

A LEVEL

Examiners' report

LAW

H415

For first teaching in 2017

H415/03 Autumn 2021 series

Introduction

Our examiners' reports are produced to offer constructive feedback on candidates' performance in the examinations. They provide useful guidance for future candidates.



Reports for the November 2021 series will provide a broad commentary about candidate performance, with the aim for them to be useful future teaching tools. As an exception for this series they will not contain any questions from the question paper nor examples of candidate responses.

The reports will include a general commentary on candidates' performance, identify technical aspects examined in the questions and highlight good performance and where performance could be improved. The reports will also explain aspects which caused difficulty and why the difficulties arose, whether through a lack of knowledge, poor examination technique, or any other identifiable and explainable reason.

A full copy of the question paper and the mark scheme can be downloaded from OCR.

Would you prefer a Word version?

Did you know that you can save this PDF as a Word file using Acrobat Professional?

Simply click on **File > Export to** and select **Microsoft Word**

(If you have opened this PDF in your browser you will need to save it first. Simply right click anywhere on the page and select **Save as . . .** to save the PDF. Then open the PDF in Acrobat Professional.)

If you do not have access to Acrobat Professional there are a number of **free** applications available that will also convert PDF to Word (search for PDF to Word converter).

Paper 1 series overview

This paper was part of an extraordinary series offered in October 2021.

H415/03 is the third of three papers taken by OCR A Level Law candidates following two years of study. This particular paper assesses three key themes – the nature of law, human rights law, and contract law.

The cohort for this paper was extraordinarily small. Due to the amount of optionality in the paper (the split between human rights and contract, and then the optionality for each of those topics), the number of students answering each question was incredibly small. Therefore, this report does not go through question by question like the 01 and 02 reports. Instead, more overarching themes and issues are included.

As with both the H415 and H418 specifications, the paper has three assessment foci and, in order to do well, candidates will need to demonstrate the skills of knowledge and understanding of the relevant law (AO1), the ability to apply the law to a given factual scenario in order to construct liability (AO2), and the ability to analyse and evaluate the law (AO3). All of which must be done in the proportions indicated in the mark scheme.

<i>Candidates who did well on this paper generally did the following:</i>	<i>Candidates who did less well on this paper generally did the following:</i>
• Addressed the question directly in their answers • Were able to add depth to their AO1 content by making reference to cases and relevant statutes • Made reference to specific theories and theorists in Section A of the paper.	• Attempted to answer the question with general knowledge and with few or no accurate statements of specific law • Did not link theory with substantive law in Section A of the paper • Did not identify key components of questions, for example that in Question 12 it was not a consumer contract, or that in Question 4 the requirement was to discuss public order offences.

Section overview

Section A was the part of the paper that many candidates clearly felt most confident answering. Higher ability answers were able to discuss theories of society in Question 1 and different aspects of justice in Question 2. Candidates should keep in mind that Section A is synoptic in nature and answers should attempt to link areas of substantive law with the theories which have been explained.

There is no limit to the areas of law that can be used in these questions, and answers achieving the highest marks make reference to content from across the specification. For Level 4 the discussion should be developed, possibly by including counter arguments or further examples to strengthen the argument.

Option overview

In Section B, option 1 Human rights law, lower ability answers tended to be very general and lack focus on the specific requirements of the question. An example of this is in Question 4, the question specifies public order offences, but some candidates discussed offences such as assault, battery and criminal damage. While these are relevant components of public order offences, they do not in themselves constitute public order offences and received limited credit.

In Section B, option 2 Contract law, there was a lack of accurate citation or reference to relevant statutes in most answers. Contract law questions in particular can benefit from a well structured methodical approach to answers. For example, working through common law restrictions on exclusion clauses before looking at statutory provisions in Question 9.

Candidates addressing questions involving exclusion clauses should be careful to note the difference between consumer contracts and those between two businesses, which are covered by a different statute. Accurate explanation of key concepts is vital and many answers to Question 11/14 suffered from inaccurate or vague definitions of the presumption and rebuttal in relation to intention to create legal relations in domestic contracts.

Comments on responses by question type

Evaluation questions

It is worth repeating the guidance given in previous examiners' reports, on the importance of well structured answers. One way to do this is by starting with paragraphs which explain the law very clearly before applying it and writing a conclusion on each separate component. Without a clear structure it is very difficult for candidates to achieve high marks in either human rights or contract law, as answers can easily become unclear or unfocused.

