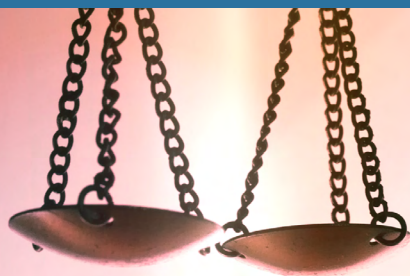


**A LEVEL**  
**Specification**

**LAW**

**H418**

For first assessment in 2022



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## *Disclaimer*

Specifications are updated over time. Whilst every effort is made to check all documents, there may be contradictions between published resources and the specification, therefore please use the information on the latest specification at all times. Where changes are made to specifications these will be indicated within the document, there will be a new version number indicated, and a summary of the changes. If you do notice a discrepancy between the specification and a resource please contact us at: [resources.feedback@ocr.org.uk](mailto:resources.feedback@ocr.org.uk)

We will inform centres about changes to specifications. We will also publish changes on our website. The latest version of our specifications will always be those on our website ([ocr.org.uk](http://ocr.org.uk)) and these may differ from printed versions.

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# 1 Why choose an OCR A Level in Law?

## 1a. Why choose an OCR qualification?

1

Choose OCR and you've got the reassurance that you're working with one of the UK's leading exam boards. Our A Level in Law has been developed in consultation with teachers, employers and Higher Education to provide learners with a qualification that's relevant to them and meets their needs.

We're part of the Cambridge Assessment Group, Europe's largest assessment agency and a department of the University of Cambridge. Cambridge Assessment plays a leading role in developing and delivering assessments throughout the world, operating in over 150 countries.

We work with a range of education providers, including schools, colleges, workplaces and other institutions in both the public and private sectors. Over 13,000 centres choose our A Levels, GCSEs and vocational qualifications including Cambridge Nationals and Cambridge Technicals.

### Our Specifications

We believe in developing specifications that help you bring the subject to life and inspire your learners to achieve more.

We've created teacher-friendly specifications based on extensive research and engagement with the teaching community. They're designed to be straightforward and accessible so that you can tailor the delivery of the course to suit your needs. We aim to encourage learners to become responsible for their own learning, confident in discussing ideas, innovative and engaged.

### Our Support

We provide a range of support services designed to help you at every stage, from preparation through to the delivery of our specifications. This includes:

- A wide range of high-quality creative resources including:
  - Delivery Guides
  - Transition Guides
  - Topic Exploration Packs
  - Lesson Elements
  - ...and much more.
- Access to Subject Advisors to support you through the transition and throughout the lifetimes of the specifications.
- CPD/Training for teachers to introduce the qualifications and prepare you for first teaching.
- Active Results – our free results analysis service to help you review the performance of individual learners or whole schools.

Our Resource Partner textbook will develop knowledge and skills with its comprehensive coverage of the assessment structure and all the law topics your students need to know.

### Keep up to date with OCR

To receive the latest information about any of our qualifications, please register for email updates at: [ocr.org.uk/updates](https://ocr.org.uk/updates)

All A Level qualifications offered by OCR are accredited by Ofqual, the Regulator for qualifications offered in England.

The accreditation number for OCR's A Level in Law is QN603/0706/7.

## 1b. Why choose an OCR A Level in Law?

This engaging course has been developed following the input of teachers and higher education stakeholders. The content has been designed to inspire, nurture and develop learners. It will foster their interest and enjoyment in law. The qualification is designed to develop knowledge and skills for the further study of law, and related subjects, such as

business. Learners will develop their knowledge of the law in England, and an awareness of law in a European and global context. The course will enable learners to know and understand the changing nature of law and the interaction between law, morals, justice and society.

### Aims and learning outcomes

OCR's A Level in Law will encourage learners to:

- develop their knowledge and understanding of the English legal system and areas of both private and public law within the law of England and Wales
- develop an understanding of legal method and reasoning as used by lawyers and the judiciary
- 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
- develop the ability to construct conclusions and communicate legal arguments by reference to appropriate legal authorities
- 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.

