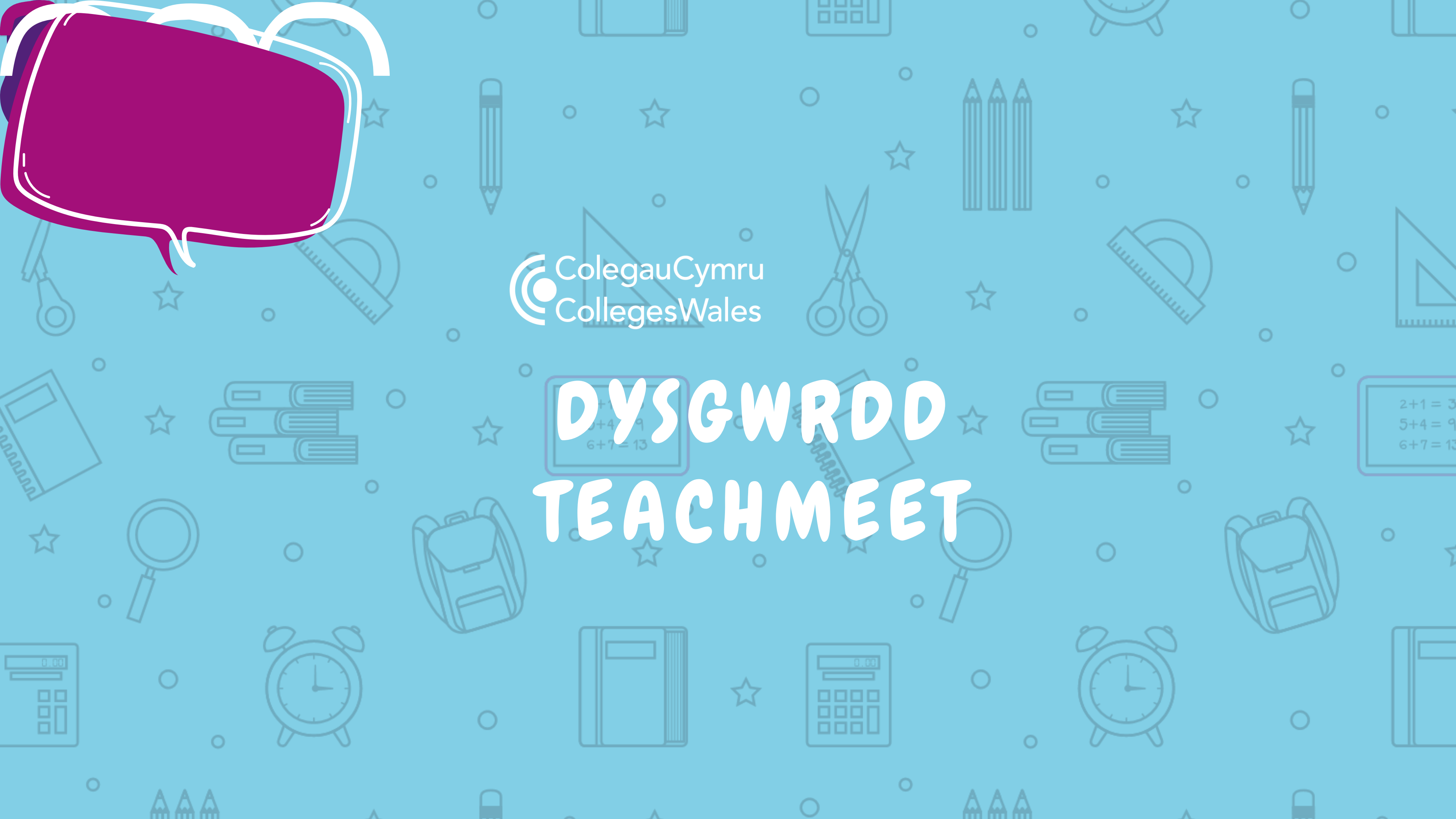




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DYSGWRDD TEACHMEET





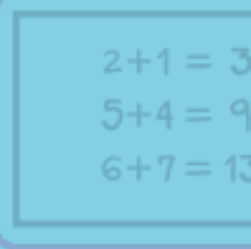
 Colegau Cymru
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Rheolwr Maes Dysgu
Coleg Catholig Dewi Sant


