

# INTERNATIONAL ADVANCED LEVEL

# Law

# **SPECIFICATION**

Pearson Edexcel International Advanced Level in Law (YLAO)

For first teaching in September 2013 First examination June 2014

Issue 3



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#### Acknowledgements

This specification has been produced by Pearson on the basis of consultation with teachers, examiners, consultants and other interested parties. Pearson would like to thank all those who contributed their time and expertise to the specification's development.

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# About this specification

Pearson Edexcel International Advanced Level in Law is designed for use in schools and colleges outside the United Kingdom. It is part of a suite of International Advanced Level qualifications offered by Pearson.

This qualification has been approved by Pearson Education Limited as meeting the criteria for Pearson's Self-regulated Framework.

Pearson's Self-regulated Framework is designed for qualifications that have been customised to meet the needs of a particular range of learners and stakeholders. These qualifications are not accredited or regulated by any UK regulatory body.

This qualification provides a satisfying course for those who will end their study of Law at this stage, and lays a secure foundation for those who will continue their studies in this or related subjects. It enables students to develop a knowledge and understanding of legal rules and institutions and an appreciation of the function of law in society. It also encourages students to develop the skills necessary to appraise and criticise the application of legal principles across different branches of law.

#### **Specification updates**

This specification is Issue 3 and is valid for the Pearson Edexcel International Advanced Level examination from 2014, key changes are sidelined. If there are any significant changes to the specification Pearson will write to centres to let them know. Changes will also be posted on our website.

For more information and for the latest version of the specification, please visit www.edexcel.com/ial

#### Using this specification

The specification content has been designed to give guidance to teachers and encourage effective delivery of the qualification. The following information will help you get the most out of the content and guidance.

**Compulsory content**: as a minimum, all the bullet points in the content must be taught.

Teachers should deliver the qualification using a good range of examples to support the assessment of the content.

Students need to demonstrate knowledge of technical language where required

**Depth and breadth of content**: teachers should prepare students to respond to assessment questions. Teachers should use the full range of content and all the assessment objectives given in *Section B: Specification Overview*.

#### **Qualification abbreviations**

International Advanced Level - IAL

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# A Specification at a glance

#### **Overview**

IAL Paper 1	*Cash-in code YLA0
■ Externally assessed	50% of the total IAL raw marks
Availability: June	
First assessment: June 2014	

#### **Content summary:**

Students will show knowledge and understanding of law and legal institutions with relevance to their function in society.

The content is divided into 4 sections:

Section A - The Nature of Law

Section B – The Effect of Law on the Individual

Section C - The Sources of Law

Section D – Law Enforcement and Administration.

#### **Assessment:**

Examination of 3 hours, consisting of ten essay questions.

Students should answer in continuous prose and the marks awarded will take into account the quality of language used by the student.

<sup>\*</sup> See Appendix 2 for description of this code and all other codes relevant to this qualification

IAL Paper 2	*Cash-in code YLA0
■ Externally assessed	50% of the total IAL raw marks
Availability: June	
First assessment: June 2014	

#### **Content summary:**

Students are expected to identify and explain underlying principles as well as quoting specific legal examples in their answers.

The content is divided into 5 sections:

Section A - The Market

Section B – The Workplace

Section C - The Family

Section D - The Criminal Offender

Section E - The Individual

#### **Assessment:**

Examination of 3 hours. This paper will comprise of five sections. Each section will consist of four problem-based questions.

Students should answer in continuous prose and the marks awarded will take into account the quality of language used by the student.

<sup>\*</sup> See Appendix 2 for description of this code and all other codes relevant to this qualification

# A Specification at a glance

# **Specification overview**

#### **Summary of assessment requirements**

Paper	Level	Assessment information	Number of raw marks allocated in the paper
Paper 1	IAL	Examination length: 3 hours Examination paper in two parts: Part 1 (Sections A and B) Two essay questions must be answered. Each question will be allocated 25 marks.	100
		Part 2 (Sections C and D) Two essay questions must be answered. Each question will be allocated 25 marks.	
Paper 2	IAL	Examination length: 3 hours  Examination paper in five sections, A-E. Each section contains 4 problem-based questions.  Two sections must be chosen. Each section contains four questions of which two must be answered. A total of 4 questions from two sections must be answered.	100