## 1c. What are the key features of this specification?

The key features of OCR's A Level in Law for you and your learners are:

- a straightforward specification with a straightforward assessment model
- specialist support and quality resources
- an opportunity to specialise in human rights law or the law of contract
- co-teachability between AS and A Level
- breadth, with a range of legal subjects.

## 1d. How do I find out more information?

---

1

If you are already using OCR specifications you can contact us at: [www.ocr.org.uk](http://www.ocr.org.uk)

If you are not already a registered OCR centre then you can find out more information on the benefits of becoming one at: [www.ocr.org.uk](http://www.ocr.org.uk)

If you are not yet an approved centre and would like to become one go to: [www.ocr.org.uk](http://www.ocr.org.uk)

### Contact details:

Email: [Law@ocr.org.uk](mailto:Law@ocr.org.uk)

Customer Support Centre: 01223 553998

Visit our Online Support Centre at [support.ocr.org.uk](http://support.ocr.org.uk)

E-bulletins: [www.ocr.org.uk/updates](http://www.ocr.org.uk/updates)

## 2 The specification overview

### 2a. OCR's A Level in Law (H418)

Learners take components 01, 02 and **either** 03 **or** 04 to be awarded the OCR A Level in Law.

#### Content Overview

##### H418/01 The legal system and criminal Law

This component will assess:

- Section A: The legal system
- Section B: Criminal law

#### Assessment Overview

**Written paper: 2 hours**

**33.3 % of total A Level**

**80 marks**

Section A is worth **20 marks**. There will be a choice of medium tariff questions.

Section B is worth **60 marks**. There will be legal scenario and extended response questions.

##### H418/02 Law making and the law of tort

This component will assess:

- Section A: Law making
- Section B: The law of tort

**Written paper: 2 hours**

**33.3 % of total A Level**

**80 marks**

Section A is worth **20 marks**. There will be a choice of medium tariff questions.

Section B is worth **60 marks**. There will be legal scenario and extended response questions.

##### H418/03 The nature of law and Human rights

This component will assess:

- Section A: The nature of law
- Section B: Human rights law

or

##### H418/04 The nature of law and the law of contract

This component will assess:

- Section A: The nature of law
- Section B: The law of contract

**Written paper: 2 hours**

**33.3 % of total A Level**

**80 marks**

Section A is worth **20 marks**. There will be a choice of extended response questions.

Section B is worth **60 marks**. There will be legal scenario and extended response questions.

All components include synoptic assessment.



#### Two-year rule:

While learners are encouraged to be aware of the changing nature of law, they are not required to be familiar with innovations coming into effect in the two years immediately preceding the examination.

## 2b. Content of A Level in Law (H418)

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The OCR A Level in Law content focuses on the English legal system and areas of both private and public law within the law of England and Wales. Learners will be required to show knowledge and understanding of the nature of law and the English legal system. This will provide learners with the foundation for the study of both private and public law. This specification will develop learners' understanding of legal method and reasoning through the study of statutory interpretation and judicial precedent.

Learners will be introduced to the concept of legal liability through the study of criminal law and the law of tort. This will enable them to develop and apply the techniques of legal method and reasoning to analyse and offer answers to legal problems, based on legal rules and principles and develop the ability to

construct and communicate legal arguments by reference to appropriate legal authorities. The A Level in Law will develop learners' knowledge of law through advanced study of an additional legal subject human rights law or the law of contract. They will develop their critical awareness of the law through the study of the nature of law.

The English legal system and the nature of law is split into three sections:

- The legal system
- Law making
- The nature of law



## 2c. Content of H418/01 – The legal system and criminal law

### Section A: The legal system

This section focuses on the civil and criminal courts, the legal professions and access to justice. Learners will develop knowledge and understanding of the processes and people involved in the law and the changing nature of the legal system.

