GradeMax



Mark Scheme (Results)

October 2020

Pearson Edexcel International
Advanced Level
In Law (YLA1/02)

Paper 2: The Law in Action

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General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

Question number	State the meaning of 'strict liability' in criminal law. **Answer**	Marks
1(a)	**(1 AO1), (1 AO2)** **One mark for stating the meaning of strict liability (1 AO1), and one mark for a brief explanation/enhancement (1 AO2).** • Where the P do not have to prove the MR of an offence (1 AO1), offences involving the manufacture and sale of food (1 AO2), e.g. Smedley v Breed, traffic offences (1 A02). • Where the P do not have to prove the D was in any way unreasonable when committing a crime (1 AO1) offences designed to stop business polluting water supplies (1 AO2), e.g. Alphacell v Woodward. • Accept any other appropriate examples. **NB: Do not allow definitions other than those that clearly relate to criminal law.**	**(2)**

Question number	Explain briefly the meaning of 'recklessness' in criminal law. **Answer**	Marks
1(b)	**(2 AO1), (2 AO2)** **One mark for each description of the meaning of recklessness, up to two marks (2 AO1), and one mark for each appropriate expansion/example, up to two marks (2 AO2).** • Where the D foresees an unjustified risk of committing a crime but goes on to take the risk (1 AO1), such as swinging a knife around in a crowd of people (1 AO2) • It is conscious risk taking with regard to a criminal offence (1 AO1), such as stealing money from a gas meter and allowing gas to escape (1 AO2) • Reference to cases such as R v Cunningham, Haystead v Chief Constable of Derbyshire, R v Savage, R v Mowatt **NB:** Reference to carelessness not credit as lower level of mens rea	**(4)**

Question number	Evaluate Viktor's possible criminal liability for any property offences he may have committed. **Indicative content**	Marks
1(c)	**(2 AO1), (2 AO2), (4 AO3), (6 AO4)** **Responses are likely to include:** • Identification of the elements required to establish the offence of **Blackmail** under S21 Theft Act 1968 – Demand, with menaces, with a view to a gain or loss. • Identification of the key issues for example, menaces as an objective test, conduct only required to be proved • Difficulty in establishing what is unwarranted and reasonable grounds and proper means as a defence e.g. R v Harvey • Analysis of Viktor's ability to satisfy the components of Blackmail using cases such as R v Collister & Warhurst, Thorne v Motor Trade Association, R v Harry • Evaluation of Viktor's argument that as Jon did not think he would carry out the threat there was no crime committed, Treacy v DPP • Identification of the elements required to establish the offence **Obtaining Services Dishonestly** under S11 of the Fraud Act 2006 – obtains, services, dishonesty, avoids payment in full or in part, with intention express or implied, fact or law, untrue or misleading, dishonesty, intention to make a gain or cause a loss. • Analysis of the key issues for example, the act of sneaking into the football ground without payment was a dishonest act under S11(1), obtains the service knowing payment should be made under S11(2). • Credit references to trespass and S9 Theft Act 1968 • Evaluation of Viktor's ability to satisfy the components of obtaining services dishonestly using case law and the Act such as S11(1),S11(2), R v Sofroniou, R v Allen, R v Ghosh, Ivey v Genting Casinos	**(14)**

Level	Mark	Descriptor
	0	A completely inaccurate response.
Level 1	1–3	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent. There may be an incomplete attempt to raise possible outcomes and conclusions based on interpretations of the law.
Level 2	4–6	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied appropriately to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately. There is an attempt to raise possible outcomes and conclusions based on interpretations of the law.
Level 3	7–10	Accurate knowledge and understanding are demonstrated. Knowledge and understanding are supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented, but connections and/or unbalanced support of legal authorities may be inconsistent or unbalanced. Evaluation attempts to contrast the validity and significance of competing arguments, which may include unbalanced comparisons, possible outcomes and conclusions based on valid interpretations of the law.
Level 4	11–14	Accurate and thorough knowledge and understanding are demonstrated. Knowledge and understanding are supported throughout by relevant legal authorities and legal theories and applied to the given legal situation. Well-developed and logical chains of reasoning, showing a thorough understanding of the strengths and weaknesses in different legal authorities.

		Evaluation shows a full awareness of the validity and significance of competing arguments, leading to balanced comparisons, possible outcomes and effective conclusions based on justified interpretations of the law.

