

GCE AS AND A LEVEL LAW



**Summary of decisions and analysis of responses
to our consultation on reforming GCE AS and
A Level Law for first teaching in September 2017**

Summary of decisions and analysis of responses to our consultation on reforming GCE Law for first teaching in 2017

Executive Summary

Between 4 April and 15 May 2016, we consulted on proposals for a reformed GCE Law qualification to be approved for first teaching in Wales from September 2017. A copy of the consultation proposals and questions is available at [this link](#).

In July 2016 we published *Approval Criteria for GCE Law (2016)*¹, which set out the detailed requirements for how the reformed qualification should be designed and assessed. The requirements are informed by the responses to our consultation and by views expressed by learners through a supplementary engagement exercise.

This report summarises the responses we received to the consultation of the proposals and explains the decisions that we took in light of these, which are reflected in the *Approval Criteria for GCE Law (2016)*¹.

This report is available in English and in Welsh. Respondents' comments have been translated, where appropriate, in accordance with the language of the report.

Percentages used throughout this document have been rounded to the nearest whole number.

Background

GCE Law is being reformed in Wales for first teaching from September 2017, as part of a wider programme of reforms to GCSEs, AS and A levels. The only awarding body that will develop and offer the reformed GCE Law qualification in Wales will be WJEC, as it is the only awarding body that has agreed to develop reformed GCEs designed specifically for award in Wales.

The proposals on which we consulted were developed through engagement with a number of stakeholders including the awarding body WJEC, schools and further education institutions (FEIs), higher education institutions (HEIs) and the Welsh Government (WG).

Summary of proposals and decisions

Aims and Objectives

In our consultation we proposed that the existing aims and objectives of the current AS and A level could be retained in the same form as the existing subject criteria, with some additions to highlight the legal skills and knowledge to be developed as part of the course. In the final Approval Criteria we have gone further than our proposals. The aims and objectives now reflect more closely the wording of the aims and objectives set by the Department of Education for the reformed A level in England.

In the interest of securing comparability with the AS and A levels that will be taken in England, we considered that it was important to secure similarities in terms of the aims and objectives of the reformed qualifications that will be developed for Wales. This is particularly the case, given the different emphasis of the content to be included in the qualifications developed for England and for Wales.

¹ [Approval Criteria for GCE Law](#)

Content

We proposed that the same subject content for the reformed A Level Law in England should be adopted for the reformed AS and A Level Law in Wales, but with additional focus on the Welsh Assembly's legislative authority and on the legislation that it produces, and on the bilingual nature of Wales.

As we came to draft the detailed content requirements to reflect these proposals, we found that with the addition of specific content on the legal system had the effect of considerably increasing the amount of content to be studied when compared with the content prescribed for the new qualifications in England.

To address this, we have altered the structure of the content. At AS we only require learners to study one area of substantive law in addition to studying the nature of law and of the Welsh legal system. This is in contrast to the requirements of the AS in England, which requires two areas to be studied. Overall however, learners in Wales will still be required to have studied public and private law at both AS and A2. And, overall, learners in Wales taking the whole A level will still be required to study the same number of substantive areas of law as their peers in England.

Assessment objectives

We have adopted the assessment objectives on which we consulted. These mirror the assessment objectives that have been adopted in England, which will help secure greater comparability between the two sets of reformed qualifications

Assessment

We have confirmed our proposal for the reformed A Level Law in Wales to continue to be assessed entirely through written examinations.

Consultation responses

In total, five respondents completed all, or part of, the online consultation for GCE Law. Of these, one participant responded as an individual and two responded on behalf of an organisation. Of those who responded on behalf of an organisation, one represented a school and one represented a further education college.