2

Content	Guidance
<b>Civil courts and other forms of dispute resolution</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> County Court and High Court: jurisdictions, pre-trial procedures, the three tracks</li> <li><input type="checkbox"/> Appeals and appellate courts</li> <li><input type="checkbox"/> Employment tribunals and Alternative Dispute Resolution</li> <li><input type="checkbox"/> Advantages and disadvantages of using the civil courts and Alternative Dispute Resolution to resolve disputes</li> </ul>	<ul style="list-style-type: none"> <li>✓ the jurisdictions of the County Court and the three divisions of the High Court</li> <li>✓ grounds/reasons to appeal</li> <li>✓ First appeal from the three tracks, further appeal to the Court of Appeal (Civil Division), High Court Appeals, Appeal from the Court of Appeal (Civil Division)</li> <li>✓ how employment tribunals work</li> <li>✓ negotiation, mediation, conciliation and arbitration</li> </ul>
<b>Criminal courts and lay people</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Criminal process: jurisdiction of the Magistrates' Court and the Crown Court, including classification of offences and pre-trial procedures</li> <li><input type="checkbox"/> Appeals and appellate courts</li> <li><input type="checkbox"/> Sentencing and court powers: aims, factors and types of sentences for adults</li> <li><input type="checkbox"/> Lay magistrates and juries: qualifications, selection, appointment and their role in criminal cases</li> <li><input type="checkbox"/> The advantages and disadvantages of using juries in criminal cases</li> </ul>	<ul style="list-style-type: none"> <li>✓ summary offences, triable either-way offences, indictable offences and their pre-trial procedures</li> <li>✓ grounds/reasons to appeal</li> <li>✓ appeals to the Crown Court, Case stated appeal to the Queen's Bench Divisional Court, Appeals to the Court of Appeal (Criminal Division) and Appeals to the UKSC</li> <li>✓ the aims of sentencing set out in s142 Criminal Justice Act 2003</li> <li>✓ custodial and non-custodial sentences for adults</li> </ul>

Content	Guidance
<b>Legal personnel</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Barristers, solicitors and legal executives: role and the regulation of legal professions</li> <li><input type="checkbox"/> The judiciary: types and role in civil and criminal courts</li> <li><input type="checkbox"/> The separation of powers and the independence of the judiciary</li> <li><input type="checkbox"/> Evaluation of the judiciary, including the advantages of judicial independence</li> </ul>	<ul style="list-style-type: none"> <li>✓ how the legal professions are regulated</li> <li>✓ the different levels of judges and their respective roles</li> <li>✓ how judicial independence is achieved: security of tenure, immunity from suit, independence from the other two arms of the state and independence from the case</li> </ul>
<b>Access to justice</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Government funding for civil and criminal cases</li> <li><input type="checkbox"/> Private funding, conditional fees, other advice agencies</li> <li><input type="checkbox"/> Evaluation of access to justice</li> </ul>	<ul style="list-style-type: none"> <li>✓ the Legal Aid Agency: availability and restrictions on government funding for civil and criminal cases</li> <li>✓ other advice agencies could include Citizens Advice, Law Centres, Pro Bono Units, Free Representation Units, Trade Unions, Insurance companies and Charities</li> <li>✓ impact of the changes to the legal aid budget</li> </ul>

## Section B: Criminal law

This section focuses on the rules and general elements of criminal law and provides an introduction to criminal liability through the study of offences against the person and offences against property. Learners will develop their knowledge and understanding of criminal law and the skills to apply their legal knowledge to scenario-based situations and gain a critical awareness of the present state of criminal law.