#### **Assessment objectives and weightings**

		% in IAL
AO1	Knowledge of legal rules as defined in the syllabus, including issues of current legal concern.	25%
AO2	Understanding of legal information and concepts, and the ability to identify the appropriate legal processes in different contexts.	25%
AO3	Evaluate the legal rules, information and concepts defined in the syllabus.	27.5%
AO4	Analyse information, select appropriate legal rules and to apply these in a reasoned manner in order to draw conclusions.	12.5%
AO5	Organise and present information, ideas, descriptions and arguments clearly and logically, using legal terminology, taking into account the use of grammar, punctuation and spelling.	10%
		100%

#### Relationship of assessment objectives

Paper number	Assessment objective				
	AO1	AO2	AO3	AO4	AO5
Paper 1	15%	15%	15%	_	5%
Paper 2	10%	10%	12.5%	12.5%	5%
Total for International Advanced Level	25%	25%	27.5%	12.5%	10%

#### **Qualification summary**

#### **Aims**

The aims of the International Advanced Level in Law are to:

- provide a sound understanding of the nature of law
- give an appreciation of the role of law in society
- demonstrate the importance of legal institutions and their relationship to other institutions in society
- provide a broad understanding of the various branches of law in order to give a fuller picture of the role of law
- provide knowledge of the sources of law, in particular statutes and cases, and of how these are applied to the determination of disputes
- develop an analytical and critical approach to the application of legal principles
- consider the appropriateness of dealing with certain aspects of behaviour within the law.

#### IAL knowledge, understanding and skills

The knowledge, understanding and skills required for IAL Law are contained in the content.

# **B** Specification overview

# **C** Law content

Paper 1	13
Paper 2	17

#### **Course structure**

- The Pearson Edexcel International Advanced Level in Law comprises two papers.
- Students wishing to take the full International Advanced Level, must, therefore, complete both papers.
- The structure of this qualification allows teachers to construct a course of study that must be taught and assessed as a linear course which is assessed in its entirety at the end.

#### 1.1 Paper description

#### About this paper

Students will show knowledge and understanding of law and legal institutions with relevance to their function in society.

The content is divided into 4 sections:

Section A - The Nature of Law

Section B – The Effect of Law on the Individual

Section C - The Sources of Law

Section D – Law Enforcement and Administration.

#### 1.2 Assessment information

Examination length: 3 hours Examination paper in two parts:

Part 1 (Sections A and B):

Two essay questions must be answered. Each question will be allocated 25 marks.

Part 2 (Sections C and D):

Two essay questions must be answered. Each question will be allocated 25 marks.

Total for paper: 100 marks

Students should answer all questions in continuous prose and the marks awarded will take into account the quality of language used by the student.

#### 1.3 Content

#### 1.3.1 Section A - The Nature of Law

#### What students need to learn:

- 1 The Nature of Law
- Rules what rules are: the relationship between law and morality including the Hart/Devlin debate; why some rules have legal consequences.
- The principal legal theories: e.g. positivism, natural law, and realist theories.
- Nature and origins of law; law in society, its role and function; growth of law in modern society and the appropriateness of creating new laws to solve problems
- Legal reasoning and analysis.

#### 1.3.2 Section B - The Effect of Law on the Individual

- 1 The Effect of Law on the Individual
- Rights, duties, liabilities and privileges; how these affect us and how they are enforced.
- The basis of liability in civil law: common law and equitable remedies and the relationship between them.
- The basis of liability in criminal law: sanctions for criminal wrongs; theories of punishment; provision for compensation in criminal cases.
- Remedies for maladministration; judicial review; the role of ombudsmen; review of maladministration in criminal cases
- The concept of legal personality and corporate liability.

#### 1.3.3 Section C - The Sources of Law

#### What students need to learn:

- 1 The Sources of Law
- Legislation: Parliamentary and delegated legislation; controls of delegated legislation, advantages and disadvantages; statutory interpretation; rules and canons of construction; the influence of European Union membership; the respective roles of the legislature and the judiciary.
- The English doctrine of binding precedent, its theory and practice within the court system; the development of common law and equity and their relationship in modern law.
- European community and Union law, its nature, interpretation and role: the institutions of the European Community and Union; the legal implications for the UK of this source of law.
- Law reform: the role of political parties, pressure groups, law reform agencies and judges.