Subject aims and objectives

For the reformed GCE Law qualification we proposed the following subject aims and objectives:

AS and A Level specifications in law should encourage learners to:

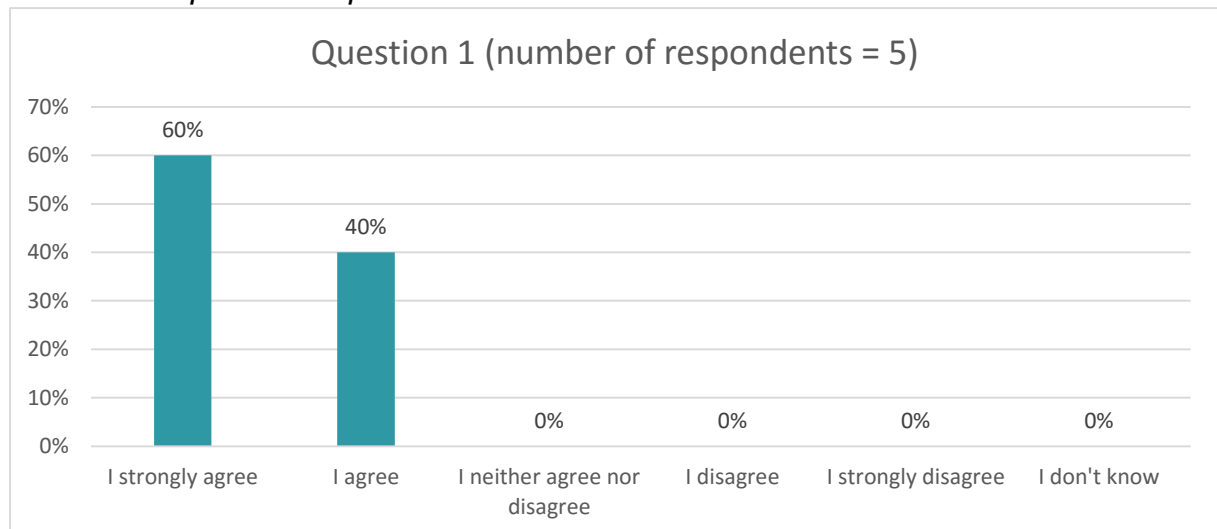
- develop and sustain their enjoyment of, and interest in, the subject;
- develop knowledge and understanding of selected areas of the law of England, Wales and Northern Ireland;
- develop an understanding of legal method and reasoning;
- develop the techniques of logical thinking and the skills necessary to analyse and solve problems by applying legal rules;
- develop the ability to communicate legal arguments and conclusions with reference to appropriate legal authority;
- develop a critical awareness of the changing nature of law in society.
- develop the ability to communicate persuasive legal arguments by reference to appropriate legal authorities
- be able to demonstrate critical awareness of the influence and operation of the law in society

In our consultation we asked respondents:

Q1: To what extent do you agree/disagree with the proposed subject aims and objectives for A Level Law in Wales?

As illustrated in Chart 1 below, all those who responded to question 1 agreed or strongly agreed with the proposed aims and objectives.

Chart 1. Responses to question 1 of the GCE Law consultation.



- Of the three people who strongly agreed with the proposal, one commented “I welcome an emphasis on developing "skills" such as application, reasoning, and argument and that this should carry equal weight with "knowledge"”, also

adding that they “would be concerned that any syllabus which attempts to include too many topics and areas of knowledge will force practitioners to focus on imparting knowledge at the expense of guiding the development of legal skills”.

- Two individuals agreed with the proposal, of which one responded with “I am not convinced of the case for the proposed changes to the aims as drafted. I do not see why the reference to 'conclusions' has been dropped from the penultimate aim, and I do not approve of the insertion of 'persuasive'.”

In light of further discussions with the awarding body and representatives of Welsh Government and Higher Education, we have amended and consolidated the proposed aims and objectives for the subject. These changes are intended to secure greater comparability with the changes made to the subject in England. The revised aims and objectives now read as follows.