Content	Guidance
<b>Rules and theory</b>	
<input type="checkbox"/> An outline of the rules of criminal law <input type="checkbox"/> An overview of the theories of criminal law	<input checked="" type="checkbox"/> definition of crime <input checked="" type="checkbox"/> sources of criminal law <input checked="" type="checkbox"/> the elements of criminal liability <input checked="" type="checkbox"/> those involved in a criminal case – prosecution and defence <input checked="" type="checkbox"/> the burden of proof, the standard of proof and reverse onus <input checked="" type="checkbox"/> the aims and purpose of criminal law <input checked="" type="checkbox"/> the principles of criminal law
<b>General elements of criminal liability</b>	
<input type="checkbox"/> <i>Actus reus</i> : conduct and consequence crimes; voluntary acts and omissions; involuntariness; causation <input type="checkbox"/> <i>Mens rea</i> : fault; intention and subjective recklessness; negligence and strict liability; transferred malice; coincidence of <i>actus reus</i> and <i>mens rea</i>	<input checked="" type="checkbox"/> conduct and consequence crimes; voluntary acts and state of affairs; categories of omissions; factual and legal causation, ways the chain of causation can be broken <input checked="" type="checkbox"/> direct and oblique intention, subjective recklessness, negligence and gross negligence, strict liability including the methods used to establish whether an offence is a strict liability offence, transferred malice, coincidence of <i>actus reus</i> and <i>mens rea</i>
<b>Fatal offences against the person</b>	
<input type="checkbox"/> Murder: <i>actus reus</i> and <i>mens rea</i> <input type="checkbox"/> Voluntary manslaughter: defences of loss of control and diminished responsibility under Coroners and Justice Act 2009 <input type="checkbox"/> Involuntary manslaughter: unlawful act manslaughter and gross negligence manslaughter	<input checked="" type="checkbox"/> definition of murder; the <i>actus reus</i> and <i>mens rea</i> requirements of the offence <input checked="" type="checkbox"/> the partial defence of loss of control (s54 Coroners and Justice Act 2009) <input checked="" type="checkbox"/> the partial defence of diminished responsibility (s2(1) Homicide Act 1957 as amended by s52 Coroners and Justice Act 2009) <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of unlawful act manslaughter <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of gross negligence manslaughter

Content	Guidance
<b>Non-fatal offences against the person</b>	
<input type="checkbox"/> Common assault: assault and battery under s39 Criminal Justice Act 1988 <input type="checkbox"/> Assault occasioning actual bodily harm, wounding and grievous bodily harm under s47, s20, s18 Offences Against the Person Act 1861	<input checked="" type="checkbox"/> definition of assault <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of assault <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of battery <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> under s47 Offences Against the Person Act 1861 <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> under s20 Offences Against the Person Act 1861 <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> under s18 Offences Against the Person Act 1861
<b>Offences against property</b>	
<input type="checkbox"/> Theft under s1 Theft Act 1968 <input type="checkbox"/> Robbery under s8 Theft Act 1968 <input type="checkbox"/> Burglary under s9(1)(a) and s9(1)(b) Theft Act 1968	<input checked="" type="checkbox"/> definition of theft, robbery and burglary <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of theft <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of robbery <input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of burglary
<b>Mental capacity defences</b>	
<input type="checkbox"/> Insanity, automatism, intoxication	<input checked="" type="checkbox"/> definition of insanity, automatism and intoxication <input checked="" type="checkbox"/> starting point for the defence; M’Naghten rules; consequences of an insanity verdict; non-insane automatism <input checked="" type="checkbox"/> voluntary and involuntary intoxication
<b>General defences</b>	
<input type="checkbox"/> Self-defence, duress by threats, duress of circumstances and necessity <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> the defence of self-defence and how it can be applied; reasonable and necessary force <input checked="" type="checkbox"/> definition of and rules for duress by threats defences <input checked="" type="checkbox"/> definitions and rules for duress of circumstances and necessity defences <input checked="" type="checkbox"/> definition of consent and the main rules / elements of the defence
<b>Preliminary offences</b>	
<input type="checkbox"/> Attempts: the <i>actus reus</i> and <i>mens rea</i> ; impossibility	<input checked="" type="checkbox"/> <i>actus reus</i> and <i>mens rea</i> of attempt <input checked="" type="checkbox"/> factual and legal impossibility



