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ISBN 978 1 4469 4507 0

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Summary of Pearson BTEC Level 3 Nationals in Applied Law Sample Assessment Materials for Unit 3: Applying the Law Issue 3 changes

<table>
<thead>
<tr>
<th>Part B – Summary of changes made between previous issues and this current issue</th>
<th>Page number</th>
</tr>
</thead>
<tbody>
<tr>
<td>The assessment window for Unit 3: Applying the Law has changed from a two-day period to a morning.</td>
<td>5 and 6</td>
</tr>
</tbody>
</table>

If you need further information on these changes or what they mean, contact us via our website at: qualifications.pearson.com/en/support/contact-us.html.
Instructions

Part A contains material for the completion of the preparatory work for the set task. Part A is given to learners two weeks before Part B is scheduled. Learners are advised to spend no more than six hours on Part A. Part A must be given to learners on the specified date so that learners can prepare in the way specified. Part A is specific to each series and this material must only be issued to learners who have been entered to take the task in the relevant series. Part B materials must be issued to learners on the specified date.
Instructions

- **Part A** contains material for the completion of the preparatory work for the set task.
- **Part A** is given to learners two weeks before **Part B** is scheduled. Learners are advised to spend no more than six hours on **Part A**.
- **Part A** must be given to learners on the specified date so that learners can prepare in the way specified.
- **Part A** is specific to each series and this material must only be issued to learners who have been entered to take the task in the relevant series.
- **Part B** materials must be issued to learners on the specified date.
Instructions for Teachers/Tutors

This paper must be read in conjunction with information on conduct for the task in the unit specification and the *BTEC Nationals Information for Conducting External Assessments (ICEA)* document. For further details please see the Pearson website.

Learners should undertake independent research on the case studies given in this **Part A** booklet.

Learners are expected to spend up to 6 hours undertaking **Part A**.

Centres must issue this booklet at the appropriate time and advise learners of the timetabled sessions during which they can prepare. It is expected that scheduled lessons or other timetable slots will be used for some or all of the preparation.

Learners may prepare summary notes on the cases. Learners may take up to two sides of notes of this type into the supervised assessment period (**Part B**). Learners notes should contain details of cases and precedents.

Teachers/tutors cannot give any support to learners in the preparation of assessment notes. Work must be completed independently by the learner.

The supervised assessment uses the **Part B** booklet. This is a task book.

The supervised assessment will take place in a timetabled slot.

Refer carefully to the instructions in this taskbook and the *Information for Conducting External Assessments (ICEA)* document to ensure that the preparatory period is conducted correctly so that learners have completed their preparation validly and independently.

Learner notes will be retained securely by the centre after **Part B** and may be requested by Pearson if there is suspected malpractice.

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**Instructions for Learners**

Read the set task information carefully. This contains **Part A** of the information you need to prepare for the set task in **Part B**.

In **Part B** you will be given detailed information. Use this **Part A** booklet to prepare by relating your learning to the specific information given.

You will then be given the set task to complete under supervised conditions. You must work independently and must not share your work with other learners.

Your teacher may give you guidance on when you can complete the preparation.

Your teacher cannot give you feedback during the preparation period.

**Set Task Brief**

You must research the law relating to the two newspaper articles below. You need to be aware of the different types of fatal offences and the circumstances surrounding each case and each victim and defendant.

You need to be aware of the law relating to offences against property and stop and search powers.

In **Part B** you will need to apply your research to the new information provided on the two scenarios.

In your preparation for **Part B** using this **Part A** booklet, you may prepare short notes to refer to when completing the set task, for example on specific cases. Your notes may be up to two sides and may be hand-written or typed. Your notes should contain details of cases and precedents relating to fatal offences and offences against property.

You are expected to spend up to 6 hours on this research.
Instructions for Teachers/Tutors

This paper must be read in conjunction with information on conduct for the task in the unit specification and the BTEC Nationals Information for Conducting External Assessments (ICEA) document. For further details please see the Pearson website.

Learners should undertake independent research on the case studies given in this Part A booklet.

Learners are expected to spend up to 6 hours undertaking Part A.