1. AS and A level Law specifications must encourage learners to:

- 1.1. develop their knowledge and understanding of the Welsh legal system and areas of both private and public law within the law of Wales and England;
- 1.2. develop an understanding of legal method and reasoning as used by lawyers and the judiciary;
- 1.3. develop and apply the techniques of legal method and reasoning to analyse and offer answers to problems, based on legal principles, legislation and case law;
- 1.4. develop the ability to construct conclusions and communicate legal arguments by reference to appropriate legal authorities.

2. In addition, at A2 learners must:

- 2.1. develop the ability to communicate persuasive legal arguments by reference to appropriate legal authorities;
- 2.2. be able to demonstrate critical awareness of the influence and operation of the law in society.

Subject content

We proposed that specifications must require students to demonstrate knowledge and understanding of:

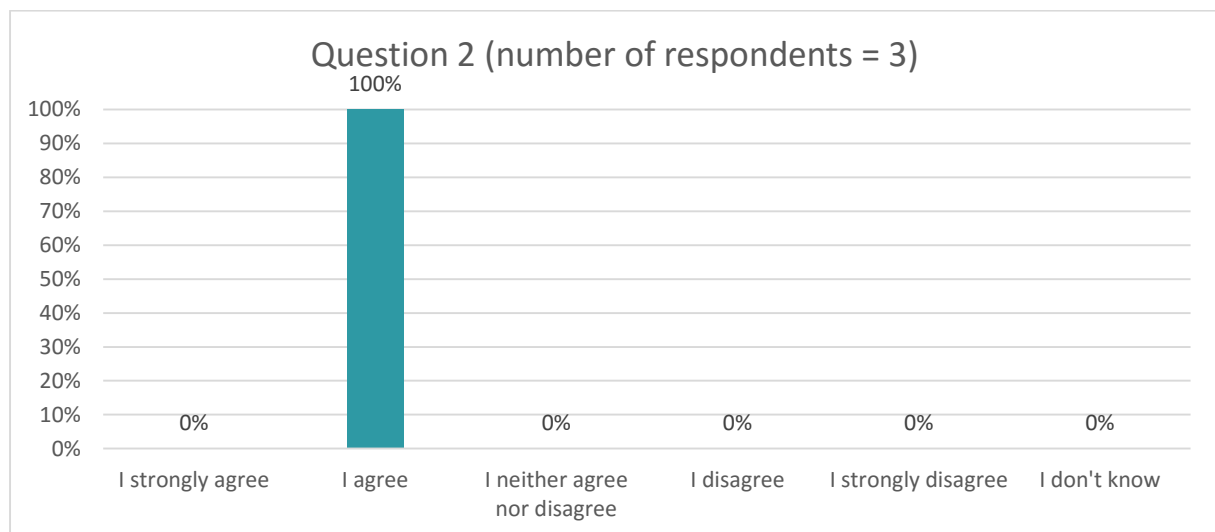
- the nature of law and the legal system of England and Wales
- private law (law of contract or law of tort)
- public law (criminal law or human rights law)
- the inclusion of primary and secondary legislation produced by the Welsh Assembly through their devolved authority, including the legislative basis on which the authority is granted
- law relating to the bilingual nature of Wales;
- references made to the English legal system will be replaced with the legal system of England and Wales.

In our consultation we asked:

Q2: To what extent do you agree/disagree with the proposed subject content for A Level Law in Wales?

As Chart 2 below shows, all respondents agreed with the proposed content areas.

Chart 2. Responses to question 2 of the GCE Law consultation.



- Of the three people who responded to question 2, all agreed with the proposal. One person commented "I think there should be greater specificity. My preference would be to include "The law relating to devolution" as a third public law topic". Another added that they were "concerned that introducing more "content" does not necessarily sit well with the ability to develop the wider and.....more important skills".

In the final Approval Criteria we have set out the specific content requirements for each of the proposed themes in more detail. We have also added more detail on how the content should be structured and on what should be studied at AS and at A2.

