# EXAMINERS' REPORTS

## LEVEL 3 CERTIFICATE AND DIPLOMA IN CRIMINOLOGY

## SUMMER 2023

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**Level 3 Certificate and Diploma**

**Summer 2023**

# UNIT 1 CHANGING AWARENESS OF CRIME

## General Comments

Comments made throughout this report are not to be taken as applying equally to all centres and do not detract from the overall good performance of many candidates and centres.

This was the second exam series where moderation was transferred to online submission only. Whilst most centres are dealing with this change effectively, others are failing to comply with the instructions provided by WJEC and delays in moderation were seen as a result again this year. Centres must make themselves familiar with the process prior to submission in order to avoid unnecessary delays in the moderation process.

For most, the sample assessments showed a high level of understanding and engagement by the candidates. It was encouraging to see that candidates were well prepared for the controlled assessment. Evidence of good practice was observed in the work of centres who had thoroughly engaged with the assessment criteria by exploring both the content and amplification section of the specification. For some centres, the level of engagement with the specification should be developed for future series.

In most cases, the organisation of candidates' work was well presented for the purpose of moderation. Centres must ensure that assessment documentation is completed appropriately. This year saw issues with centres submitting work with unsigned mark record sheets and many centres did not include the Quality Assurance Form. Centres must ensure that all correct paperwork is included with the samples as these will be called for by the moderator and will impact on the moderation process. There were a number of centres this year who used their own mark record sheet and centres are requested to only utilise the documents provided by WJEC. The mark record sheet is easily accessible on the WJEC website. Centres are also reminded that, in addition to candidate work, mark record sheet and signatures, they must also upload a completed Quality Assurance Form and one copy of the brief(s) used. Where candidates have undertaken a fresh attempt during the same academic year, both briefs used and both pieces of work must be uploaded for the candidate. If the candidate is resitting in a different academic year this is not required.

The better examples of marked work provided detailed comments on the mark record sheet to justify the mark band awarded for each AC. Those centres highlighted the relevant mark band, inserted the mark and included focused comments in support of the performance on all mark record sheets submitted. It is pleasing to see assessors engaging with key terminology found in both the specification and on the mark record sheet. Best practice was evident in centres where assessors provided concise justifications as to why the candidate had achieved high level performance or alternatively, reasons why the candidate could not achieve high level performance with improvement points listed. Good practice was also evident in those centres that included annotations throughout the internal assessment.

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We are still seeing work that has no annotation at all. All work must be annotated, it is not optional. Brief annotations are expected within the main body of work to show the location of each assessment criteria. This does significantly assist the moderation process and is an approach all centres must adopt for future series. Failure to adhere to this makes the process very challenging for moderators as there is no justification evident for centre assessment decisions.

There was a significant number of clerical errors encountered this year. Some assessors were awarding marks for particular assessment criteria, yet failing to write this down on the mark record sheets, leading to clerical errors. Centres are reminded to take care when completing mark record sheets and when entering marks to avoid such errors. Centres are also reminded that marks awarded on the candidates' work must match the marks awarded for each AC on the mark record sheet and must also correspond with the overall mark submitted on IAMIS. This was not always the case, and this delayed the moderation process for some centres.

Some centres included evidence of internal verification. Where centres have more than one assessor, internal verification should be completed to ensure consistency and adherence to standardised procedures across all assessors. If there is only one assessor conducting the marking within a centre this internal verification process is not necessary, but centres are strongly encouraged to consult with a colleague or another centre for support in applying the mark scheme correctly and consistently.

This series, again, highlighted issues relating to plagiarism. Centres should be mindful of the resources that they use during lessons as they can be utilised by candidates as a basis for the notes they take into the assessment. An overreliance on the textbooks will cause issues of plagiarism and centres are encouraged to the textbook as a GUIDELINE only to avoid this issue. The main areas where this is evident is AC1.4, AC1.5 and AC2.2. Plagiarism is taken very seriously and if found, can impact greatly on candidates' grades. Where candidates do plagiarise passages from a textbook or other secondary sources, marks should not be awarded for these sections and the plagiarism reported to the awarding organisation if the candidate has signed the declaration to confirm this as their original work.

This series also highlighted issues concerning candidates reproducing material from the internet. This was mainly highlighted in AC2.1, AC2.2 and AC3.2 where candidates have access to the internet where there are ready made answers freely available. Centres should be vigilant and mindful of this when assessing work.

We are still seeing the old Mr and Mrs S brief being used on the rare occasion. This must not be used in any future exam series. Centres are reminded that there are four briefs to choose from and these can be found on the secure website. Likewise, centres are reminded that candidates are not allowed to see the chosen brief prior to the controlled assessment.

More and more centres are allowing fresh attempts. Centres must be clear of the rules governing fresh attempts and ensure that both the original work and the fresh attempt, along with both mark record sheets are uploaded for moderation. The work must be clearly labelled as 'Attempt 1' and 'Attempt 2', and the highest mark entered. It is useful to include an explanation of which candidate/s undertook the fresh attempts on the Quality Assurance sheet. Following these procedures will assist the moderator greatly.

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Please ensure that candidates work is submitted using Word or PDF to avoid access issues. A small number of candidates presented their work for AC3.2 via a web link. Under no circumstances should links be included in the candidates work. All work that has been assessed should be presented to the moderator in full form. Moderators will not and cannot click on external links so please ensure that copies of all materials produced for AC3.2 are visible to the moderator within the documents submitted.

Presentation of the work is an important element of the moderation process. Most centres presented the work extremely well in one document per candidate and this was greatly appreciated. A small minority uploaded photos of individual pages, often in an incorrect order. This type of presentation is not acceptable, and centres will be asked to rectify this and produce a document that is of a suitable standard for moderation.

