work. It assesses advantages and disadvantages, discusses authorities, but justification and balanced comparisons need a little more for top band marks.

Examiner tip

Make sure you read and understand the command word in a question and the marks allocated. Check your answer regularly to make sure you stick rigidly to this.

Question 3a: (2 Marks)

The command word is 'describe' which requires candidates to provide an accurate description of the role of a solicitor. One mark is awarded for the definition of a role and a further mark for expansion or example.

Examiner comments

The example below spends too much time on qualification rather than role and was therefore awarded 1 mark rather than 2.

A solicitor is a legally qualified individual who passed the LPC (Legal practice course) and completed 2 years of training in a solicitor's firm. The LPC which provides training in the skills of ~~advoc~~ interviewing clients, drafting contracts, draft contracts, draw up wills, advocacy.

Question 3b: (4 Marks)

The command word in this question was 'Explain', which was looking for a detailed answer proving two ways that a barrister's role differs from that of a solicitor.

This question is a points-based one where the candidate needed to explain two ways that a barrister's role differs from that of a solicitor for up to 2 marks, and then explanation/examples for the 2 further application marks.

Candidates often failed to give two examples, and there was a lot of misunderstanding, with statements made such as 'solicitors cannot appear in court'.

- 1 Barristers tend to focus on advocacy which is representing a client and his case in court. This is because they have full rights of audience in all courts. They do not engage in other activities such as drafting contracts, drawing up wills and
- 2 Solicitors tend to focus on conveyancing (the legal aspect of buying and selling land and buildings), drafting legal documents, drawing up wills and writing letters on behalf of client. They do not engage in much advocacy as they have limited rights of audience in only the Magistrates' court and County court.

Examiner comments

The example above was a good answer and was awarded full marks.

Question 3c: (14 Marks)

This question was marked using a levels-of-response based mark scheme. The candidates' answers were assessed in their entirety and allocated a level based on where this best fitted the level descriptions.

The command word in this question was 'Evaluate', which was looking for an extended answer with examples of the advantages and disadvantages of the two legal professions.

Candidates were expected to set out the advantages and disadvantages, draw on evidence and then to justify their argument. Candidates needed to weigh up the relevant issues and provide a conclusion.

Most candidates made general statements or comments about the two professions rather than providing an evaluation and conclusion.

For level 1 candidates demonstrated isolated elements of knowledge

For level 2 candidates demonstrated some understanding and began to apply their knowledge to the question, albeit sometimes applied inappropriately.

For level 3 candidates demonstrated accurate understanding of the question demonstrated accurate understanding supported by relevant examples and attempted to balance reasoning and evaluate with a conclusion.

For level 4 candidates demonstrated thorough and accurate understanding and an awareness of competing arguments with balanced interpretations, reasoning and a sound conclusion.

The fusion of the two separate branches of the legal profession emerged as a debate in the latter half of the 1960s. The practice direction made by the Chancellor's Advisory Council in 1969 says much about the need for fusion on the grounds of the small number of barristers being in practice to the number of solicitors. The ratio stands at 15,000 to 180,000 currently.

The Law Society document, The lawyers and the courts: time to make some changes, looks at how, firstly, there is the duplication

of work. In most Commonwealth countries, the issue does not arise as there are no two professions, only lawyers in general. On top of how the training for both professions are the same, after the Courts and Legal Services Act 1990, their duties began to be similar with solicitors receiving extended rights of audience. While solicitors no longer hold the monopoly for conveyancing.

Another disadvantage as enlightened further by legal scholar Michael Zander, ^{is that} the expenses for legal cases are higher due to the prevalence of two professions. A client would have to pay both the barrister and the solicitor when the solicitor has to clarify on certain legislation. This falls as a drawback to the entire legal system when justice is strained by the need of sufficient finances.

However, the bar council would lose its independence and specialisation if the two professions were joined. To set back in history to one profession not only breaks the traditions, but also the freedom to specialise when it is needed in a growing legal system that resolves disputes through the courts and the alternative dispute resolution.

Although the 'cab rank rule' could be attacked by such a move, solicitors already have some components of it. Nevertheless, it reduces the peace of mind that barristers value.

A disadvantage said to be seen is that the two lanes of being separately trained would lead to a waste of talent if a barrister realises that he could have been better in advocacy. This is untrue as the said similar training already present allows both solicitors and barristers to work on advocacy and even ^{engage in alternative business} structure. (Total for Question 3 = 20 marks)

Examiner comments

The answer above scored 9 marks – it is a good level 3 answer. It evaluates, but a justified conclusion is missing.

Examiner tip

For an evaluate question there needs to be a balance between displaying a thorough understanding and application of the question topic and the need to show analysis and evaluation skills to justify a conclusion.

Question 4a: (4 marks)

The command word is 'describe' which requires candidates to provide an accurate description, using examples, of the role of the Law Commission in developing English Law.