The approval criteria for the subject content are as follows:

3. At AS, specifications must require learners to demonstrate their knowledge and understanding of the following three areas of study:
 - 3.1. Nature of law
 - 3.2. Welsh legal system
 - 3.3. Law of tort.
4. At A2, specifications must require learners to study two of the following three areas of law:
 - 4.1. Human rights law
 - 4.2. Law of contract
 - 4.3. Criminal law.
 - 4.4. Specifications must offer learners a choice from all three of these areas of law.
 - 4.5. In each area of law studies at A2, learners must be required to demonstrate their understanding of the pervasive nature of law and society, law and morality and law and justice.

Assessment Objectives

We proposed that the following assessment objectives and weightings should apply to the reformed A Level Law:

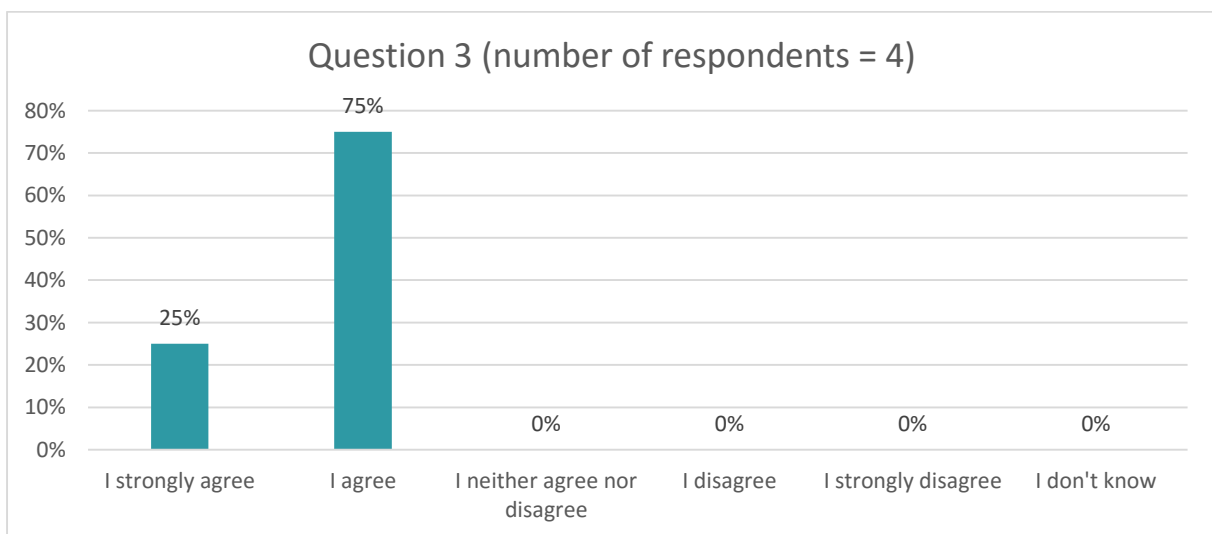
Objective	Requirements	Weighting		
		AS	A2	A Level
AO1	Demonstrate knowledge and understanding of legal rules and principles	40-50%	30-40%	30-40%
AO2	Apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology	25-35%	25-35%	25-35%
AO3	Analyse and evaluate legal rules, principles, concepts and issues	20-30%	30-40%	30-40%

In relation to assessment objectives and weightings we asked:

Q3: To what extent do you agree/disagree that the proposed assessment objectives and weightings should apply to the reformed A Level Law in Wales?

As illustrated in Chart 3 below, all those who responded to question 3 agreed or strongly agreed with the proposed assessment objectives and weightings.

Chart 3. Responses to question 3 of the GCE Law consultation.



- One individual strongly agreed and three agreed to the proposal. No relevant comments were made in regard to question 3 of the consultation.

The proposed assessment objectives and weightings are reflected in the published *Approval Criteria AS and A Level Law (2016)*¹.