This year saw a rise in over-generous marking, specifically in LO2 and LO3. It is important that centres utilise all guidance and exemplar material offered to aid the marking process, including the annotated mark scheme, which is located on the secure website.

Lastly, centres are reminded that this is a controlled assessment and it is imperative that it is conducted under the conditions set in the WJEC Instructions for Conducting Controlled Assessment. Further detailed guidance is provided in the Controlled Assessment Handbook (found in the Leaner Assignment Brief folder on the secure website) Candidates are to use the same brief for LO1, LO2 and LO3.

## Comments on individual questions/sections

### LO1: Understand how crime reporting affects the public perception of criminality

The ACs covered under this learning outcome were generally addressed with depth and clarity.

Task 1, which includes **AC1.1** and **AC1.2** requires the candidates to use the brief and analyse two crimes evident within it, as well as explain reasons why those crimes (the two that they have analysed in AC1.1) go unreported. Some candidates tackled this well while others simply described the crimes and failed to analyse them using the criteria listed in the amplification section of the specification, often missing out whether it was deviant/criminal behaviour. This must be included in order to fully analyse the crimes. Likewise, when moving on to explain the reasons why those crimes go unreported, some candidates wrote about other crimes going unreported and did not link these ACs together. They were merely using their notes and copying from what they had been taught, ignoring the instruction in the task. For example, if the candidate completed an analysis of white-collar crime and honour crime for the first part then we would expect to see an explanation of why white collar and honour crime go unreported, covering both personal and social and cultural reasons. Personal reasons seemed to be covered far better by most candidates than social and cultural reasons.

Task 2, which includes **AC1.3**, saw a mixture of responses from centres. While most are completing this to a good standard, there are still centres who are ignoring the consequences listed in the specification. Centres are reminded that it is these consequences that should be discussed with examples of each. Candidates must also state whether the consequence is positive or negative and at times this was missed.

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Task 3, which includes **AC1.4 and AC1.5** still caused issues regarding plagiarism, although this has improved slightly from previous years. **AC1.4** was generally well done by centres however some lacked examples for each media type discussed and not all media types contained in the specification were covered. Again, when discussing impact for **AC1.5**, centres are reminded to focus on the impacts that are listed in the specification. There are a number of centres/candidates who continue to address these two ACs as one. Whilst this isn't wrong, candidates' responses often lack depth and more often than not, not all impacts will be covered for AC1.5, limiting the marks awarded.

**LO2: Understand how campaigns are used to elicit change**

This section continues to be the most challenging for candidates; in particular, **AC2.1** which requires candidates to compare campaigns for change. To reach the higher mark band they must make an explicit link to their own campaign, designed in AC3.1. As outlined in the specification, the content should focus on comparisons which can be linked to the following**,** but does not have to cover all:

- Change in policy
- Change in law
- Change in priorities of agencies
- Change in funding
- Change in awareness
- Change in attitude

The highest-scoring candidates were very well prepared for this AC and sampled assessments did demonstrate a high level of understanding. The best examples were those where candidates selected the required range (including their own) of appropriate campaigns for change and provided an in-depth comparison, addressing key aspects such as purpose, success, aims and methods used. As outlined in the amplification section, campaigns could include, for example, change in classification of drugs, euthanasia, smoking, etc. A range of campaigns in this AC also ensured comparisons covered campaigns which aim to change policy, law, funding and awareness etc.

Weaker responses did not know how to compare and simply described the campaigns. Teaching candidates how to compare and what key terminology to use is hugely beneficial when delivering AC2.1. Some candidates gave a detailed comparison but failed to reach MB3 due to not explicitly linking to their own campaign. They should be comparing all aspects of the campaign such as the purpose, the people behind it, campaign methods etc. against real life campaigns for change. To overcome this issue, where possible, centres can permit candidates to complete task 6 before task 5.

**AC2.2** was largely approached with ease and accuracy by candidates. Evidence of good practice was observed in sampled assessments where candidates evaluated the required range of media methods with clear links to existing campaigns which offered supporting evidence and allowed for well-reasoned judgements to be made. However, as mentioned, plagiarism continued to be an issue in some samples. The textbook should be used as a guide only and teachers are encouraged to produce their own materials and to support candidates in conducting their own research to avoid this happening.

Some candidates continued to miss out on achieving full marks by not including a measurement of success with regards to the campaign example that they chose to support their judgements. This AC is worth 15 marks; the detail provided should reflect this tariff.

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Candidates should be encouraged to give definition of the media type, along with a good evaluation of that media type, detailing three or more advantages and disadvantages and including an example of a campaign that has used that method with a measure of how successful it was for that campaign. There is no need to link AC2.2 with AC2.1 and centres who teach this way should be aware that this may limit the marks achievable by their candidates.

Centres should be mindful that the campaigns should not be business related where the campaign is to advertise products. Also, please note that merchandise is not a media type listed on the specification for AC2.2 and should therefore not be written as one. Some merchandise could be relevant if linked to advertising and/or print.

**LO3: Plan campaigns for change relating to crime**

The quality of the planning, design and justification seen in some of the campaigns was impressive and it was clear that centres and candidates had fully understood and engaged with the demands and requirements of the LO. However, this was also the LO where we saw the majority of the issues concerning over-marking, particularly AC3.2 where one method/material had been produced and the candidate was awarded a mark in MB2/MB3. Centres should refer to the guidance material provided, including the annotated mark scheme to ensure an understanding of the range and standard required to achieve the highest marks.

The most significant feedback linked to this learning outcome to come from this moderation series is the relevance of the chosen campaign for change. Candidates must be mindful when selecting a campaign for change. In some instances, candidates were creating campaigns which were not appropriate for changing behaviour or were not in line with the assessment task. Whilst the slight changes made on the task sheet have improved this, we are still seeing campaigns that are not linked to the brief. It is vital that candidates do so as marks will be significantly limited where the campaign is not linked to the categories specified in the brief/task. It was pleasing to see that some centres did recognise this and adjusted the marks accordingly. Candidates must pursue a crime that is highlighted in red – please do not remove these from the sheet, they are there to help the candidates.