	AfL	A valuable approach to answering the essay Questions 5/8 and 11/14 is to learn generic approaches to evaluation which can be applied to any specific subject content the candidate can describe. This ensures that comments are grounded in specific law, which in many cases they are not, and also allows candidates to make the best use of their factual knowledge to answer evaluation style questions.
--	------------	--

Key teaching and learning points – comments on improving performance

It is vital that candidates read the question very carefully and address not only the general topic but the specific angle in the question. For example, in Question 1 the quote concerned whether the law should follow the progress of society. However, few answers addressed the very specific issue of whether it should, with most limiting their answers to whether it does reflect society.

Supporting you

Review of results

If any of your students' results are not as expected, you may wish to consider one of our review of results services. For full information about the options available visit the [OCR website](#).

Supporting you through 2021-2022

Our priority is supporting you and your students this autumn and to support you as you prepare for summer 2022 exams. We'll update our [website information](#) regularly with resources, guidance and key information.

Take a look at our support for:

- [Teachers](#)
- [Students](#)
- [Exams officers](#)

Keep up-to-date

We are sending a weekly roundup to tell you about important updates. You can also sign up for your subject specific updates. If you haven't already, [sign up here](#).

OCR Professional Development

Attend one of our popular CPD courses to hear directly from a senior assessor or drop in to a Q&A session. All our courses for the academic year 2021-2022 are being delivered live via an online platform, so you can attend from any location.

Please find details for all our courses on the relevant subject page on our [website](#) or visit [OCR professional development](#).

Signed up for Exambuilder?

ExamBuilder is the question builder platform for a range of our GCSE, A Level, Cambridge Nationals, Cambridge Technicals and Functional Skills qualifications. See the full list of available qualifications in the [sign up form](#).

ExamBuilder is **free for all OCR centres** with an Interchange account and gives you unlimited users per centre. We need an [Interchange](#) username to validate the identity of your centre's first user account for ExamBuilder.

If you do not have an Interchange account please contact your centre administrator (usually the Exams Officer) to request a username, or nominate an existing Interchange user in your department.

Supporting you

Active Results

Review students' exam performance with our free online results analysis tool.

For the Autumn 2021 series, results analysis is available for GCSE English Language, GCSE Mathematics and Cambridge Nationals (moderated units) only.

It allows you to:

- review and run analysis reports on exam performance
- analyse results at question and/or topic level
- compare your centre with OCR national averages
- identify trends across the centre
- facilitate effective planning and delivery of courses
- identify areas of the curriculum where students excel or struggle
- help pinpoint strengths and weaknesses of students and teaching departments.

Find out more at ocr.org.uk/activeresults.

Need to get in touch?

If you ever have any questions about OCR qualifications or services (including administration, logistics and teaching) please feel free to get in touch with our customer support centre.

Call us on
01223 553998

Alternatively, you can email us on
support@ocr.org.uk

For more information visit

 **ocr.org.uk/qualifications/resource-finder**

 **ocr.org.uk**

 **/ocrextams**

 **/ocrextams**

 **/company/ocr**

 **/ocrextams**

We really value your feedback

Click to send us an autogenerated email about this resource. Add comments if you want to. Let us know how we can improve this resource or what else you need. Your email address will not be used or shared for any marketing purposes.



I like this



I dislike this



OCR is part of Cambridge University Press & Assessment, a department of the University of Cambridge.

For staff training purposes and as part of our quality assurance programme your call may be recorded or monitored. © OCR 2021 Oxford Cambridge and RSA Examinations is a Company Limited by Guarantee. Registered in England. Registered office The Triangle Building, Shaftesbury Road, Cambridge, CB2 8EA. Registered company number 3484466. OCR is an exempt charity.

OCR operates academic and vocational qualifications regulated by Ofqual, Qualifications Wales and CCEA as listed in their qualifications registers including A Levels, GCSEs, Cambridge Technicals and Cambridge Nationals.

OCR provides resources to help you deliver our qualifications. These resources do not represent any particular teaching method we expect you to use. We update our resources regularly and aim to make sure content is accurate but please check the OCR website so that you have the most up to date version. OCR cannot be held responsible for any errors or omissions in these resources.

Though we make every effort to check our resources, there may be contradictions between published support and the specification, so it is important that you always use information in the latest specification. We indicate any specification changes within the document itself, change the version number and provide a summary of the changes. If you do notice a discrepancy between the specification and a resource, please [contact us](#).

You can copy and distribute this resource freely if you keep the OCR logo and this small print intact and you acknowledge OCR as the originator of the resource.

OCR acknowledges the use of the following content: N/A

Whether you already offer OCR qualifications, are new to OCR or are thinking about switching, you can request more information using our [Expression of Interest form](#).

Please [get in touch](#) if you want to discuss the accessibility of resources we offer to support you in delivering our qualifications.