Centres must issue this booklet at the appropriate time and advise learners of the timetabled sessions during which they can prepare. It is expected that scheduled lessons or other timetable slots will be used for some or all of the preparation.

Learners may prepare summary notes on the cases. Learners may take up to two sides of notes of this type into the supervised assessment period (Part B). Learners’ notes should contain details of cases and precedents.

Teachers/tutors cannot give any support to learners in the preparation of assessment notes. Work must be completed independently by the learner.

The supervised assessment uses the Part B booklet. This is a task book.

The supervised assessment will take place in a timetabled slot.

Refer carefully to the instructions in this taskbook and the Information for Conducting External Assessments (ICEA) document to ensure that the preparatory period is conducted correctly so that learners have completed their preparation validly and independently.

Learner notes will be retained securely by the centre after Part B and may be requested by Pearson if there is suspected malpractice.

Instructions for Learners

Read the set task information carefully.

This contains Part A of the information you need to prepare for the set task in Part B.

In Part B you will be given detailed information. Use this Part A booklet to prepare by relating your learning to the specific information given.

You will then be given the set task to complete under supervised conditions.

You must work independently and must not share your work with other learners.

Your teacher may give you guidance on when you can complete the preparation.

Your teacher cannot give you feedback during the preparation period.

Set Task Brief

You must research the law relating to the two newspaper articles below.

You need to be aware of the different types of fatal offences and the circumstances surrounding each case and each victim and defendant.

You need to be aware of the law relating to offences against property and stop and search powers.

In Part B you will need to apply your research to the new information provided on the two scenarios.

In your preparation for Part B using this Part A booklet, you may prepare short notes to refer to when completing the set task, for example on specific cases. Your notes may be up to two sides and may be hand-written or typed. Your notes should contain details of cases and precedents relating to fatal offences and offences against property.

You are expected to spend up to 6 hours on this research.
Part A: Set Task Information

1. Homicide article

**Breaking News: Dawson Killing**

Susan Dawson, a married mother of two teenage children, died after being stabbed three times in the chest and once in the neck. Her body was found at her home after police were called by neighbours.

It has been alleged by the police that Mr Dawson stabbed his 43-year-old wife in a rage after hearing she had been having an affair.

Mr Dawson, says that they had been happily married for 15 years.

2. Property offences article

**Man arrested in connection with an incident at Whitepool Post Office**

A man has been arrested and charged, following an incident at a Post Office in Whitepool, Lancashire yesterday afternoon.

Kelly Barker, 42, reported to the police that a man entered her Post Office wearing a balaclava and carrying a baseball bat. He took property consisting of money from the till and safe, and jewellery belonging to Laura Johnson, 30, an employee at the Post Office.

Steven Penney, 32, of Whitepool, was arrested after police officers searched his car and discovered bags containing money, believed to have been taken from the Post Office.
Part A: Set Task Information

1. Homicide article

Breaking News: Dawson Killing
Susan Dawson, a married mother of two teenage children, died after being stabbed three times in the chest and once in the neck. Her body was found at her home after police were called by neighbours.

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Applied Law
Unit 3: Applying the Law

Extended Certificate
Sample assessment material for first teaching
September 2017

Instructions

- Part A will need to have been used in preparation for completion of Part B.
- The Part B booklet must be issued to learners as defined by Pearson and should be kept securely.
- Part B materials must be issued to learners on the specified morning period.
- Part B is specific to each series and this material must only be issued to learners who have been entered to take the task in the relevant series.

Information

The total mark for this paper is 72.
Instructions to Teachers/tutors and/or Invigilators

This paper must be read in conjunction with information on conduct for the task in the unit specification and the BTEC Nationals Information for Conducting External Assessments (ICEA) document. For further details please see the Pearson website.

The Part B set task is undertaken under supervision in a single session of two hours on the timetabled morning period.

The Part B set task requires learners to apply research. Learners should bring in notes as defined in Part A. The teacher/invigilator needs to ensure that notes comply with the requirements.

Work should be completed in this task book. Learners’ work must be completed independently and authenticated before being submitted to Pearson by the teacher/tutor and/or invigilator.