#### 1.3.4 Section D - Law Enforcement and Administration

- 1 Law Enforcement and Administration
- The differences between civil and criminal law; the commencement of legal proceedings in civil and criminal cases; legal aid and advice and other financial support; conditional fees.
- Dispute settlement; formal and informal methods; the Courts; tribunals; arbitration; conciliation; mediation.
- The role of the police in law enforcement: stop and search; arrest; search; detention and questioning; procedure at the police station.
- The legal profession: organisation, training and discipline; relationship between all the different branches.
- The role of the lay person in the administration of justice: e.g. magistrates, juries, tribunal members and arbitrators; the extension of para-legal services.

# Paper 1

#### 2.1 Unit description

#### About this paper

Students are expected to identify and explain underlying principles as well as quoting specific legal examples in their answers.

The content is divided into 5 sections:

Section A - The Market

Section B – The Workplace

Section C – The Family

Section D - The Criminal Offender

Section E - The Individual

#### 2.2 Assessment information

Examination length: 3 hours

Examination paper in 5 sections, A-E. Each section contains 4 problem-based questions.

Two sections must be chosen. Each section contains four questions of which two must be answered. A total of 4 questions from two sections must be answered

Total for paper: 100 marks

Students should answer all questions in continuous prose and the marks awarded will take into account the quality of language used by the student.

#### 2.3 Content

#### 2.3.1 Section A - The Market

#### What students need to learn:

- 1 The Market: the transfer of goods or the rendering of services for cash or on credit terms
- The legal rules applying to the making of bargains: an outline of the rules of contract, including freedom and exclusion clauses; vitiating factors: privity and discharge of contract. Contracts for the sale and supply of goods. Remedies.
- Liability in negligence to consumers; strict liability in civil actions under consumer protection legislation. Remedies.
- Criminal liability and offences under consumer protection legislation.
- Outline of consumer credit legislation with particular reference to the content of credit agreements, cancellation, liability for defects, default. Remedies.
- An awareness of the role of extra judicial approaches to solving problems faced by the individual in the market.

#### 2.3.2 Section B – The Workplace

- 1 The Workplace: the legal relationship between employers and employees
- Contractual and tortious duties and liabilities of employers, employees and independent contractors. Statutory protection for employees. Remedies.
- Legal rules relating to restraint of trade for businesses and employees. Remedies.
- Law relating to discrimination and equal pay. Remedies.
- Termination of contract of employment including fair, unfair and wrongful dismissal. Redundancy. Remedies.
- Common law and statutory provisions relating to health and safety at work, including compensation for injuries at work. Remedies.
- Outline of the role and legal position of trade unions in relation to employment matters. Remedies.

#### 2.3.3 Section C - The Family

#### What students need to learn:

- 1 The Family: the family relationship arising from marriage or cohabitation
- The legal basis of marriage; rights arising from marriage; rights of cohabitees.
- Children's legal rights and the legal rules for their protection. Adoption.
   Parental responsibilities.
- Outline of the legal responsibilities of central and local government in relation to family welfare. The role of agencies.
- The law on marital and cohabitation breakdown and family break-up. The law on domestic violence, remedies. The transfer of property after the breakdown of relationships. Inheritance and family provision.

#### 2.3.4 Section D - The Criminal Offender

- 1 The Criminal
  Offender: the
  essential nature of
  criminal liability
  and the study of
  particular crimes
- The reasons for the creation of criminal liability. The basis of criminal liability. Types of conduct regarded as criminal. Criminal sanctions. The arguments concerning whether some criminal behaviour would be better dealt with outside the criminal law.
- Parties to a crime.
- Inchoate offences.
- General defences.
- The law protecting a person from attack, injury or death.
- The law of theft, and related dishonesty offences including burglary, blackmail, deception, making off, robbery and TWOC (taking without owners' consent), but excluding false accounting and the role of the Serious Fraud Office.
- Criminal damage.
- Sanctions and sentencing.