Question number	Explain the reasons why the Contracts (Rights of Third Parties) Act 1999 creates exceptions to the rules on privity of contract in some situations but not others. **Indicative content**	**Marks**
2(a)	**(2 AO1), (2 AO2), (2 AO3)** **Responses are likely to include:** • Definition of Contracts (Rights of Third Parties) Act 1999, e.g. creates rights for a person who is not party to a contract to enforce a term of that contract where the contract gives a benefit to the third party • Creates exceptions to the rule regarding privity of contract, i.e. Prevents a person who is not a party to the contract from enforcing a term of that contract, even where the contract was made to give them benefits Reasons why some individuals are classed as exceptions and **do** have rights and obligations regardless of the privity of contract rule: • Agent who has been given express authority to act on behalf of a party to a contract, e.g. Scruttons Ltd v Midland Silicones Ltd. • Where legislation has made an exception to the rule of privity of contract, e.g. Contracts (Rights of Third Parties) Act 1999 and internet orders for third party Reasons why some individuals **do not** have rights and obligations due to privity of contract rules: • Definition of privity of contract rule: Prevents a person who is not a party to the contract from enforcing a term of that contract, even where the contract was made to give them benefits • Person(s) not promising to undertake a term in the contract cannot be held liable under it, e.g. Dunlop Tyre Co v Selfridge • Person(s) who do not promise to give consideration in the contract cannot be held liable under it, e.g. Tweddle v Atkinson. Any other relevant explanation.	**(6)**

Level	Mark	Descriptor
	0	A completely inaccurate response.
Level 1	**1–2**	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent.
Level 2	**3–4**	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately.
Level 3	**5–6**	Accurate knowledge and understanding is demonstrated. Knowledge and understanding are supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented in a consistent and balanced manner, and supported by appropriate legal authorities.

Question number	Evaluate whether Rebel's contractual rights have been breached by Music Gear and what remedies may be available to him. **Indicative content**	Marks
2(b)	**(2 AO1), (2 AO2), (4 AO3), (6 AO4)** **Responses are likely to include:** • Discussion of reasons why express and implied conditions would apply to the contracts e.g., implied condition Poussard v Spiers • Discussion of the rationale for the creation of express and implied warranty and breach of contracts e.g. Bettini v Guy • Distinguishing between the anticipatory breach of contract and actual breach of contract • Analysis of the implied or express term of the contract that the microphones were 'ready for immediate use' • Analysis of possible factors affecting the way Rebel can deal with the breach, e.g. actual breach of a condition of the contract allows Rebel to claim damages from Music Gear • Evaluation as to whether the requirement for battery packs is a term of the contract, Cahill v Carbolic • Evaluation includes how effective the law of contract is, i.e. to allow the innocent party of a contract to make alternative arrangements where the breach is anticipatory. To allow the innocent party to terminate a contract and sue for damages. Problem is being able to decide whether there is a breach of condition or warranty • Possible remedies available to Rebel because of the breach of contract, e.g. termination, specific performance, damages. Allow discussion of breach of implied term of care and skill under Supply of Goods and services Act 1982 S13. **NB:** No credit for discussions of formation of a contract, e.g. offer	**(14)**

Level	Mark	Descriptor
	0	A completely inaccurate response.
Level 1	1–3	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent. There may be an incomplete attempt to raise possible outcomes and conclusions based on interpretations of the law.
Level 2	4–6	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied appropriately to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately. There is an attempt to raise possible outcomes and conclusions based on interpretations of the law.
Level 3	7–10	Accurate knowledge and understanding is demonstrated. Knowledge and understanding is supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented, but connections and/or unbalanced support of legal authorities may be inconsistent or unbalanced. Evaluation attempts to contrast the validity and significance of competing arguments, which may include unbalanced comparisons, possible outcomes and conclusions based on valid interpretations of the law.
Level 4	11–14	Accurate and thorough knowledge and understanding are demonstrated. Knowledge and understanding are supported throughout by relevant legal authorities and legal theories and applied to the given legal situation. Well-developed and logical chains of reasoning, showing a thorough understanding of the strengths and weaknesses in different legal authorities. Evaluation shows a full awareness of the validity and

		significance of competing arguments, leading to balanced comparisons, possible outcomes and effective conclusions based on justified interpretations of the law.