Centres must arrange for the supervised assessment period to be in one morning sitting of 2 hours. The supervised assessment period for producing final outcomes is to be under the level of supervision specified by Pearson and in accordance with the conduct procedures.

Refer carefully to the instructions in this taskbook and the Information for Conducting External Assessments (ICEA) document to ensure that the preparatory period is conducted correctly so that learners have completed their preparation validly and independently.

Learners must not bring anything into the supervised environment or take anything out of it without your knowledge and approval.

Centres are responsible for putting in place appropriate checks to ensure that only permitted material is introduced into the supervised environment.

Maintaining security

- During the supervised assessment period, the assessment areas must be accessible only to the individual learner and to named members of staff.
- Learners can access their work only under supervision.
- Any work that learners produce under supervision must be kept securely.
- Any materials being used by learners must be collected in at the end.
- Learner notes related to Part A must be checked to ensure length and contents meet limitations.
- Learner notes will be retained securely by the centre after Part B and may be requested by Pearson if there is suspected malpractice.
Outcomes for submission
You will need to submit one document on completion of the supervised assessment period:

- a completed task book.

Each learner must complete an authentication sheet.
Read the set task information carefully.

You have prepared for the set task given in this Part B booklet. Use your notes prepared during Part A if relevant. Attempt all of Part B.

Your notes must be your own work and will be retained by your centre until results are issued.

You will complete the set task under supervision and your work will be kept securely during any breaks taken.

You must work independently throughout the supervised assessment period and must not share your work with other learners.

You must complete ALL activities.

Outcomes for submission
You will need to submit one document on the completion of the supervised assessment period.
- a completed task book.
Set Task Information

There are two activities. You have 2 hours to complete the activities and are advised to spend 1 hour on each activity. Each activity is worth 36 marks.

Activity 1: Homicide

Read all the information provided.

You have been given a two-week placement at a large, local solicitors’ firm called Summers and McNeil and you will work in the department dealing with criminal case work. You are working with your colleagues on a case to represent Mr Dawson who is charged with murder and have been asked to prepare a report on the case for your line manager – the criminal law partner in the firm. The facts of the case are as follows.

- The body of 43-year-old Mrs Susan Dawson was found at 76 Brentwood Gardens after a phone call from a concerned neighbour. Mrs Dawson had been stabbed several times and a knife was retrieved from the crime scene, thought to be the weapon used in the stabbing.

- Witness statements were taken from the neighbours, stating that they had heard shouting and screaming, as if a fight was taking place. The neighbours then saw two men running away from the house, one man was identified as Mr Dawson. The other man could not be named, but had been seen regularly visiting the house over the last six months when Mr Dawson was out at work.

- Police were called to an incident where a man matching Mr Dawson’s description was dissuaded from jumping from a bridge and police arrested and detained him.

- Investigations have matched DNA from the knife to Mr Dawson.

- The statements taken suggested that Mr and Mrs Dawson’s marriage was in crisis. Mrs Dawson has been seeing a younger man called Shakib Ahmed for several months.

- Mr Dawson had found out about the affair and had returned home early from work to find Mr Ahmed and Mrs Dawson together.
Refer to your notes for preparatory work completed in Part A.

Provide a report on the scenario to include:

- explanation of the relevant fatal offences, using professional language and legal terminology
- application of relevant case law and statutes
- analysis of any potential defences applicable
- evaluation of whether any defences will be successful.

Total for Activity 1 = 36 marks
Provide case file notes on the scenario to include:

- Refer to your notes for preparatory work completed in the evaluation of the legality of the police during the stop and search.
- Analysis of any potential defences applicable to the situation.
- Application of relevant case law and statutes.
- Explanation of the relevant property offences, using professional language and legal terminology.

The facts are as follows.

He pushed her out of the way and fled the scene, smashing both of the windows in the door. He ran into the nearby woods, and was later apprehended by the police.

On Sunday afternoon, Kelly Barker, the manager of the Post Office in Sun Valley, was closing up for the evening. She was about to lock the door when a man entered the Post Office wearing a balaclava and wielding a baseball bat. The Post Office had been robbed, and the man had taken a bag containing money from the safe and the till.