Most candidates addressed **AC3.1** in depth, creating a comprehensive plan of action for an appropriate campaign for change. Candidates demonstrated an excellent understanding of the AC requirements and were clearly well prepared by centres. The best examples addressed the following elements, listed in the specification:

- Aims and objectives
- Justification of choice of campaign
- Target audience
- Methods to be used
- Materials to be used
- Finances
- Timescales
- Resources needed.

Candidates should be reminded to set the context of the campaign for change during the planning process and ensure that actions are planned in an appropriate time sequence. This was still a concern where candidates were seen to produce an excellent plan but failed to include a timeline. This is imperative for all mark bands. Where candidates produce a Gantt chart, they must also include a description of their timeline/chart. A Gantt chart on its own is not sufficiently detailed to award in marks in MB3.

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In most instances, the campaign materials which were designed as part of **AC3.2** enabled candidates to achieve high marks for this task. Evidence of excellent practice was observed by candidates who had designed several methods (minimum of 3) and demonstrated creative ability with the use of persuasive language, powerful imagery to stimulate interest and relevance to the appropriate campaign. Some candidates had devoted a significant amount of time to this section and used research to create appropriate materials which would engage the target audience. In some weaker examples, candidates designed one form of media (for example, one poster) which was often limited in accuracy and relevance to the chosen campaign for change.

Centres should be reminded that for this 20-mark assessment criteria, the expectation is that candidates produce a range of campaign materials to create an effective, coherent, wide-ranging, and relevant campaign. Centres are reminded that three different types of social media would be classed as one method – social media. Centres can use any software they feel appropriate for their candidates to produce these materials, however, please be mindful of online applications that can be accessed outside of the controlled assessment environment. If candidates complete LO3 in one session this is not an issue but if this is split across two or more sessions the centre must be able to guarantee that candidates cannot access the materials outside of the controlled environment and stipulated eight hours.

**AC3.3** requires full justification for the need for the chosen campaign. The majority of candidates did well here, achieving very high marks with better candidates justifying their materials designed in AC3.2 and including statistics and real-life cases to support. Weaker responses justified their materials in a simple way and lacked evidence to support the need for their campaign. Where candidates combined AC3.2 and AC3.3 by annotating campaign materials for example, marks were significantly lower as the campaign was not fully justified. Centres are encouraged to tackle AC3.3 separately in order to avoid this limiting the marks achieved by candidates.

**Summary of key points**

- **Task 1** – Crimes that are analysed must be evident in the brief. Once analysed candidates must explain the reasons why these two crimes go unreported covering both personal and social & cultural reasons.
- **Task 5 b)** – Candidates must fully evaluate the required range of media types only, (candidates who do more than this are wasting valuable time) include an example of a campaign that used that media type and explain whether it was successful or unsuccessful by including a measure of some sort. For example, Sarah's Law/Claire's Law used public appearances as a method for their campaigns. We know that this method was successful for them and proved to be effective because the Child Sex Offender Disclosure Scheme/Domestic Violence Disclosure Scheme were introduced as a result. Do not use business product examples where the aim is to build profit.
- **Task 6** – The campaign must link with a crime that is evident in the brief (marked in red). The methods that are stipulated in the plan in AC3.1 must be produced and seen in AC3.2 and justified in AC3.3. Campaign materials must be visible to the moderator and hyperlinks to materials should not be included.
- All centres and assessors should familiarise themselves with the controlled assessment handbook and annotated mark scheme. Both can be found on the secure website.
- The assessment is structured in two parts and the tasks should be released as relevant to the session underway. Learners should not have access to Tasks 5 and 6 during the first 3 hours of the assessment.

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# CRIMINOLOGY

## Level 3 Certificate and Diploma

## Summer 2023

## UNIT 2 – CRIMINOLOGICAL THEORIES

### General Comments

This series was the first since the COVID pandemic, where Advance Information was not provided. The majority of candidates interacted well with the exam paper and were well prepared and familiar with the specification for this qualification. Many responses were clear and detailed and there was evidence that candidates had been trained in how to look for and address the required command term or skill in each question.

There was evidence of a growing confidence in knowing how to respond to the stimulus material at the start of the 3 main questions on the exam paper. Many of the improvement points highlighted in previous Examiners' Reports seem to have been taken on board and addressed by centres which is pleasing and helpful to candidates.

Accurate understanding of the skills required was an area with a noticeable improvement this year. This was particularly evident in the evaluation questions where candidates were not describing the area first but focused on evaluation from the outset. This ensured that exam time was used effectively. Another notable improvement on previous series was that there were very few responses that selected an incorrect criminological theory. This again shows how well-prepared candidates were for the exam.

The stimulus material in the questions covered a broad range of the specification content. Centres are reminded that, whilst all Learning Outcomes will appear on the question paper, not all Assessment Criteria will be covered. However, as is the nature of an exam paper this means that all aspects of the specification must be covered in lessons to ensure candidates are well prepared for all eventualities. There was a small number of examples where candidates clearly lacked understanding of the nature of the questions or the area of the specification to which it related.

Again, there was serious issue with the legibility of some candidates' handwriting this series. Legible handwriting enables candidates to convey their knowledge and understanding but at times, handwriting was illegible making assessment of the work extraordinarily difficult.

### Comments on individual questions/sections

**Q.1 (a) (i)** This was a well-received question, with the vast majority of responses describing a correct sociological theory. Popular choices included Marxism, strain theory and left realism. Weak responses did not always name a theory but contained vague comments similar to the scenario. Many responses were able to achieve the middle mark band with the level of detail supplied. Such answers often lacked the additional detail, and/or specialist terminology and clear links to criminality required to access the top mark band. Errors on this response included using an incorrect type of theory i.e. a biological or individualistic theory or failing to link the theory to criminality. Centres are reminded that answers should not include analysis or application to the scenario or any evaluation of the theory.