Question number	Describe **two** situations when an individual may **not** have the required capacity to form a contract. **Answer**	**Marks**
3(a)	**(2 AO1), (2 AO2)** **Up to two marks for describing ways an individual may not have capacity in a contract (2 AO1), and one mark for each appropriate expansion/example, up to two marks (2 AO2).** • A valid contract may not be made by any person who does not have a recognised legal personality **(1 AO1)**, who is a bankrupt, where the bankrupt's capacity to make a contract rests with the trustee **(1 AO2)**, e.g. Insolvency Act 1986 • A person is not competent to bind himself to any contract if they fall within one of the recognised exceptions **(1 AO1)**, such as those under 18, persons of unsound mind **(1 AO2)**, e.g. Hart v O'Connor 1985. Other suitable descriptions. **NB:** Credit for definition of capacity	**(4)**

Question number	Analyse the rights and remedies for Ali Cat against the newspaper. **Indicative content**	Marks
3(b)	**(2 AO1), (2 AO2), (2 AO3)** **Responses are likely to include:** • Definition of defamation e.g. where a person can sue another person or company for words that are published or said which can be shown to have damaged their good reputation • Identification that libel is for defamation that is written down and published and slander is for making a false/damaging statement in public. • Identification that statement must be false. • Identification that the Defamation Act 2013 requires proof that the publication has caused or is likely to cause serious harm to the reputation of the claimant under S1. • Analysis of Ali Cat's claim focusing on the meaning of serious harm (S1), i.e. something that is likely to be very damaging to Ali Cat's reputation, Cooke v MGN Ltd or Youssoupoff v MGM Pictures • Analysis of truth (S2) and honest opinion (S3)- the newspaper's ability to satisfy either of these sections e.g. Wasserman v Freilich • Analysis of the newspapers potential defamation publicly under the Defamation Act 2013 and the newspaper's possible claim that they were acting in the public interest, e.g. S4 and Reynolds v Times Newspapers 1999. Reference and application to possible damages **NB:** Credit application of S8 right to privacy, Human Rights Act 1998	**(6)**

Level	Mark	Descriptor
	0	A completely inaccurate response.
Level 1	**1–2**	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent.
Level 2	**3–4**	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately.
Level 3	**5–6**	Accurate knowledge and understanding are demonstrated. Knowledge and understanding are supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented in a consistent and balanced manner, and supported by appropriate legal authorities.

Question number	Assess the rights and remedies of Fatima against Bilal in connection with the trespass to land. **Indicative content**	Marks
3(c)	**(2 AO1), (2 AO2), (3 AO3), (3 AO4)** **Responses are likely to include:** • Definition of trespass to land, e.g. any unjustifiable intrusion by a person upon the land in possession of another • Identification that trespass is actionable in court whether or not the claimant has suffered damage. However, rights over trespass are not normally brought to court without damage to land or persistent trespass • Identification of the requirements to be a claimant and defendant • Identification of damages and injunction as remedies, e.g. injunction is a court order that instructs a person that they are not allowed to commit a certain act. Applying trespass to land: • Fatima is the claimant and Bilal the defendant • Factors relevant to deciding whether Bilal's activities amount to trespass, unauthorised interference, direct invasion of land, Bilal's justification about trespass/damaging the land, i.e. due to there being no clear distinction between Fatima and Bilal's land he was not trespassing • No need for Fatima to prove damage • Evaluation that Bilal's mistaken mowing of Fatima's land is not sufficient to negate his repeated trespass • Evaluation that Bilal's actions of dumping the clippings on Fatima's land is also a trespass • Remedies such as damages for the clearance of clippings from Fatima's land and the possibility of an injunction • Injunction to stop Bilal trespassing in future, i.e. Bilal made unauthorised interference with possession of land, no loss to Fatima needs to be proved • Conclusion as to the liability of Bilal for trespass. Use of appropriate cases such as Ellis v Loftus Iron Co,	**(10)**

	Anthony v Haney, Konskier v Goodman Ltd, Basely v Clarkson, Smith v Stone	

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	0	A completely inaccurate response.
Level 1	**1–2**	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent. There may be an incomplete attempt to address competing arguments based on interpretations of the law.
Level 2	**3–4**	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied appropriately to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately. There is an attempt to gauge the validity of competing arguments based on interpretations of the law.
Level 3	**5–6**	Accurate knowledge and understanding are demonstrated. Knowledge and understanding are supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented, but connections and support of legal authorities may be inconsistent or unbalanced. The response attempts to contrast the validity and significance of competing arguments, which may include comparisons, based on valid interpretations of the law.
Level 4	**7–10**	Accurate and thorough knowledge and understanding are demonstrated. Knowledge and understanding are supported throughout by relevant and legal authorities and legal theories and applied to the given legal situation. Well-developed and logical chains of reasoning, showing a thorough understanding of the strengths and weaknesses in different legal authorities. The response shows an awareness of the validity and significance of competing arguments, leading to balanced comparisons based on justified interpretations of the law.