Laura attempted to stop him.

Total for Activity 2 = 36 marks
**Activity 2: Property offences**

In your work in the criminal department of local solicitors’ firm Summers and McNeil, you have been asked to prepare a summary of the case of Steven Penney, your client who has been charged with several property offences. The facts are as follows.

- On Sunday afternoon, Kelly Barker, the manager of the Post Office in Whitepool, rang 999 to report an incident at her Post Office.
- When the police arrived, she stated that a man had entered the Post Office wearing a balaclava and wielding a baseball bat. The Post Office was empty apart from Kelly and her employee Laura Johnson.
- The man handed a bag to Kelly and told her to fill it with all of the money from the safe and the till.
- Noticing that Laura was wearing expensive jewellery, he demanded that she remove it and give it to him.
- Once the man had the money and the jewellery, he turned to leave but Laura attempted to stop him.
- He pushed her out of the way and fled the scene, smashing both of the windows of the Post Office with his bat as he was leaving.

Refer to your notes for preparatory work completed in **Part A**.

Provide case file notes on the scenario to include:

- explanation of the relevant property offences, using professional language and legal terminology
- application of relevant case law and statutes
- analysis of any potential defences applicable
- evaluation of the legality of the police during the stop and search.

Total for Activity 2 = 36 marks
Unit 3: Applying the Law – Sample marking grid

General marking guidance

- All learners must receive the same treatment. Examiners must mark the first learner in exactly the same way as they mark the last.
- Mark grids should be applied positively. Learners must be rewarded for what they have shown they can do rather than be penalised for omissions.
- Examiners should mark according to the mark grid, not according to their perception of where the grade boundaries may lie.
- All marks on the mark grid should be used appropriately.
- All the marks on the mark grid are designed to be awarded. Examiners should always award full marks if deserved. Examiners should also be prepared to award zero marks if the learner’s response is not rewardable according to the mark grid.
- Where judgement is required, a mark grid will provide the principles by which marks will be awarded.
- When examiners are in doubt regarding the application of the mark grid to a learner’s response, a senior examiner should be consulted.

Specific marking guidance

The mark grids have been designed to assess learners’ work holistically. Rows in the grids identify the assessment focus/outcome being targeted. When using a mark grid, the ‘best fit’ approach should be used.

- Examiners should first make a holistic judgement on which band most closely matches the learner’s response and place it within that band. Learners will be placed in the band that best describes their answer.
- The mark awarded within the band will be decided based on the quality of the answer in response to the assessment focus/outcome and will be modified according to how securely all bullet points are displayed at that band.
- Marks will be awarded towards the top or bottom of that band depending on how they have evidenced each of the descriptor bullet points.
## To be used twice, once for each activity

<table>
<thead>
<tr>
<th>Assessment focus</th>
<th>Band 0</th>
<th>Band 1</th>
<th>Band 2</th>
<th>Band 3</th>
<th>Band 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selection and understanding of legal principles relevant to context</td>
<td>0</td>
<td>1–2</td>
<td>3–4</td>
<td>5–6</td>
<td>7–8</td>
</tr>
<tr>
<td>No rewardable material.</td>
<td>• Selection of some basic legal principles.</td>
<td>• Selection of some appropriate legal principles.</td>
<td>• Selection of appropriate legal principles.</td>
<td>• Selection of appropriate legal principles.</td>
<td>• Selection of appropriate legal principles.</td>
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<td></td>
<td>• Limited understanding of the law relevant to the context.</td>
<td>• Some understanding of the law relevant to the context.</td>
<td>• Clear understanding and linkage to the law and context.</td>
<td>• Thorough understanding relevant to the context, showing a detailed knowledge and understanding of the relevant law.</td>
<td>• Uses a wide variety of appropriate authorities in the context of the scenario.</td>
</tr>
<tr>
<td></td>
<td>• Limited use of relevant authorities in the context of the scenario.</td>
<td>• Uses some relevant authorities in the context of the scenario.</td>
<td>• Uses a variety of appropriate authorities in the context of the scenario.</td>
<td></td>
<td>• Uses a wide variety of appropriate authorities in the context of the scenario.</td>
</tr>
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</table>
To be used twice, once for each activity