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The command term was to describe and to ensure consistency and fairness this is what was credited in responses.

Candidates should be reminded that they should familiarise themselves with all the part questions under the scenario to ensure that they: firstly, choose the theories or examples that will give them the best chance across all those questions; and secondly, do not waste time writing superfluous material that would better be used in a subsequent question. A significant number of candidates answered this question in 1 (a) (ii) and vice versa, leaving instructions for the examiner to exchange responses when marking. Finally, only one theory can be credited, and candidates should focus their efforts on one theory rather than dividing their time between two or more theories. This applies to left and right realism.

**(a) (ii)** The wording of this question allowed candidates to either analyse the theory described in the previous question or to select a different sociological theory. Many candidates choose the latter option. Candidates are to be reminded that they are required to link the theory to the scenario. Weaker responses described a theory followed by confirmation that it applied to Helen and Sophie's situation. Better responses comfortably combined the theory with the scenario. Weaker responses merely repeated the facts in the scenario. Some high-scoring responses considered Helen and Sophie's situation separately, which was a creditable response but not compulsory. This approach was mostly observed where strain theory was analysed, with Helen being described as a conformist and Sophie an innovator. Better responses used specialist terminology linked to the theory and focused on the causes of criminality.

**(iii)** The higher order skill of evaluation is always a challenging question. However, it is an area that has seen significant improvement in recent years. Better responses did not describe the theory but immediately provided strengths and limitations of the theory. It should be remembered that evaluation must be linked to the theory providing an explanation for the causes of criminality, rather than the theory in general. Weaker attempts spent the majority of the answer describing the theory then towards the end, almost as an afterthought, included a small amount of evaluation. This limited the marks awarded. The highest mark band was reserved for those answers that gave a clear and detailed response which provided reasoning and development of the points raised. Popular theories included Marxism, strain theory and left realism.

**(b) (i)** There were many appropriate responses to this question. The nature of the term meant that a wide range of answers were accepted together with a wide variety of examples. The answers usually conveyed the idea of shared values in a culture or society and general guidelines of what is right and wrong. Common examples included respecting the elderly, using polite manners, queuing, and giving your seat on the bus to someone else. There were few responses that were not credit worthy.

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**(ii)** Again this proved to be a very successful question with the majority of answers gaining full credit. At times examples were omitted and as a result marks were restricted. Typical responses made reference to moral expectations and ethics. Examples included not committing murder, not stealing, and not telling lies. Some inaccurate responses referred mores as negative things or criminal behaviour. Such responses failed to gain any credit.

**Q.1 (c)** Centres are reminded that very little information is required in an answer where the command term is 'identify'. The answer should be stated without any further explanation. Too many responses provided superfluous detail about the social changes identified. In particular, policy development was not required. Popular responses included smoking, women's rights, LGBTQIA+ rights and immigration. At times only two answers were provided, and hence full marks could not be achieved. Incorrect answers failed to provide social changes and included criminological theories and terms such as norms, values and mores.

**Q.2 (a) (i)** Many of the comments previously stated for 1 (a) (i) above, apply to this question on individualistic theories. Improvements related to selecting a correct individualistic theory, rather than a biological or sociological theory. Popular theories included social learning theory, operant conditioning and maternal deprivation. The names of theorists were often included but some candidates did appear confused as to who was credited for such theories. Bandura's social learning theory was often cited but there was still too much focus on the bobo doll experiment rather than the theory itself. Again application, analysis and evaluation did not receive credit in a question where the command word was to describe. Most responses did include the important link to criminality but there were still several which failed to make this connection. Such responses were not classed as clear and detailed. Lower mark answers failed to include detail and information in support, or as was often the case, lacked specialist terminology.

**(ii)** This was a 'briefly analyse' question and therefore carried a maximum of 4 marks. Weak answers provided little more than a repeat of the facts in the scenario. Often no theory was evident by either name, or the terminology associated with it. Credit was given for reference to the reward from the robbery or the thrill and excitement after committing the crime. Social learning theory was very popular, as were both maternal deprivation and Eysenck's personality theory. Full mark answers successfully linked the theory to the facts of the scenario, without too much description, and included specialist terminology.

**(iii)** This was a challenging 9-mark question which produced a variety of responses. Some were clear and detailed providing explicit evaluation of two theories. The quality of answers to this style of question have improved and more candidates are appreciating its requirements. Credit must be given to centres who are ensuring their candidates are responding correctly. The most appropriate way to answer this type of question is to immediately commence evaluation of a theory, looking at both strengths and weaknesses.

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It is important to note the evaluation should be linked to the theory providing reasons for the causes of criminality. However, there were still several candidates who described the criminological theory in detail prior to launching into evaluation. This style of answer often contained very little evaluation. Again, where the command term is to evaluate, candidates should not provide a lengthy description of a theory, all marks available are for evaluation.

Centres should remind candidates of the need to respond fully to the demands of the question. We saw several responses which only evaluated one, rather than two, theories. Such a response clearly limited the marks being awarded, no matter how good the evaluation of that one theory. Finally, and positively, there were fewer incorrect types of theories appearing in answers.

**(b)** This was another challenging question with the higher order command term of 'assess' and some candidates did not appear to understand what was required by this term. Some answers failed to include the name of a state punishment policy and either considered a sociological theory or a social justice policy. The focus of the question was on the state punishment policy rather than its link to a sociological theory. Prison, zero tolerance and penal populism were amongst the most popular responses. Those that reached the top mark band not only explained the nature of the policy but provided a judgement as to its value as a punishment. For the policy of prison this included statistics on re-offending and for zero tolerance there was information on its use and effectiveness in New York city. Unfortunately, many responses were quite brief and did not include any level of assessment. Alternatively, they discussed a policy associated with a non-sociological theory such as token economies and individualistic theories.