Question number	Identify Rana's rights and any restrictions of these rights under Article 11 of the Human Rights Act 1998. Answer	Marks
4(a)	**(4 AO2)** **One mark for each point identifying the potential rights and restrictions of those rights in the scenario, up to four marks.** • Rana's right to attend the meeting with workers to discuss pay (1) • Rana's right to assembly can be restricted as the assembly point in the factory is "dangerous" (1) • Rana disrupting the entry to the factory gate is unlawful so her right to assembly is restricted in this situation, i.e. the supervisor is acting lawfully when Rana is asked to move away from the gates (1) • Rana has a right to join an organised trade union (1). Accept any other relevant application	**(4)**

Question number	Analyse the supermarket's legal obligations arising from the storage of staff payroll data and its later publication. **Indicative content**	Marks
4(b)	**(2 AO1), (2 AO2), (2 AO3)** **Responses are likely to include:** • Definition of either Data Protection Act 1998 or 2018 e.g. an act of parliament designed to control how a person's personal information is used by organisations, businesses or the government • Identification of the data protection principles under the act, e.g. that an individual's personal data must be stored for a legitimate reason and securely • Analysis that the supermarket is a business covered by the act and that staff payroll should be held under the principles of the act • Analyse that data can only be held by a "controller", a competent authority and that this would be the supermarket • Analyse whether the supermarket is legally responsible under the Data Protection Act for the employee publishing the staff payroll data online • Analyse that the supermarket will be liable for criminal sanctions, e.g. a penalty notice under S155 of the act with a maximum fine of 20 million euros or 4% of the supermarkets annual turnover, whichever is the higher. Use of appropriate cases such as TLU v Sec of State Home Dept (2018), Various Clmnts v WM Morrisons (2017, Holyoake v Candy (2017), Prince Moulat v Elaph Publishing Ltd 2017, Cliff Richard v BBC (2018) Reference and application of Art 8 Human rights Act and to other suitable sanctions	**(6)**

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Level 1	**1–2**	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent.
Level 2	**3–4**	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately.
Level 3	**5–6**	Accurate knowledge and understanding are demonstrated. Knowledge and understanding are supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented in a consistent and balanced manner, and supported by appropriate legal authorities.

Question number	Assess Ron's rights and remedies in respect of the injuries sustained. **Indicative content**	Marks
4(c)	**(2 AO1), (2 AO2), (3 AO3), (3 AO4)** **Responses are likely to include:** • Identification of breach of requirements for Occupiers' Liability Act 1984, danger, duty of care, reasonable care, contributory negligence, damages Analysis of the liability: • Occupier, premises, trespasser is someone who is not a lawful visitor (S1(2)) • Duty – Dangerous state of premises not dangerous activity • Duty in respect of danger (S1(3)) – railway company is aware of danger, knows someone else may come into the vicinity of the danger, danger is one that the railway company may reasonably be expected to offer some protection against S1(4) Evaluation of liability: • Discharging duty, likelihood of trespass, seriousness of injury, cost of precautions, age of trespasser with Ron being young • Contributory negligence/volenti, Ron being aware of the danger of crossing a railway line together with being able to read the warning sign. Special rules for children, i.e. danger an attractive feature • Analysis of remedy of damages under S1(8) for personal injury to Ron, pain and suffering • Reference to cases such as Keown v Coventry NHS, Donoghue v Folkestone, Scott v Associated British Ports, Platt v Liverpool City Council, Tomlinson v Congleton Borough Council, Titchener v British Railways Board • Allow an alternative claim on the basis that the railway line may be an allurement to a child and the possibility of an implied licence as a visitor Credit any relevant application of the law of negligence.	**(10)**

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	0	A completely inaccurate response.
Level 1	**1–2**	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent. There may be an incomplete attempt to address competing arguments based on interpretations of the law.
Level 2	**3–4**	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied appropriately to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately. There is an attempt to gauge the validity of competing arguments based on interpretations of the law.
Level 3	**5–6**	Accurate knowledge and understanding are demonstrated. Knowledge and understanding are supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented, but connections and support of legal authorities may be inconsistent or unbalanced. The response attempts to contrast the validity and significance of competing arguments, which may include comparisons, based on valid interpretations of the law.
Level 4	**7–10**	Accurate and thorough knowledge and understanding are demonstrated. Knowledge and understanding are supported throughout by relevant and legal authorities and legal theories and applied to the given legal situation. Well-developed and logical chains of reasoning, showing a thorough understanding of the strengths and weaknesses in different legal authorities. The response shows an awareness of the validity and significance of competing arguments, leading to balanced comparisons based on justified interpretations of the law.