<table>
<thead>
<tr>
<th>Assessment focus</th>
<th>Band 0</th>
<th>Band 1</th>
<th>Band 2</th>
<th>Band 3</th>
<th>Band 4</th>
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</thead>
<tbody>
<tr>
<td>Application of legal principles and research to information provided</td>
<td>0</td>
<td>1–2</td>
<td>3–4</td>
<td>5–6</td>
<td>7–8</td>
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<tr>
<td>No rewardable material.</td>
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<td>• Demonstrates limited application of the relevant law to the scenario.</td>
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<tr>
<td>• Limited use of precedents/authorities in the context, drawing on research.</td>
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<td>• Demonstrates some application of the relevant law to the scenario.</td>
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<tr>
<td>• Selects and applies some relevant precedents/authorities in context, drawing on research.</td>
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<tr>
<td>• Demonstrates competent application of the relevant law to the scenario.</td>
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<tr>
<td>• Selects and applies relevant precedents/authorities throughout in context, drawing on research.</td>
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</tbody>
</table>

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Issue 3 – September 2019 © Pearson Education Limited 2019
To be used twice, once for each activity

<table>
<thead>
<tr>
<th>Assessment focus</th>
<th>Band 0</th>
<th>Band 1</th>
<th>Band 2</th>
<th>Band 3</th>
<th>Band 4</th>
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</thead>
<tbody>
<tr>
<td>Analysis of legal authorities, principles and concepts</td>
<td>0</td>
<td>1–2</td>
<td>3–4</td>
<td>5–6</td>
<td>7–8</td>
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<tr>
<td>Analysis is limited.</td>
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<td>Analysis lacks a grasp of the concepts in the context of the scenario.</td>
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<tr>
<td>Alternatives are stated but with no supporting evidence.</td>
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<tr>
<td>Analysis is limited.</td>
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<tr>
<td>Analysis lacks a grasp of the concepts and their relevance in this scenario.</td>
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<tr>
<td>Alternatives are stated with some supporting evidence.</td>
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<tr>
<td>Some analysis.</td>
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<td>Analysis demonstrates a basic grasp of the concepts and their relevance in this scenario.</td>
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<tr>
<td>Alternatives are stated with some supporting evidence.</td>
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<tr>
<td>Linked statements provide a logical analysis of the evidence in the scenario.</td>
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<td>Analysis demonstrates a good grasp of the concepts and their relevance in this context.</td>
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<td>Alternatives are detailed, making use of supporting evidence.</td>
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<td>Detailed and coherent statements provide a clear and logical analysis of a wide range of relevant evidence in the scenario.</td>
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<td>Analysis demonstrates a thorough grasp of the concepts and their relevance in this context.</td>
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<tr>
<td>Alternatives are considered in depth, using appropriate supporting evidence.</td>
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<td>Assessment focus</td>
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<tr>
<td>Evaluation and justification of decisions</td>
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<td>7–8</td>
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<td>No rewardable material.</td>
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<td>• Interpretation of some legal</td>
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<td>principles/authorities but is generic,</td>
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<td>lacking detail and relevance to the</td>
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<td>context.</td>
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<td>the case using legal principles,</td>
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<td>coming to a basic conclusion.</td>
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<td>• Interpretation of main principles/</td>
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<td>• Some evaluation of the outcomes of</td>
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<td>authorities, coming to a conclusion</td>
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<td>Band 2</td>
<td>Band 3</td>
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</table>
To be used twice, once for each activity

Assessment focus

Band 0

• Lacks professional format and structure, leading to lack of clarity.

• Language is inappropriate for audience.

Band 1

• Has a basic professional format and structure.

• Language is sometimes appropriate for audience.

Band 2

• Has a logical structure and format that is generally clear and professional.

• Language is appropriate for audience.

Band 3

• Is well written, uses clear language, has a logical and professional format and structure.

• Language is appropriate for audience throughout.