**Q.3 (a)** This was a one mark 'identify' question. Correct responses were aligned very closely to the specification and were confined to time, culture, or circumstance. Incorrect responses included examples of campaigns relating to gun laws and drug regulations.

**(b)** This was another question which called for two examples in an answer. Unfortunately, some candidates only produced one example and did not fully engage with the demands of the question. Popular responses included jay walking, age of criminal responsibility, homosexuality and drug laws which varied in different places. Answers usually identified the differences and provided at least two places where the laws differed. However, often the reasons for the differences were either omitted or were not developed. This obviously varied depending on the example provided but could include religion, culture, society's strong views and the position of women in a society. Weaker answers failed to mention the location of places where the law was different and just stated 'in one country the law is' and 'in a different country' followed by very general comments.

**(c)** This question produced either clear and detailed responses or weak and short answers. Weaker responses often produced a crime and deviance comparison. Whilst part of this type of response may be relevant, it was not the focus of the question. Stronger responses provided a short definition about breaking the criminal law and then developed to include the general rule regarding an actus reus and mens rea. Exceptions to this general rule in the form of strict liability and the legal impact of certain defences also followed.

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**Q.3 (d)** This was a generally well answered question with some excellent clear and detailed responses. Popular campaigns included Sarah's law, Ann Ming's campaign, Claire's law, Natasha's law and the gun law campaign lead by Bobby Turnbull. At times too much detail on the story behind the campaign was provided and time would have been better spent considering the policy and its impact. Candidates were asked to discuss campaigns, so more than one campaign should have been considered. A discussion of only one campaign resulted in a restricted mark as it failed to fully meet the demands of the question. At times the policy, produced as a result of the campaign, was omitted or was not fully explained. The best answers stated the official name of the law or policy and discussed details of what it provided for. Some candidates discussed campaigns which were clearly not individual campaigns, for example the government's drink driving campaign, Just Stop Oil and campaigns surrounding legalising homosexuality e.g. Stonewall.

**Summary of key points**

- Attention should be paid to the command term in a question and the focus should be on that skill only. For example, no description is required in an evaluation question and no evaluation in a describe question.
- Each part question should be read before writing a response, to ensure the correct information appears in the correct section.
- The demands of each question should be fully addressed. For example, if more than one example is required.
- Handwriting should be as clear and legible as possible, and all parts of questions should be clearly and accurately numbered.

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**Level 3 Certificate and Diploma**

**Summer 2023**

**UNIT 3- CRIME SCENE TO COURT ROOM**

## General Comments

Centres generally maintained the high standards expected for the controlled assessment. It was evident that centres have engaged well with the specification and prepared candidates effectively for the controlled assessment. The aim of this report is to help centres identify areas for improvement for future cohorts and to support the assessment and delivery of the qualification. Comments are intended to be of a constructive nature and to identify issues with regard to administration and the marking of LO's. The comments included are not applicable to all centres and certainly do not detract from the overall high standard of work from many candidates and centres this year.

Some persistent areas for improvement that were highlighted last moderation series (2022) and ones prior were not addressed in this series, so they continued to impact on the marks awarded to candidates. Centres are reminded of the importance of reading the individual centre report and the Principal Moderator report and should engage with the feedback provided. Centres should also refer to the guidance and resources provided by the WJEC in particular the Controlled Assessment Handbook (Controlled Assessment: A complete guide for teachers') and the annotated mark scheme, both of which can be found on the secure website. These provide invaluable guidance on conducting and assessing the controlled assessment.

As the moderation process is now electronic it is important to ensure work is uploaded correctly and all relevant documentation is provided as errors and omissions lead to significant delays in the moderation process. Please also ensure there is a clear and effective communication route between exam officers, teachers and the WJEC as delays to responses was again a hinderance to the process. Expected paperwork remains: a copy of the brief(s) used, a copy of the declaration with clear signatures and dates, the mark record sheet completed in full, the candidate's work and a copy of the Quality Assurance form. The QA form and the brief should be uploaded with the highest scoring candidate. Please note electronic signatures are permitted and the lead assessor should only sign the work they have assessed internally, detailing this process on the QA form.

Plagiarism was again a problem within the work of some candidates. Centres should be mindful of their use of the WJEC endorsed textbooks within lessons and candidates should be encouraged to conduct their own individual research and to produce their own notes wherever possible. We should not see extracts copied from textbooks in the controlled assessment, all work should be the candidate's own. If this arises centres should take appropriate action when awarding marks to the candidate(s) by highlighting the plagiarised work and restricting marks accordingly. This issue was seen more often this series and was especially prevalent in LO3. Centres must make their candidates aware of the following JCQ student guidance on plagiarism in non-exam assessments and should read the further JCQ guidance for teachers/assessors

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It is essential that the high controls required for the assessment are implemented by centres. Internet access is not permitted during the assessment and on the whole, excellent practice was noted throughout the majority of centres. There were issues with internet usage in a minority of centres where hyperlinks and/or digital images were present in candidates' work. Centres must adhere to the strict controls and liaise with their IT department and Exams Officer to ensure internet access is disabled during the controlled assessment.

The vast majority of centres displayed excellent practice with regards to the necessary paperwork, with clear annotation and justification of marks. Good practice should include identifying where on the candidates work there is evidence to award marks and then justification for awarding marks should be outlined on the mark record sheet. Reasoning should be clear and justified throughout, it is not sufficient to say, 'see candidates work/see annotations etc', a robust justification is needed. Although the majority of centres did this many did not, and this can affect the moderation process. Annotation not only supports the assessor's decision but also ensures the moderator understands the reasoning behind the marking thus allowing fair marks to the candidates. A small number of centres utilised their own 'in-house' mark sheets. Centres are requested to only utilise the documents provided by WJEC. The mark record sheet is easily accessible on the WJEC website.