#### 2.3.5 Section E - The Individual

- 1 The Individual: civil liberties and rights under private law
- The role of the state and the nature and basis of civil liberties in law. Remedies and procedures for protecting rights and freedoms, including challenges to delegated legislation, judicial review and the role of ombudsmen. The impact of international and European human rights law.
- Freedom of assembly and association; related public meetings; processions; assemblies and demonstrations. Public order offences; sports events. Trespass and nuisance.
- Freedom of speech; defamation; blasphemy; obscene libel; contempt of court; defences and remedies.
- Freedom of person and property: police powers of questioning: detention and arrest; search and seizure; remedies against the police. Legal actions to protect privacy and confidentiality.
- Freedom of information: access to official, government and personal records; data protection.

## Assessment and additional information

#### **Assessment information**

# Assessment requirements

For a summary of assessment requirements and assessment objectives, see Section B: Specification overview.

# Entering candidates for the examinations for this qualification

Details of how to enter candidates for the examinations for this qualification can be found in the International Information Manual, copies of which are sent to all examinations officers. The information can also be found at:

www.edexcel.com/international

# Awarding and reporting

The International Advanced Level will be graded on a six-point scale A\* to E.

A pass in an International Advanced Level subject is indicated by one of the six grades A\*, A, B, C, D, E of which grade A\* is the highest and grade E the lowest. Students whose level of achievement is below the minimum judged by Pearson to be of sufficient standard to be recorded on a certificate will receive an unclassified U result.

# General marking bands

The general marking bands identify the different types of responses, which may be elicited in each mark band. See *Appendix 1* for the general marking bands for this subject.

# Qualification results

Grade boundaries are available on our website and will be published on results day. Please visit: www.edexcel.com/ial/law

The International Advanced Level in Law is a linear qualification, therefore assessment will be available in June only. Both papers must be taken in the same examination series, and no results for individual papers can be banked or carried forward.

# Language of assessment

Assessment of this specification will be available in English only. Assessment materials will be published in English only and all work submitted for examination must be produced in English.

#### **Additional information**

#### Malpractice

For up-to-date information on malpractice, please refer to the latest Joint Council for Qualifications (JCQ) Suspected Malpractice in Examinations and Assessments: Policies and Procedures document, available on the JCQ website: www.jcq.org.uk

#### Access arrangements and special requirements

Pearson's policy on access arrangements and special considerations for GCE, GCSE, IAL and Entry Level is designed to ensure equal access to qualifications for all students (in compliance with the Equality Act 2010) without compromising the assessment of skills, knowledge, understanding or competence.

Please see the JCQ website (www.jcq.org.uk) for their policy on access arrangements, reasonable adjustments and special considerations.

Please see our website (www.edexcel.com) for:

- the forms to submit for requests for access arrangements and special considerations
- dates for submissions of the forms.

#### **Equality Act 2010**

Please see our website (www.edexcel.com) for information on the Equality Act 2010.

# Prior learning and progression

#### **Prior learning**

There are no prior learning or other requirements for this qualification.

#### **Progression**

This qualification supports progression into further education, training or employment.

# Combinations of entry

Only achievement of this qualification may contribute to the certification of the International Advanced Level in Law.

# Student recruitment

Pearson's access policy concerning recruitment to our qualifications is that:

- they must be available to anyone who is capable of reaching the required standard
- they must be free from barriers that restrict access and progression
- equal opportunities exist for all students.

# D Assessment and additional information

# **Support and resources**

#### Support

Pearson aim to provide the most comprehensive support for our qualifications. For this qualification we provide a subject page which will keep you up to date with the latest information on your subject.

For full details of all the teacher and student support provided by Pearson to help you deliver our qualifications, please visit: www.edexcel.com/ial/law/support

#### Resources

Pearson is committed to ensuring that teachers and students have a choice of resources to support their teaching and study.

Please see *Appendix 3* for a list of suggested resources to support the delivery of International Advanced Level in Law.

To search for endorsed resources from other publishers, please visit: www.edexcel.com/resources

#### **Specifications and Sample Assessment Materials**

Specifications and Sample Assessment Materials (SAMs) can be downloaded from the International Advanced Level subject pages.

To find a complete list of supporting documents, including the specification and SAMs, please visit: www.edexcel.com/ial/law

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# F Appendices

#### Appendix 1

#### General marking bands

The general marking bands identify the different types of responses, which may be elicited in in each mark band. It is intended that it should be read in conjunction with the indicative marking content for each question.