Non-examined assessment (NEA)

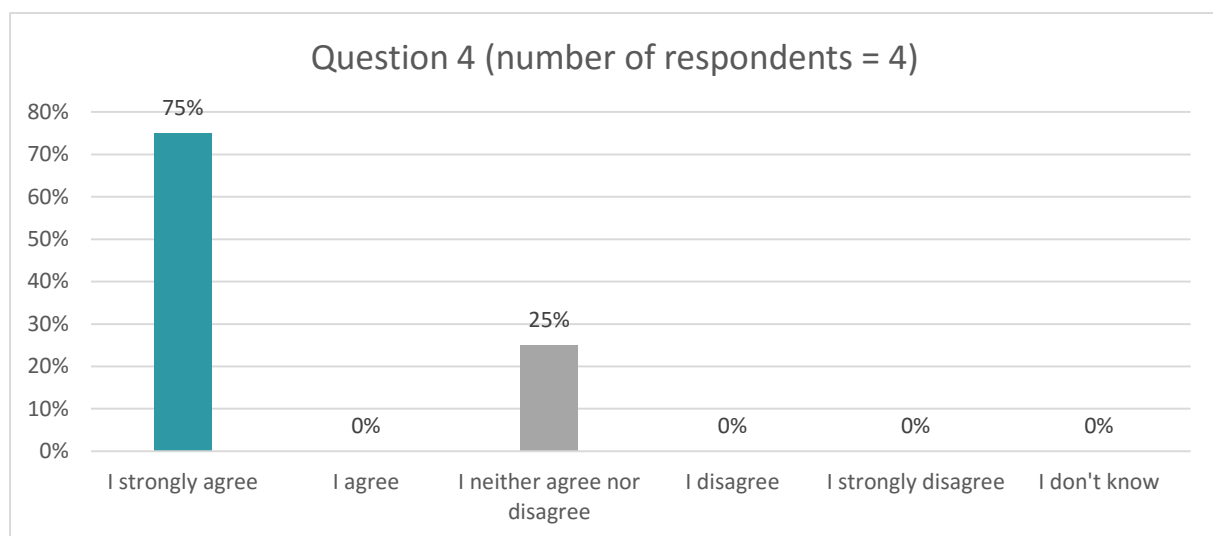
We proposed that the reformed A Level Law in Wales should continue to be fully assessed through written examinations only.

In relation to the assessment structure we asked:

4. To what extent do you agree/disagree that A Level Law should be fully assessed through written examinations?

Chart 4 below shows that of the 4 responses to this question, 75% strongly agreed with the proposal and 25% neither agreed nor disagreed.

Chart 4. Responses to question 4 of the GCE Law consultation



- Three people strongly agreed with the proposal that A Level Law should be fully assessed through written examinations.
- One person neither agreed nor disagreed and commented that a “combination of assessment through examination and coursework would be more suitable”.

The published *Approval Criteria AS and A Level Law (2016)*¹ reflects the initial proposal.

Support and Resources

In all our consultations, we asked respondents the following question:

What support and resources do you feel centres and teachers may require to achieve maximum readiness to deliver the revised specification? Please provide comments

Those who responded to this question highlighted, amongst others:

- the need to provide textbooks and online resources
- the potential benefits of centrally-organised CPD events and INSET training
- the need for exemplar exam papers and sample assessment materials
- and the usefulness of model answers to indicate the expected level of response.

We will share the points raised with the awarding body, consortia and Welsh Government.

Impact on individuals with protected characteristics

In all our consultations, we asked respondents the following question:

Please highlight below if you feel any of this proposal has the potential to have a positive or negative impact on individuals with protected characteristics and whether any of the proposal would cause accessibility issues for learners in Wales.

For the reformed GCE Law consultation, no respondents highlighted any positive or negative impacts on individuals with protected characteristics.

**Further
information**

Enquiries about this document should be directed to:

Enquiries
Qualifications Wales
Q2 Building
Pencarn Lane
Imperial Park
Coedkernew
Newport
NP10 8AR
Enquiries@qualificationswales.org