Clerical errors were observed on occasion and centres must ensure grades are calculated and totalled correctly and that the marks entered on IAMIS match those noted on the mark record sheet.

The structure of candidates' work was very clear and coherent on the whole, with most completing their assessment in a report format. Use of headings and sub-headings which followed the assessment criteria wording were particularly useful and should be encouraged by all centres.

Candidates demonstrated a clear engagement with and application of the assignment brief/scenario which was pleasing to see. Higher level responses showed concise application, which was embedded throughout the main body of work, where relevant, and also showed a clear selection of relevant information as opposed to overly narrative accounts of case studies. This is best practice and should be encouraged by all candidates. One point to note is that centres should not penalise candidates for not including application to the assignment brief/scenario in ACs other than AC3.1 and AC3.2 where it is a requirement. Some centres noted that candidates had not achieved full marks as they did not include the assignment brief in ACs within LO1 and LO2 where it is not required by the mark scheme.

Finally, there was an increase in references made to the 'Gareth Hughes case' which is not a real-life example of any crime and was created as a brief for the WJEC, therefore candidates should not be citing this.

**Comments on individual questions/sections**

**LO1: Understand the process of criminal investigations**

Candidates largely demonstrated an excellent understanding when approaching this learning outcome and it was evident centres have been delivering these ACs to a high standard, ensuring candidates have a deep knowledge and understanding of the topic area. However, some issues were seen within work and were similar to those identified last year.

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**AC1.1** requires evaluation and candidates should not simply describe roles of personnel; the emphasis is the limitations of these roles. The effectiveness of personnel should be considered in the context of potential limitations as laid out in the specification: cost, expertise and availability. This was often omitted by candidates or was largely superficial. Some candidates simply stated the 'cost, availability and expertise' without clearly referencing the issues this presents in an investigation. Case examples can be included to further develop points and expand evaluation, but often case studies were the main focus of the response and hindered the ability of the candidate to evaluate. As a final point of consideration for future series, the AC focus is investigation and responses should therefore reflect this by not focusing on trials and court cases.

When considering **AC1.2** candidates should assess the required range of investigative techniques in terms of their effectiveness in criminal investigations. It was evident that centres are engaging with the specification and on the whole, the responses were of a high standard. Some candidates discussed the trial process etc. and this is not necessary for this AC. Case studies should be included to enhance the assessment of the various techniques, however candidates should be discriminatory in the content they choose to include as some accounts were overly descriptive and narrative. Most candidates discussed the effectiveness of investigations in terms of situations and types of crime, and centres should note that where this is omitted, candidates cannot be awarded full marks. The most successful responses structured AC1.2 by describing techniques and then examining the strengths and limitations of said techniques whilst commenting on their effectiveness in criminal investigations, with case studies applied throughout to support points. Again, focus should be on the investigation but candidates often referenced juries heavily in the evaluation of eye-witness testimony (EWT), which often lead to a repeat of content relevant to ACs 2.4/3.1 and material cannot be credited more than once. A point to note moving forward is that all interview techniques (EWT and experts) are counted as one technique as well as all surveillance/profiling etc. Similarly, if DNA is assessed as a forensic technique, it cannot be further assessed in databases. The bullet pointed list of techniques in the specification are regarded as separate techniques, therefore assessors must ensure that candidates are addressing the required range to be given a mark in the highest band.

**AC1.3** requires an explanation of how both physical and testimonial evidence are processed. The focus is on the process of evidence, including collection, transfer, storage, analysis and personnel involved. Often only one type of evidence was discussed or only the collection was identified. Transfer of evidence was often addressed with a passing reference such as, 'transferred to the lab' but this is not sufficient to warrant the high marks awarded by centres. Transfer could be considered in relation to how the personnel may transfer evidence between themselves for examination purposes or between the victim/offender/crime scene. Also, testimonial evidence often reduced the quality of responses where the focus was on vulnerable witnesses, hearsay evidence etc rather than the required criteria of collection, transfer etc.

Responses to **AC1.4** were done particularly well by the majority of candidates and were often highly rewarded. Candidates should be reminded that the discussion must cover arrest to appeal as identified in the specification. The unduly lenient scheme can be considered for both victims and witnesses.

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**LO2: Understand the process for prosecution of suspects**

LO2 displayed excellent practice and candidates displayed a thorough knowledge of and engagement with the specification, including the amplification section, which resulted in many candidates achieving marks in the top band. Some centres demonstrated a high reliance on the textbook for this LO and this is discouraged as mentioned in the General Comments above.

The use of relevant case law was widely seen in **AC 2.1 and AC 2.3**, which is good practice and should be encouraged to ensure a full description is evident. **AC 2.1** does not require reference to the threshold test but both pieces of legislation listed in the specification are required. Criminal and legal procedures were embedded within **AC 2.2**, as were roles of personnel, but centres often wanted this to be more explicit in their candidates' work which is not necessary.

**AC 2.4** was approached well with many exceptional examples seen across the cohort. However, some candidates discussed the various factors in a similar way to their discussion within A.C 3.1 whereas the focus must be on how this may influence a criminal trial. Candidates should assess the impact of the required range of influences and again use case studies to enhance and extend responses, the significance of the impact should be the primary focus. Higher level responses included relevant criminal cases to support the assessment given such as Christopher Jefferies, Colin Stagg and Sally Clark, without providing unnecessary descriptive detail. Juries are not listed on the specification as an influence and cannot be counted as the judiciary so cannot receive credit. They can, however, be discussed in reference to judges/barristers/media influence upon them.

**LO3**: **Be able to review criminal cases**

On the whole, candidates clearly distinguished A.C 3.1 and A.C 3.2 and approached them appropriately. Some did address them together and this is not appropriate considering the difference in their content.