Content	Guidance
<b>Evaluation</b>	
<input type="checkbox"/> Critical evaluation of: <ul style="list-style-type: none"><li>• non-fatal offences against the person</li><li>• defences: intoxication, self-defence and consent</li><li>• ideas for reform</li></ul>	Common frameworks include whether an area of non-fatal offences or defence is: <ul style="list-style-type: none"><li>✓ fit for purpose</li><li>✓ up-to-date</li><li>✓ just or unjust</li><li>✓ effective or ineffective</li><li>✓ balances principle and policy</li><li>✓ fair or unfair</li><li>✓ based on sound moral principles</li></ul>

## 2c. Content of H418/02 – Law making and the law of tort

### Section A: Law making

This section focuses on law making in England and Wales as well as the European Union. Learners will study law making methods and their underpinning concepts. They will develop an understanding of legal method and reasoning as used by lawyers and the judiciary.

2

Content	Guidance
<b>Parliamentary law making</b>	
<input type="checkbox"/> Legislative process – Green and White Papers, different types of Bill, legislative stages in the House of Commons and the House of Lords, and the role of the Crown <input type="checkbox"/> Advantages and disadvantages of the legislative process	✓ Public Bills, Private Bills and Private Members' Bills ✗ Hybrid Bills, Ten-minute rule Bills and details about pre-legislative procedures in either House is not required ✗ no need to give a detailed account of the Parliament Acts 1911 & 1949. No need to cover commencement
<b>Delegated legislation</b>	
<input type="checkbox"/> Types of delegated legislation: Orders in Council, Statutory Instruments and By-laws <input type="checkbox"/> Controls on delegated legislation by Parliament and the courts, and their effectiveness <input type="checkbox"/> Reasons for the use of delegated legislation <input type="checkbox"/> Advantages and disadvantages of delegated legislation	✓ brief description of each type of delegated legislation with a supporting example for each ✗ Legislative Reform Orders, Henry VIII powers, Orders of Council ✓ parliamentary control to include approval of Parent Act, Negative Resolution Procedure, Affirmative Resolution Procedure and scrutiny by committee ✓ judicial review to include procedural <i>ultra vires</i> , substantive <i>ultra vires</i> and 'Wednesbury Unreasonableness' ✗ you do not need to cover procedures, <i>locus standii</i> or remedies for judicial review ✓ effectiveness and ineffectiveness of parliamentary and judicial controls

Content	Guidance
<b>Statutory interpretation</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Rules of statutory interpretation: the literal rule, the golden rule and the mischief rule</li> <li><input type="checkbox"/> The purposive approach</li> <li><input type="checkbox"/> Intrinsic and extrinsic aids to interpretation</li> <li><input type="checkbox"/> Impact of European Union Law and the Human Rights Act 1998 on statutory interpretation</li> <li><input type="checkbox"/> Advantages and disadvantages of the different rules and approaches to statutory interpretation</li> </ul>	<ul style="list-style-type: none"> <li>✓ brief description of the operation of each rule/ approach, any relevant features and examples</li> <li>✗ the need for statutory interpretation</li> <li>✓ brief description of some of each type of aid with examples where appropriate</li> <li>✓ position regarding human rights law</li> </ul>
<b>Judicial precedent</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The Doctrine of Precedent including <i>stare decisis</i>, <i>ratio decidendi</i> and <i>obiter dicta</i></li> <li><input type="checkbox"/> The hierarchy of the courts including the Supreme Court</li> <li><input type="checkbox"/> Binding, persuasive and original precedent; overruling; reversing; distinguishing</li> <li><input type="checkbox"/> Advantages and disadvantages of precedent</li> </ul>	<ul style="list-style-type: none"> <li>✓ explain both the civil and criminal court hierarchies and appreciate their relevance to <i>stare decisis</i></li> <li>✓ explain the exceptions to the general rule of <i>stare decisis</i>: the UK Supreme Court under Practice Directions 3 &amp; 4; The Court of Appeal under the doctrine set out in <i>Young v Bristol Aeroplane</i></li> <li>✗ the Court of Appeal's historic resistance to the doctrine of <i>stare decisis</i> in relation to being bound by the UKSC</li> <li>✓ types of precedent and the methods used by judges when dealing with such precedent, illustrated with cases</li> </ul>
<b>Law reform</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Influences on Parliament: political, public opinion, media, pressure groups and lobbyists including the Law Commission</li> <li><input type="checkbox"/> Law reform by the Law Commission</li> <li><input type="checkbox"/> Advantages and disadvantages of influences on law making</li> </ul>	<ul style="list-style-type: none"> <li>✓ specific influences with some supported examples of Acts they have brought in or amended</li> <li>✗ explain how these influences work in anything other than outline detail</li> <li>✓ who the Law Commission are, what do they do and how do they do it</li> </ul>