Strategies Used to Develop
Teaching and Learning in A Level Law


Strategaethau a Ddefnyddir i
Ddatblygu Addysgu a Dysgu yn
Safon Uwch y Gyfraith

Strategaeth - Modelu

Ateb enghreifftiol anodedig yn egluro'n glir agwedd arholwyr at farcio a sut i fynd i'r afael â gwahanol arddulliau cwestiynau sy'n berthnasol i bob uned. Mae'r ateb wedi'i fodelu hefyd yn cynnwys crynodeb o'r marc y byddai'r ymateb yn debygol o dderbyn gan gyfeirio at yr canlyniadau asesu a bandiau lefel.

In this paragraph, the candidate has considered the fairness of strict liability to enhance the analysis evaluation. The candidate has used a couple of good cases to substantiate their assertions. A nice point about mistake being no defence.

There are various advantages and disadvantages to strict liability. An advantage is that it promotes care and attention but conversely some are convicted even when they have taken all reasonable steps to avoid committing an offence as in the Alphacell case. *Candidate has used connective words well to demonstrate evaluation.* Larger companies sometimes continue to pay small fines as they have little impact whereas small companies can be affected both by the fine and damage to their reputation as in the case of Callow. Once someone realises that there is no defence and courts start imposing larger fines, behaviour will change. A good example of this is wearing seatbelts in cars. Some years ago, lots of people would just not wear a seatbelt but since the law changed and there are lots of fines, most now wear one.

Here, the candidate has considered some advantages and disadvantage of strict liability - they enhance the answer. The candidate has done well to limit the time spent on this aspect which is correct as it is not the primary focus of the question. In order to focus this paragraph better on the question, the issue of lack of consistency from judges could have been considered (along with the cases of Lim Chin Aik and Smedleys v Breed).

Strategy - Modelling

Annotated model answer clearly explaining examiners approach to marking and how to approach different question styles relevant to each unit. Modelled answer also contains a summary of the mark the response would likely achieve with reference to the AOs and level bandings.

Examiner Summary: *This is clearly an answer that displays excellent knowledge and understanding and would, therefore, achieve a mark in band 4 for AO1. For AO3, the answer does not quite achieve level 5 but would achieve a high level 4 mark as it displays very good analysis of legal rules, principles, concepts and issues relevant to the question, very good evaluation of the debates surrounding the question, including a valid judgement and very good use of supporting case law and legal authorities. There were a couple of extra parts to include about lack of consistency and some contrasting case law that might have enabled the candidate to achieve level 5 for AO3. There were also some missed opportunities for focusing on the question posed. The answer would achieve a high B/low A grade.*

Strategaeth - Modelu Amcanion Aesu

Ymateb 'modelu' â chod lliw. Yn yr enghraifft hon, mae'r esboniad o'r gyfraith mewn oren (AA1).

Mae angen cymhwyso'r gyfraith i senario benodol (fel yn Uned 3 yr arholiad) ar gyfer 30 o'r 50 marc sydd ar gael. Mae'r AA hwn wedi'i liwio'n wyrdd i bwysleisio i fyfyrwyr bwysigrwydd cymhwyso'r gyfraith. Yna bydd myfyrwyr yn aml yn cynhyrchu gwaith ysgrifenedig mewn gwahanol liwiau.

The threat has to be immediate but this has been interpreted liberally (*R v Ireland and Burstow* and *Constanza*) but also in the case of *Smith v Chief Superintendent of Woking Police Station* it was considered 'immediate enough' that the victim was in her nightdress in her downstairs window behind a locked door when the defendant trespassed on to her property.

APPLY TO THE SCENARIO. Use phrases such as....

- In this case, [name of victim] apprehends the immediate infliction of force as (e.g. [name of defendant] [bring in facts e.g. threatens them with a knife, raises a fist to punch them, scares them by jumping out in front of them..... etc]. It is immediate because [bring in facts]

Strategy - Modelling Assessment Objectives

Colour coded 'modelled' response. In this example, the explanation of the law is in orange (AO1).

Application of the law to a particular scenario (as in Unit 3 of the exam) is required for 30 of the 50 marks available. This AO is coloured green to emphasise to students the importance of applying the law. Students then often produce written work in different colours.