**AC3.1** showed considerable consistency. The majority of candidates were clearly well-prepared as a range of sources were examined and the key concepts of bias, opinion, currency, circumstance and accuracy were explicitly addressed. Please note that not all information sources listed in the specification need to be included as we saw some candidates producing multiple pages of work to the determent of other AC's. The highest scoring responses embedded case examples such as Jeremy Bamber, Amanda Knox, the Hillsborough disaster, Christopher Jefferies and Sally Clarke/ Roy Meadows. Largely descriptive responses cannot be highly credited nor can responses that rely on the assignment brief as the only information source. Assessors are reminded that reference to the key concepts such as bias must be explicit and cannot be inferred. An examination of validity in general is not sufficient to warrant full marks, key terms must be used.

Overall, **AC3.2** was addressed with clarity and most candidates demonstrated excellent skills to draw objective conclusions, whilst including supporting evidence. Again, centres should be mindful of the necessity for a range of sources and candidates should not solely rely on the assignment brief. It is important to engage with the scenario, but a plethora of different resources can be identified as appropriate. Good practice was demonstrated when candidates analysed of a range of information to draw objective conclusions. Candidates should draw conclusions based on reasoned evidence of safe verdicts, just sentencing and miscarriages of justice and overly descriptive responses should be discouraged.

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**Summary of key points**

- Centres should ensure they read the guidance on how to conduct and moderate the controlled assessment.
- Candidates should not have access to the internet or textbooks within the controlled assessment.
- Paperwork should be uploaded in an appropriate condition and be scanned clearly and coherently.
- Work should be annotated appropriately and clearly justify the marks awarded.
- Centres should refer to the specification content and amplification in order to determine whether candidates have met the demands of each AC.
- Centres should not penalise candidates for not using the brief in LO1/LO2.
- Case studies should be condensed for relevance.

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**Level 3 Certificate and Diploma**

**Summer 2023**

**UNIT 4: CRIME AND PUNISHMENT**

## General Comments

Many centres had prepared candidates well for this external examination. There were some excellent responses addressing the key demands of the questions in accordance with the specification. The question paper provided a broad range of topics closely related to the specification and enabled candidates of all abilities to access the exam.

An issue noted this year was a lack of understanding of the roles of the agencies. Many responses showed a lack of appreciation for the tasks and duties each agency perform in the criminal justice system. As the agencies play a vital role in the specification misunderstandings will inevitably impact on exam answers and subsequently the marks awarded.

As with the Unit 2 exam, there was a serious issue with the legibility of some candidates' handwriting. Legible handwriting gives candidates the best opportunity to clearly convey the point they are trying to make. Sadly, at times, handwriting was illegible and made assessment of the work extraordinarily difficult.

Some candidates showed they were more familiar and conversant with the specification than others. Questions can originate from any part of the specification and therefore a clear understanding of all content and amplification is essential to provide guidance on the demands of any exam question.

## Comments on individual questions/sections

**Q.1 (a) (i)** This was a 2-mark question identifying two aims or objectives of the Crown Prosecution Service (CPS). Popular responses included advising the police on evidence and charge, playing an independent role and applying the Full Codes test. However, many responses showed a lack of understanding about the role of the CPS and indeed other agencies in the criminal justice system. Answers included aspects of the work of the police and judiciary rather than the CPS. For instance, incorrect answers included charging the suspect, which is done by the police, giving suitable punishments, which is the prerogative of the court (magistrates or judiciary) and investigating and collecting evidence, which is again carried out by the police. The role of the CPS does not relate to the aims of punishment. The CPS were formed as the principal prosecuting agency and not to provide public protection or as a deterrent.

**(ii)** The vast majority of answers provided an appropriate response. Any comments linking to taxation or from the government secured the one mark available. Incorrect answers were very much in the minority but included council tax and the monarchy.

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**Q1** **(a)** **(iii)** This question provided candidates with the opportunity to secure three marks. Many responses included the Magistrates Court, Crown Court, Court of Appeal and the Supreme Court. Some responses could only manage two courts and obviously could not attain full marks. Some responses included an incorrect response such as a community court, a family court, the CPS. This again showed flawed knowledge of the criminal justice system.

**(iv)** This style of question has always presented challenges and a lack of understanding about the work of the police can only add to those challenges. This question was not about the role of the police and the role of the courts. Nor did it involve discussion of any other agency, other than the police and the courts. Instead, the relationship between these two agencies and a description of how they are connected in a criminal case was key. As well as irrelevant detail on the role of the police, answers usually included appropriate information such as the police collecting the evidence which was eventually handed over to the court during the presentation of a case. Also, credible points included the police attending court as a prosecution witness and providing testimonial evidence. It was quite rare to see comments about the police attending court for a search or arrest warrant or police attending court to seek an extension of police custody detention time. A very common misunderstanding is the incorrect belief that the police act as prisoner escorting and custody services. Nor do the police have custody of suspects in-between court cases and ensure that they attend court on their first appearance. Very occasionally the police may need to provide an escort service for high profile dangerous defendants. However, usually a private company provides safe and secure prisoner escort services, moving people between prisons or police stations and court appearances.

**(b)** Either the due process or crime control model were acceptable answers. Many responses cited the crime control model but some responses failed to name the model although did state some characteristics. Very weak responses thought one model was for minor crimes and the other model for more serious offences. Some high-quality answers matched the work of the CPS to aspects of the model. For example, fairness shown through the application of the Full Codes test and disclosure for all evidence showing their independent nature. Whilst this was not expected it was certainly credit worthy.