Marks 25-22

An excellent answer. Presents a well-structured response to the question and demonstrates consistently a thorough knowledge and understanding of legal rules and legal institutions and excellent appreciation of the function of law in society. Shows a thorough understanding of legal classification and an excellent approach to problem solving with a particular strength in the use of legal authority together with a demonstrable awareness of matters of legal controversy and law reform. Demonstrates an ability to appraise and criticise the application of legal principles across different branches of law.

The candidate will express complex ideas extremely clearly and fluently. Sentences and paragraphs will follow on from each other smoothly and logically. Arguments will be consistently relevant and well structured. There will be few, if any, errors of grammar, punctuation and spelling.

Marks 21-17

A very good answer. Presents a clearly written answer with a detailed knowledge and understanding of legal rules and also the place and role of institutions, as well as demonstrating a very good appreciation of the role and function of law in society. Shows a good understanding of legal classification and demonstrates a clear grasp of analysis of legal problems, with a real ability to apply rules and use authority. Shows a good understanding of different branches of law and gives evidence of a critical awareness of controversial issues in law and law reform. The majority of relevant legal issues raised by the question are included with appropriate supporting material.

The candidates will express complex ideas extremely clearly and fluently. Sentences and paragraphs will follow on from each other smoothly and logically. Arguments will be consistently relevant and well structured. There will be few, if any, errors of grammar, punctuation and spelling.

Marks 16-13

A good answer. Demonstrates a sound knowledge and understanding of legal rules, and the role and function of law in society with some evidence of depth and breadth of argument. Is able, where required, to distinguish between civil and criminal liability, and shows a sound approach to problem solving. Quotes some appropriate legal authority. Demonstrates a sound knowledge of some of the relevant issues raised by the question and shows awareness of current controversies and legal reform. Identifies significant points in the marking scheme but with some imbalance in the treatment of issues raised by the question.

The candidate will express moderately complex ideas clearly and reasonably fluently through well linked sentences and paragraphs. Arguments will be generally relevant and well structured. There may be occasional errors of grammar, punctuation and spelling.

#### Appendix 1 General marking bands

Marks 12-8

A satisfactory answer. Presents an answer which demonstrates some knowledge and understanding of legal rules and institutions, and awareness of the role and function of law in society. Demonstrates some ability to solve problems, to identify sources, and to quote relevant authority. Shows knowledge of different branches of law, with some understanding shown also of legal classification. Although awareness of current controversies and reform issues is demonstrated, answers are more descriptive that analytical.

The candidate will express straightforward ideas clearly, if not always fluently. Sentences and paragraphs may sometimes not be well connected. Arguments may sometimes stray from the point or be weakly presented. There may be some errors of grammar, punctuation and spelling, but not such to suggest a weakness in these areas.

Marks 7-4

A basic answer. Presents an attempt to deal with the question with a superficial knowledge and understanding of legal rules, institutions and the role and function of law in society. Shows an attempt to deal with legal classification and problem solving and uses legal authority, with a little understanding of appropriate branches of law. Gives evidence of a little awareness of issues of controversy and reform. Answers may be commonsense with simple conclusions and little law. The candidate will express simple ideas clearly, but may be imprecise and awkward in dealing with complex or subtle concepts. Arguments may be of doubtful relevance or obscurely presented. Errors in grammar, punctuation and spelling may be noticeable and intrusive suggesting weaknesses in these areas.

Marks 3-0

Presents an answer which demonstrates difficulty in understanding the subject. Although struggling, may produce some relevant points. Perhaps produces a social answer with little relevance to law.

# Appendix 2

# Codes

Type of code	Use of code	Code number
Cash-in code	The cash-in code is used as an entry code to aggregate the student's unit scores to obtain the overall grade for the qualification. Centres will need to use the entry codes only when entering students for their qualification.	IAL - YLA0
Entry code	The International Advanced Level in Law consists of two assessments which must be completed in the same examination session to receive the qualification award. An entry for both assessments and the qualification award is made using the qualification entry code.	Please refer to the <i>Pearson Information Manual,</i> available on our website (www.edexcel.com)

# Appendix 2 Codes

ISBN 9781408267066

#### **Recommended Reading for Teachers**

#### Paper 1 Elliot and Quinn – The English Legal System, 12th Edition (Pearson, 2011)

Ex Abundante: Introduction to Law, (Ex Abundante) On-line Interactive Legal Library 2012. See Exabundante.com for details