Content	Guidance
<b>European Union law</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Institutions of the European Union</li> <li><input type="checkbox"/> Sources of European Union law</li> <li><input type="checkbox"/> Impact of European Union law on the law of England and Wales</li> </ul>	<ul style="list-style-type: none"> <li>✓ the membership, role and legal functions of the European Commission, the European Parliament, the Council of the European Union and the Court of Justice of the European Union</li> <li>✓ treaties, regulations and directives</li> <li>✓ the extension of rights to individuals through doctrines developed by both the CJEU and domestic courts</li> <li>✓ the concept of supremacy of EU Law over the domestic law of member states with a focus on impact on Sovereignty of Parliament during the UK's membership of the European Union</li> </ul>



## Section B: The law of tort

This section focuses on the rules of tort, liability in negligence, occupiers' liability and remedies. It provides an introduction to civil liability. Learners will develop knowledge and understanding of the law of tort and the skills to apply their legal knowledge to scenario-based situations and gain a critical awareness of the present state of the law of tort.

Content	Guidance
<b>Rules and theory</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> An outline of the rules of the law of tort</li> <li><input type="checkbox"/> An overview of the theory of the law of tort</li> </ul>	<ul style="list-style-type: none"> <li>✓ the aims of Tort Law</li> <li>✓ understand tortious liability</li> <li>✓ recognise who is the claimant and who is the defendant</li> <li>✓ whether proof of fault is required and, if so, the nature of the fault</li> <li>✓ the relevance of any possible defences</li> <li>✓ the aim of a tortious action</li> <li>✓ understand that the parties to a civil action may include any combination of both 'natural' and 'legal' persons</li> <li>✓ the protected interests in Tort</li> <li>✓ issues raised by the so-called 'compensation culture'</li> <li>✓ the basic differences between tort and contract, and tort and crime</li> </ul>
<b>Liability in negligence</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Liability in negligence for injury to people and damage to property</li> <li><input type="checkbox"/> The duty of care: <i>Donoghue v Stevenson</i> (1932) and the neighbour principle, the <i>Caparo</i> test and <i>Robinson v Chief Constable of West Yorkshire</i> (2018)</li> <li><input type="checkbox"/> Breach of duty: the objective standard of care and the reasonable man; risk factors</li> <li><input type="checkbox"/> Damage: factual causation; legal causation</li> </ul>	<ul style="list-style-type: none"> <li>✓ recognise a potential action in negligence</li> <li>✓ the elements required for an action in negligence</li> <li>✓ the relevance of any actionable defence, appreciate the burden and standard of proof and the role of compensation in the form of damages</li> <li>✗ economic loss (negligent misstatement), psychiatric injury or liability for defective products</li> <li>✗ no need to go into any specific detail on the way negligence applies to special groups such as the police, fire and other emergency services, lawyers and judges, local authorities and other public bodies, social services etc</li> </ul>