Strategaeth – Modelu Amcanion Aesu

Enghraifft arall o'r defnydd o god lliw i nodi gwahanol elfennau ateb - sgiliau AA1 ac AA2 fel sy'n ofynnol ar gyfer Uned 3.

Homicide Scenario Answer Plan

Answer colour coding:

- Standard introduction, connector bits and conclusion
- Explanation of the law - AO1
- Application of the law to the scenario - AO2
- Defences

The prosecution needs to prove beyond reasonable doubt that the D is guilty of the offence of murder. They will need to prove that the D has committed the actus reus of murder along with the necessary mens rea, and there cannot be any applicable defences. Murder is an indictable offence, triable only in the Crown Court by a jury, who will decide guilt. It carries a mandatory life sentence. It is also a common law offence, with much of law developed gradually by courts, thus there are many elements of the offence which need to be considered in turn.

The actus reus of murder is defined by Lord Coke in the 17th century as the unlawful killing of another reasonable person in being under the Queen's peace. This has several elements to it.

First, as murder is a result crime, the victim must have died. The courts have decided that death occurs when the brain is dead (stated obiter in Malcherek v Steel).

The next element of the actus reus is that it has to be a person in being. This excludes an unborn child (abortion) or a child that is still born. A reasonable person in being means they must be born alive and be able to breathe through their own lungs, independently of the mother (AGs Ref No.3 of 1994).

The third element is under the Queen's peace. This means that there is no war going on in England and Wales at the time.

IN THE SCENARIO ... (apply all 3 elements of the actus reus of homicide – unlawful, death, human being and under Queen's peace).....

Strategy – Modelling Assessment Objectives

A further example of the use of colour coding to identify different elements of an answer – AO1 and AO2 skills as required for Unit 3.

Strategaeth - Ymarfer

Mae ffrâm ysgrifennu yn helpu myfyrwyr i strwythuro eu hateb gan ddefnyddio dull PDE (point, develop, evaluate) mewn perthynas â chwestiwn cyn-bapur. Rhoddir cychwyn brawddegau. Yn annog myfyrwyr i gynnwys rhai pwyntiau allweddol ac awdurdod cyfreithiol i gefnogi. Hefyd yn eu tywys trwy strwythur traethawd - cyflwyniad, prif gorff sy'n cysylltu â'r cwestiwn a'r casgliad.

b) Analyse and evaluate to what extent, if any, are members of the jury representative of the general public? [24]	
Introduction Explain key terms in the question	Today, juries try indictable and either way cases in the Crown Court to determine an individual's guilt or innocence. Ideally, they should be representative. This means.....
Development	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Point	Currently, a person must meet a number of qualifications in order to be eligible to become a juror
Development	The qualifications are contained in the Juries Act 1974 as amended by... <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Point	However, prior to 1972, the qualifications meant that juries were incredibly unrepresentative
Development	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Evaluation	

Strategy - Practice

Writing frame helps students to structure their answer using a PDE (*point, develop, evaluation*) approach in relation to a past paper question. Sentence starters are given. Prompts students to include certain key points and legal authority to support. Also guides them through essay structure – introduction, paragraphed main body that links to the question and conclusion.

Strategaeth - Ymarfer

Rhoddir enghreifftiau aml a niferus o gyn papurau i fyfyrwyr. Maent hefyd yn cael eu tywys ar sut i ddad-bigo'r cwestiynau sy'n nodi'r materion cyfreithiol trwy ddefnyddio'r strwythur isod. Mae hyn yn arbennig o bwysig wrth ddelio â senario hir ar Lefel A2.

Defnyddio trefnwyr graffig i apelio at ddysgwyr mwy gweledol. Pwysigrwydd cynnwys awdurdod cyfreithiol ar gyfer pob pwynt a eglurir yn y mwyafrif o dasgau.

Strategy - Practice

Students are given frequent and numerous past paper examples. They are also guided into how to unpick the questions identifying the legal issues by using the structure below. This is particularly important when dealing with a long scenario at A2 Level.

Use of graphic organisers to appeal to more visual learners. Importance of including legal authority for each point made clear in most tasks.