Hanson – *Legal Method, Skills and Reasoning*, 3<sup>rd</sup> Edition (Routledge, 2009) ISBN 9780415458511

Martin and Law – A Dictionary of Law, 7<sup>th</sup> Edition (Oxford Paperback Reference),

(Oxford University Press, 2013) ISBN 9780199669868

Wacks – *Understanding Jurisprudence: An Introduction to Legal Theory*, 3rd Edition

(Oxford University Press, 2012) ISBN 9780199608263

# Paper 2 David Ormerod – *Smith and Hogan's Criminal Law* (Oxford University Press, 2011) ISBN 978-0199586493

David Marsh – Easyway Guide to Consumer Law (Easyway Guide, 2012) ISBN 9781847162281

Jonathan Herring – *Family Law* (Longman Law Series) (Pearson, 2013) ISBN 9781447923145

RG Lee – Blackstone's Statutes on Public Law and Human Rights 2011-2012, 21st Edition (Blackstone's Statute Series, 2011) ISBN 9780199692514

Richard Stone – *The Modern Law of Contract,* 10th Edition (Cavendish, 2013) ISBN 9780415630955

Robert Reiner – Law and Order: An Honest Citizen's Guide to Crime and Control (Polity Press, 2007) ISBN 9780745629971

Norman Selwyn – *Selwyn's Law of Employment*, 16th Edition (Oxford University Press, 2010) ISBN 9780199578733

Vivienne Harpwood – *Modern Tort Law*, 7th Edition (Cavendish, 2008) (with web-based updates) ISBN 9780415458467

# **General**UK newspapers such as *The Guardian*, *The Times*, *The Independent*, *The Observer*

Any available Law Journals, such as the New Law Journal

#### **Recommended Reading for Students**

#### Paper 1

Ex Abundante: Introduction to Law, (Ex Abundante) On-line Interactive Legal Library 2011. See ALStudent@exabundante.com for details

Elliot and Quinn – *The English Legal System,* 12th Edition (Pearson, 2011) ISBN 9781408267066

Foster – How to write better Law Essays, 2nd edition (Longman)

Hanson – *Legal Method, Skills and Reasoning*, 3<sup>rd</sup> Edition (Routledge, 2009) ISBN 9780415458511

Martin and Law – *A Dictionary of Law*, 7<sup>th</sup> Edition (Oxford Paperback Reference), (Oxford University Press, 2013) ISBN 9780199669868

Wacks – *Understanding Jurisprudence: An Introduction to Legal Theory*, 3rd Edition (Oxford University Press, 2012) ISBN 9780199608263

#### Paper 2

David Marsh – Easyway Guide to Consumer Law (Easyway Guide, 2012) ISBN 9781847162281

Ruth Gaffney-Rhys, Penny Booth, Chris Barton and Mary Hibbs – *Q&A:* Family Law 2011 and 2012 6th Edition (Oxford University Press, 2011) ISBN 978-0199559541

Jonathan Herring – *Family Law* (Longman Law Series) (Pearson, 2013) ISBN 9781447923145

Lockton – *Q&A Employment Law 2011-2012* 7th Edition (Routledge, 2011) ISBN 9780415593212

Noel Cross – *Criminal Law & Criminal Justice: An Introduction* (SAGE Publications Ltd, 2009) ISBN 978-1847870872

RG Lee – Blackstone's Statutes on Public Law and Human Rights 2011-2012, 21st Edition (Blackstone's Statute Series, 2011) ISBN 9780199692514

Richard Stone – *The Modern Law of Contract,* 10th Edition (Cavendish, 2013) ISBN 9780415630955

Robert Reiner – Law and Order: An Honest Citizen's Guide to Crime and Control (Polity Press, 2007) ISBN 9780745629971

Tillson – Law Express: Consumer and Commercial Law (Revision Guide) (Longman, 2011)

Vivienne Harpwood – *Modern Tort Law*, 7th Edition (Cavendish, 2008) (with web-based updates) ISBN 9780415458467

#### General

UK newspapers such as The Guardian, The Times, The Independent, The Observer

Any available law journals, such as the New Law Journal

BAILII free online data base of cases and legislation. For details see: www.bailii.org

For information about Edexcel, BTEC or LCCI qualifications visit qualifications.pearson.com

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