Question number	Evaluate Kyle's legal rights and remedies in these situations. **Indicative content**	Marks
5	**(2 AO1), (2 AO2), (8 AO3), (8 AO4)** **Responses are likely to include:** For **Kyle against Fastboil** Identification of Consumer Protection Act 1987: • Damage • Defective product • Producer • Strict liability • Developments risks defence • Damages Alternatively, identification of tort of negligence: • Duty • Breach • Damage and remoteness • Damages For CPA, consideration of: • Strict liability means claimant does not have to prove fault, Producer is the person who manufactured the product Fastboil (S1(2)), Product is any good, i.e. the kettle • Defect (S3) if the safety of the product is not such as persons are entitled to expect taking into account proper use and reasonable expectations and reasonable care for own safety, e.g. Kyle simply using the kettle for its proper purpose • Damage (S5) to Kyle through personal injury and property but not property worth less than £275, e.g. possibly the kettle • Development risks as a defence (S(4(1)(e) i.e. scientific knowledge of kettle's new technology was not advanced enough to spot defect then complete defence • Identification of and possible contributory negligence, e.g. under S6(4) • Damages i.e. special and general damages • Use of relevant cases such as Abouzaid v Mothercare, Bogle McDonalds, Richardson v LRC Products, European Commission v UK	**(20)**

	Alternatively, consideration of tort of negligence: • Duty Fastboil as manufacturer to consumer Kyle • Breach such as magnitude of risk, Cost of precautions • Damage and remoteness • Damages i.e. special and general • Use of relevant cases such as Donoghue v Stevenson, Carroll v Fearon, Evans v Triplex Safety Glass, Muirhead v Industrial Tank, Griffiths v Arch Engineering, Latimer v AEC An answer can be enhanced by reference to the Consumer Protection Act and negligence. For **Kyle against the doctor** consideration of the Tort of negligence as outlined above. For tort of negligence consideration of: • Duty of care to Kyle as a patient • Breach of duty and factors affecting the reasonable man, e.g. magnitude of risk to Kyle, emergency situation in which the doctor was treating Kyle • Damage and remoteness such as causation, remoteness of damage due to Kyle's allergic reaction to the treatment vs the risks in some patients • Damages e.g. extra injuries, pain and suffering because of the allergic reaction and loss of movement of Kyle's hands resulting in him being unable to work • The relevant characteristics of the defendant when deciding what a person of reasonable firmness would have done, e.g. a reasonably competent doctor and 'general and approved practice' • Application of the Bolam and Bolitho tests • Use of relevant cases such as Donoghue v Stevenson, Nettleship v Weston, Bolton v Stone, The Wagon Mound (No1), Hughes v Lord Advocate, Smith v Leech Brain, Brannon v Airtours, Bolitho v City & Hackney Health Authority, Bolam v Friern Hospital Management Committee. Coming to logical conclusions focusing on key elements of each claim and appropriate remedies such as there being a clear breach of duty between Kyle and the doctor, the issue of the doctor acting in a way that is medically accepted practice.	

Level	Mark	Descriptor
	0	A completely inaccurate response.
Level 1	**1–4**	Isolated elements of knowledge and understanding are demonstrated. Application of knowledge and understanding is not appropriately related to the given context. Reasoning may be attempted, but the support of legal authorities may be absent. There may be an incomplete attempt to raise possible outcomes and conclusions based on interpretations of the law.
Level 2	**5–8**	Elements of knowledge and understanding are demonstrated. Knowledge and understanding are applied appropriately to the given legal situation. Chains of reasoning are attempted but connections are incomplete or inaccurate, and support of legal authorities may be applied inappropriately. There is an attempt to raise possible outcomes and conclusions based on interpretations of the law.
Level 3	**9–14**	Accurate knowledge and understanding are demonstrated. Knowledge and understanding are supported by relevant and legal authorities and legal theories and applied to the given legal situation. Logical chains of reasoning are presented, but connections and/or unbalanced support of legal authorities may be inconsistent or unbalanced. Evaluation attempts to contrast the validity and significance of competing arguments, which may include unbalanced comparisons, possible outcomes and conclusions based on valid interpretations of the law.
Level 4	**15–20**	Accurate and thorough knowledge and understanding are demonstrated. Knowledge and understanding are supported throughout by relevant legal authorities and legal theories and applied to the given legal situation. Well-developed and logical chains of reasoning, showing a thorough understanding of the strengths and weaknesses in different legal authorities. Evaluation shows a full awareness of the validity and significance of competing arguments, leading to balanced comparisons, possible outcomes and effective conclusions based on justified interpretations of the law.

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