Activity – Which offence? Application preparation

Example scenario 1:

A charity which helps ex-offenders began renovating an old house in an affluent suburb and turning it into a hostel for former prisoners. Many of the people who lived nearby were opposed to the hostel, as they feared that its presence would affect the value of their own houses and make them harder to sell. One local resident, David, decided to take matters into his own hands. Under cover of darkness, he broke into the hostel and began to damage the renovation work and throw paint over the walls. Suddenly one of the charity workers Mary appeared with her mobile phone in her hand, ready to call the police. To stop her, David punched her as hard as he could, knocking her unconscious. Thinking he had killed her, David tried to make it look as if Karen had died in an arson attack, setting fire to a heap of rags before running from the burning building. It so happened that Mary's phone had already connected with the emergency services before she fell unconscious, and the ambulance and fire brigade were there within minutes. Mary was brought out alive from the building, but died when the ambulance taking her to hospital was involved in a serious road accident. Advise David as to whether he may be criminally liable for the death of Mary, applying your knowledge and understanding of legal rules and principles. (WJEC sams)

Person / incident	Offence	Actus reus	Mens rea	Cases	Possible defence or other issues (e.g. causation)

Activity – Complete the table – Robbery actus reus and mens rea

Actus reus	Explanation	Supporting legal authority
Appropriation		
Property		
Belonging to another		
Force or threat of force		
In order to steal		

Strategaeth - Adborth

Defnyddio taflen flaen marcio fel bod dysgwyr yn deall y bandiau marcio yn glir a sut i wella. Mae taflenni blaen hefyd yn gofyn iddynt nodi a chywiro gwallau sillafu, gramadegol neu lythrennedd eraill ynghyd â 5 term cyfreithiol allweddol.

Strategy - Feedback

Use of marking front sheet so that learners clearly understand the marking bands and how to improve. Front sheets also require them to identify and correct spelling, grammatical or other literacy errors along with 5 key legal terms.

Principal / Perwydd: Mark Loughrey BA Hons, FRC

Name: _____ Target Grade: _____

Essay Title (50 marks)
Question: Advise Michael on the use of police powers.

A01 marks /20	A01 Knowledge and Understanding	A02 marks /30	A02 Application Application of legal rules and principles to present a legal argument using appropriate legal terminology.
16-20	Excellent , detailed knowledge & understanding of legal rules and principles relating to the law on police powers.	25-30	Excellent , detailed application of legal rules and principles relating to police powers. Excellent presentation of a legal argument using legal terminology, case law and legal authorities.
11-15	Good knowledge & understanding of legal rules and principles relating to the law on police powers.	19-24	Very Good application of legal rules and principles relating to police powers. Very Good presentation of a legal argument using legal terminology, case law and legal authorities.
6-10	Satisfactory knowledge & understanding of legal rules and principles relating to the law on police powers.	13-18	Good application of legal rules and principles relating to police powers. Good presentation of a legal argument using legal terminology, case law and legal authorities.
1-5	Basic knowledge & understanding of legal rules and principles relating to the law on police powers.	7-12	Satisfactory application of legal rules and principles relating to police powers. Satisfactory presentation of a legal argument using legal terminology, case law and legal authorities.
n/a		1-6	Basic application of legal rules and principles relating to police powers. Very Good presentation of a legal argument using legal terminology, case law and legal authorities.

Mark Awarded:
A01 _____
A02 _____

Overall mark: /50 % Grade: _____

Literacy Corrections	5 Key words of the topic
1.	
2.	
3.	

Strategaeth - DIRT

Gweithgareddau DIRT wedi'u hymgorffori mewn cyflwyno lle rhoddir amser i ddysgwyr ymateb i adborth ar waith ysgrifenedig a gwella eu hateb.

Strategy - DIRT

DIRT activities embedded into delivery where learners are given time to respond to feedback on written work and improve their answer.

Task 1 – Highlighter action

Please read class feedback sheet on the police powers question. Using this feedback you need to check and edit your own work.

On your answer areas have been highlighted which you need to self-correct.

Green – a specific issue needs attention e.g. description is too detailed and needs to be more concise or the application is not developed sufficiently or there is no application or no legal authority has been included.

Yellow – incorrect description and/or application of an issue

Pink – description and application of an entire relevant issue has been left out – e.g. arrest

Task 2 -

*Read the exemplar for this question and **highlight or underline** where the student has applied the law and gained AO2 marks. Then using the class feedback and exemplar answer, complete the table below –*

What do I need to do next time to improve my answer on police powers in the mock?

1.

2.

3.