This question is a points-based one where candidates were expected to describe both the composition and its role. There were up to 2 marks in total available for these descriptions. Then there was another two marks available in total for an example or expansion of the two knowledge marks.

This question was badly answered. There was a lot of confusion and many candidates answered the question wrongly, thinking it was about the European Commission.

Law Commission was set up by the Law Commission Act 1965, the Law Commission is separately run, it has 5 Law Commissioners. The role of the Law Commission is to simplify and modify law through consolidation and codification, because there is a vast laws dating back from the 18th century and so Criminal and Homicide Act was ~~strong~~ brought to the government for example where 2 year and a day was changed to constitute as murder. Misuse of computers Act needs to be changed overtime, as the Law Commission also repeals obsolete law.

(b) Explain how political parties can influence law making.

Examiner comments

The answer above is a rare example of full marks for this question.

Question 4b: (6 marks)

This question was marked using a level- of-response based mark scheme. The candidates' answers were assessed in their entirety and allocated a level based on where this best fitted the level descriptions.

The command word in this question was 'Explain', which was looking for a detailed answer with examples on how political parties can influence law making.

The question was badly answered, most candidates provided vague and often confused answers.

For level 1 candidates were only able to provide isolated elements of knowledge.

For level 2 candidates provided several elements of knowledge supported by a few examples.

For level 3 candidates demonstrated detailed understanding supported by relevant examples.

A POLITICAL PARTY IS A GROUP OF PEOPLE CAMPAIGNING FOR COMMON ELECTORAL RIGHTS AND INFLUENCING GOVERNMENTS AND LAW REFORM BODIES BY CREATING 'PRESSURE' AND OPPOSITION. SEVERAL POLITICAL PARTIES CAN UTILIZE 'PEOPLE'S POWER' AND PUBLIC SUPPORT TO HIGHLIGHT CERTAIN POLITICAL PROBLEMS FOR WHICH THEY CAMPAIGN AGAINST. THIS CAN CREATE FURTHER ^{PRESSURE} ON THE EXISTING GOVERNMENT TO CHANGE AND IMPLEMENT LAWS TO SATISFY PUBLIC APPROVAL. POLITICAL PARTIES CAN ALSO INFLUENCE LAW MAKING PROCESSES BY PIN POINTING DEFECTIVE LAWS OR LAWS WHICH THEY DISAGREE WITH AND BY ARRANGING RALLIES AND POLITICAL MOVEMENTS CAN ACTIVELY PROTEST FOR THE CHANGE OF LAWS OR REMOVAL OF EXISTING LAWS BY CREATING PRESSURE. LASTLY, POLITICAL PARTIES CAN USE DEFECTIVE LAW MAKING AS A TACTIC FOR THEIR OWN ELECTION CAMPAIGN AND ^{IN BEING} ~~BY~~ THIS CAN MAKE CHANGES TO LAW MAKING IF THEY SUCCEED ELECTED

Examiner comments

The answer above is an example of one of the better answers provided for this question.

This question was marked using a levels-of-response based mark scheme. The candidates' answers were assessed in their entirety and allocated a level based on where this best fitted the level descriptions.

The command word in this question was 'Assess', which was looking for an extended answer using examples. Many candidates did not understand what the question was asking and provided confused answers on internal and external aids to interpretation, rather than internal and external influences on law reform. Therefore, this question was often unanswered or if it was attempted it was done very badly.

For level 1 candidates demonstrated isolated elements of knowledge

For level 2 candidates demonstrated some understanding and began to apply their knowledge appropriately to the question.

For level 3 candidates demonstrated accurate understanding of the question supported by relevant authorities.

For level 4 candidates demonstrated thorough and accurate understanding exemplified with appropriate, well explained and applied authorities.

Examiner comments

The answer below is a top band 3 answer. It distinguishes between internal and external and provides examples and application.

Examiner tip

Try and identify the key issues/cases to enhance your mark. This will mean your answers will be more concise and focused.

Law reform can come in many forms. Internally, it can come from judicial reform and parliamentary reform. Externally, it can come from pressure groups, political parties, ~~the law~~ and ~~law~~ inquiries.

Judicial reform comes from the making of new case law to overrule old laws. For example, in the case of R v R (1991) where through the court ruling, marital rape was considered a crime. However, in practice, ^{substantial} reforms rarely ~~come~~ ^{come} from the judiciary as ~~the~~ it consists of unelected people.

Parliamentary reform can come in the form where it repeals old laws, consolidates existing ~~laws~~ ~~or~~ ~~codify~~ ~~laws~~ ~~into~~ ~~existing~~ ~~case~~ ~~laws~~ ~~into~~ ~~statutes~~, such as the ~~Criminal Evidence Act 1984~~. Such as making internal dealings an offence in the Companies Act, and codify case laws into statutes, like the Criminal Evidence Act 1984. Most substantial reforms come from the Parliament as they are elected by the people and wield more power due to the doctrine of Parliamentary Sovereignty.