**(c)** For those candidates who struggled with question 1 (a) (i) this question was even more challenging. Weaker answers responded as if the question was 'how do the CPS achieve social control' and little evaluation was provided. Weaker responses also focused on the CPS producing the aims of punishment. Such responses were not very credit worthy, and it should be noted that the specification does not link the aims of punishments to the agencies. The stronger answers appreciated that the strengths of the CPS and their limitations should be considered. Many strengths were developed, including their independent nature, use of the Full Codes test and conviction success rate. There were also some very detailed examples of limitations including cases such as Damilola Taylor and Caroline Flack. In addition, a lack of prosecuting rape cases and domestic abuse cases also regularly appeared.

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Evidence to support the points made was expected and this could be in the form of examples or statistics. Budget cuts and impact of shortages of staff and other resources was also credit worthy. Weaker answers involved crediting the CPS with administering punishments and hence achieving the aims of punishments.

**Q.2** **(a)** This question was very well answered and many achieved marks in the top band with a clear and detailed focus on the demands of the question. The vast majority of answers conveyed the process for parliamentary law making and included details of most of the stages, even if not always in the correct order. This is clearly an area that has been taught to a high standard by centres. Weaker answers produced little more than a list with little or no description of the various stages.

**(b)** This one-mark question required an answer connected to the judiciary or judicial processes of law making (judicial precedent or statutory interpretation). Many candidates provided a correct response. However, incorrect responses included petitions, campaigns, pressure groups, charities and the monarchy. Stages from the parliamentary process also appeared such as the Green Paper or the Royal Assent.

**(c)** Most answers to this question considered a range of aims of Dylan's prison sentence. The quality of an answer varied on the development of the information in support of the aim being achieved or not being achieved. It was important to link the aim to the prison sentence rather than just consider aims in general. Most responses provided this link and some went on to give detailed reasons. It was pleasing to see some answers explaining that some aims were not always achieved. Too many answers made general points stating that aims were achieved without any detail or evidence in support of the assertion. Some astute answers focused on the length of the 8-year prison sentence and provided comparisons to short term custodial sentences. This often included statistics on re-offending.

Weaker responses failed to include the names of the aims and just made general comments about Dylan being punished by the prison sentence and the expectation that he will change his behaviour.

**(d)** Many responses to this answer demonstrated that candidates did not fully understand the nature of a community order. Most answers failed to comment on a possible probation element and supervision by an offender manager. This of course, may have been relevant to the aim of rehabilitation and deterrence. As with the previous question most answers considered a range of aims but weaker responses were similar to the previous response on prison sentences. General comments about the aims were stated with confirmation that the aim would be achieved. Better responses considered the nature of a community order and selected the relevant aspects that related to the aim under consideration. Attendance on courses and educational programmes were mentioned with regard to rehabilitation and unpaid work in the community with regard to reparation. Many responses decided that public protection was not achieved as Dylan would still be in the community and be able to continue selling drugs. The most significant difference between this and the previous question on Dylan's prison sentence, was the command term of assess. Judgements were expected as to whether the aims would be achieved.

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The stronger responses produced mini judgements throughout the answer with an explanation in support.

Some responses felt it necessary to comment on the suitability of community order over a prison sentence, which was not the focus of the question.

**Q.3** **(a)** Whilst only a brief explanation was expected for this question, many responses failed to give an example, as requested. This meant that the demands of the question were not fully addressed, and marks were awarded accordingly. Where examples were available, they often related to Freud's personality theory, committing a crime, or queue jumping. There was some confusion with rational ideology and rational choice theory. However, where possible, credit was awarded for relevant material. This was also an answer where specialist vocabulary was evident.

**(b)** This is an area where a clear knowledge and understanding of the specification was sometimes lacking. Similar questions focusing on other agencies has appeared on exam papers in the past. However, many responses were not developed and omitted key terminology from the specification such as fear of punishment and coercion. Where such terms did appear, there was often confusion as to how the prison service uses these concepts to achieve social control.

**(c)** This question proved to be challenging for many candidates and serves as a reminder that it is essential to be familiar with all aspects of the diploma specification. Disciplinary procedures and rule making appears in learning outcome 3. Many scripts considered the rules surrounding token economies and the reward and punishment aspect. Better responses also provided examples of the rewards provided for obeying the rules and the punishments for rule breaking within a prison. Rarely did an answer outline the Incentives and Earned Privileges Scheme and the incentive levels. Some answers referred to either the shape of the building such as the panopticon, or rules outside of prison, neither of which addressed the demands of the question. It was important to link the rules and disciplinary procedures to how they achieved social control.

**(d)** This question showed that charities and pressure groups are an essential part of the specification. Whilst many answers were able to explain the work of these groups in the criminal justice system, many found it difficult to evaluate their effectiveness in achieving social control. Some detailed answers discussed the campaigns and projects carried out by the groups but failed to then consider if such campaigns helped to bring about social control. At times responses evaluated the campaigns rather than the group. Popular charities included National Association for the Care and Resettlement of Offenders (NACRO), Women in Prison, the Howard League for Penal Reform and the Prison Reform Trust. Other pressure groups linking to campaigns for change in units 1 and 2 also appeared, such as the abolition of double jeopardy campaign and Sarah's law. Such examples did achieve credit where they were evaluated. However, this proved very challenging for some candidates, perhaps because evaluation of the groups is not considered in the earlier units. Weaker responses failed to include any named charities or pressure groups and therefore only provided very general evaluation often including the help they provide to prisoners and the limitation of a lack of finance.

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Stronger responses included two examples and were evaluated separately. Information about the work carried out included campaigns and projects, where consideration of their success or otherwise provided credible evaluation.

**Summary of key points**

- A clear understanding is required of the agencies involved in the criminal justice system. Their role, key aims and contribution to a criminal case should be known, understood and accurately described, especially in relation to other agencies.
- Candidates should be familiar with all sections of the specifications with an appreciation of both content and amplification.
- Handwriting should be as clear and legible as possible, and all parts of questions should be clearly and accurately numbered.

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