External influences such as those ~~Influences~~ ^{from} pressure groups also have an impact on law reform. Generally the bigger the group, the bigger the influence. However, sheer persistence also gets the job done. ~~The~~ For example, the outlaw of child pornography could **(Total for Question 4 = 20 marks)** mostly be credited to the work of one woman.

Question 5: (20 marks)

This question was marked using a levels-of-response based mark scheme. The candidates' answers were assessed in their entirety and allocated a level based on where this best fitted the level descriptions. This is the question candidates need to spend some time on, due to the fact that there are no subsections to the question and therefore the total question marks of 20 are based around a single answer.

The command word in this question was 'Evaluate', which was looking for an extended answer. Candidates were expected to evaluate the effectiveness of the different methods of civil dispute resolution available in the English Legal system. Candidates were expected to illustrate their answers and justify an argument and their conclusion.

Some candidates omitted this question completely, it is thought through lack of time management, as this is usually a topic that is well known.

For level 1 candidates demonstrated isolated elements of knowledge relating to different methods of civil dispute resolution

For level 2 candidates demonstrated some understanding and began to apply their knowledge appropriately to the question.

For level 3 candidates demonstrated accurate understanding of the question supported by relevant examples.

For level 4 candidates demonstrated thorough and accurate understanding exemplified with appropriate, well explained and applied examples to reach a justified conclusion on the effectiveness of the different methods of civil dispute resolution.

Examiner comments

The answer below is a good band 3 answer. It covers the range of methods and is supported by examples. A stronger conclusion and application of further examples would have taken it to top band.

Civil dispute resolution comes in informal and formal forms. Informal forms of civil dispute resolution include arbitration, ~~and~~ negotiation, ~~conciliation~~ ^{and} conciliation ~~and~~ mediation; ~~and~~ ~~also~~ ~~includes~~. Formal forms ~~include~~ ~~that~~ involves going to the courts or tribunals.

Arbitration offers a quick solution to disputes. The disputing parties are also free to choose an arbitrator to help them come to a decision which is binding to both parties. Both parties do not have to spend as much time ~~discussing~~ arguing it out. Negotiation is a more private ~~way~~ and even cheaper way to come to a common understanding between disputing parties. Parties are free to discuss with one another to reach a common ground. However, ~~the~~ negotiation is not legally binding on both parties. To add on to arbitration, if the parties are not pleased with the outcome, more money has to be spent on going to court for a new decision to be made, making ~~it~~ an originally cheaper option more expensive than going to court alone. Conciliation and mediation involves bringing in ~~in~~ a third party, usually a legally qualified person, like a solicitor to guide the disputing parties to a common understanding. A mediator would not give suggestions on the disputed matter, but would ask questions to direct the parties. This method is also cheap, ~~and~~ private, and quick, with the help of a third party.

If there is a dispute in a certain area ~~of~~ and the amount of damages disputed does not cross a certain ~~the~~ threshold, the parties can bring it up to a tribunal. For example, a dispute on employment contract terms can be brought to the Employment Tribunal. Tribunals offer a cheaper alternative than going to court. ~~The~~ The adjudicating bench is chaired by two experts on the relevant area and a lay tribunal. There need not be any legal representation to go to a tribunal. However, if one party has the advantage of legal representation, then the scales would be tipped in his favour. The decisions made are also legally binding. It may take a long time however, because tribunals handle a lot of cases at any given time.

Disputes with public bodies ~~can~~ such as maladministration can be brought up to the ombudsman services where they will decide to launch an investigation towards that public body. The decisions made by the ombudsman is, however, subject to judicial review also.

The most effective way to end a dispute would be to file an action in the courts. The cost of going to court is high as it involves the services of solicitors and barristers. Parties are legally represented by ~~prof~~ professionals and the dispute will be heard by qualified judges. All the decisions will also be legally binding. ~~The~~ However, ~~as~~ ~~being~~ filing an action in court would make the dispute adversarial as the objective is to win, rather

(Total for Question 5 = 20 marks)

than trying to reach a common ground.

TOTAL FOR PAPER = 100 MARKS

In conclusion, informal ways of civil dispute resolution would give disputing parties more freedom and choice, it costs lesser and also takes up lesser time although most are not legally binding. Formal methods of civil dispute resolution costs more, takes more time, but is legally binding.

Paper Summary

Based on their performance on this paper, candidates are offered the following advice:

- Read the questions and pay careful attention to what the command words are asking you to do. This will mean your answers will be more focused.
- Look at the marks allocated to the question and spend only the appropriate amount of time on the question based on the marks.
- In a question with several parts, read all the parts and decide what information to put in each part before starting part a.
- Use examples to illustrate definitions or points made in the short answer questions and additionally relevant case law and legislation to illustrate longer answers.
- Provide balanced answers when asked to provide advantages and disadvantages.
- Provide a conclusion for 'evaluate' questions.