Content	Guidance
<b>Occupiers' liability</b>	
<input type="checkbox"/> Liability in respect of lawful visitors (Occupiers' Liability Act 1957) <input type="checkbox"/> Liability in respect of trespassers (Occupiers' Liability Act 1984)	<input checked="" type="checkbox"/> definition of a lawful visitor <input checked="" type="checkbox"/> the duty owed to a lawful visitor and when that duty is breached <input checked="" type="checkbox"/> defences <input checked="" type="checkbox"/> definition of a trespasser <input checked="" type="checkbox"/> the duty owed to a trespasser and when that duty is breached <input checked="" type="checkbox"/> defences
<b>Torts connected to land</b>	
<input type="checkbox"/> Private nuisance <input type="checkbox"/> <i>Rylands v Fletcher</i>	<input checked="" type="checkbox"/> basic elements of private nuisance, who can claim, what amounts to a nuisance, what amounts to an unreasonable interference, who may be sued, defences, remedies <input checked="" type="checkbox"/> define the tort in <i>Rylands v Fletcher</i> , requirements to bring a claim, defences
<b>Vicarious liability</b>	
<input type="checkbox"/> Nature and purpose of vicarious liability <input type="checkbox"/> Liability for employees, including traditional tests of employment status, 'akin to employment' tests, liability for torts committed in or not in the course of employment <input type="checkbox"/> Liability for torts 'closely connected' to employment	<input checked="" type="checkbox"/> the Salmond test for imposing liability in relation to unintentional torts <input checked="" type="checkbox"/> the basic tests for establishing that the tortfeasor is an employee <input checked="" type="checkbox"/> whether the tort has occurred in/within or not in/outwith the course of employment <input checked="" type="checkbox"/> new approaches when dealing with tortfeasors who do not fit in the classic employer-employee relationship
<b>Defences</b>	
<input type="checkbox"/> Contributory negligence <input type="checkbox"/> <i>Volenti non fit injuria</i> <input type="checkbox"/> Defences specific to claims connected to private nuisance and <i>Rylands v Fletcher</i>	<input checked="" type="checkbox"/> contributory negligence and <i>volenti non fit injuria</i> : what it is and how it operates <input checked="" type="checkbox"/> private nuisance: defences available and not available <input checked="" type="checkbox"/> <i>Rylands v Fletcher</i> : defences available
<b>Remedies</b>	
<input type="checkbox"/> Compensatory damages <input type="checkbox"/> Mitigation of loss <input type="checkbox"/> Injunctions	<input checked="" type="checkbox"/> the basis of damages <input checked="" type="checkbox"/> the basic concept of mitigation <input checked="" type="checkbox"/> the basic concept of an injunction



Content	Guidance
<b>Evaluation</b>	
<input type="checkbox"/> Critical evaluation of: <ul style="list-style-type: none"><li>• liability in negligence</li><li>• occupiers' liability</li><li>• vicarious liability</li></ul>	Common frameworks include: <ul style="list-style-type: none"><li>✓ advantages and disadvantages</li><li>✓ the fairness or unfairness of a particular area</li><li>✓ the balancing of competing interests</li><li>✓ the extent to which any tort achieves one or more of the aims of tort law (or indeed their own aims)</li><li>✓ comparing and contrasting two similar torts</li></ul>

## 2c. Content of H418/03 – The nature of law and Human rights

### Section A: The nature of law

2

This section focuses on the nature of law. Learners will explore the nature of law in a wider context and develop their understanding of how the law interacts with morality, justice, and society. They will consider the changing nature of law.

Learners will be expected to bring together the different areas of knowledge and understanding of the English legal system and the nature of law, legal rules and principles, concepts and issues from across the full course of study.

Content	Guidance
<b>Introduction to the nature of law</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Law and rules: the difference between enforceable legal rules and principles and other rules and norms of behaviour</li> <li><input type="checkbox"/> The connections between law, morality and justice</li> <li><input type="checkbox"/> The differences between civil and criminal law</li> <li><input type="checkbox"/> An overview of the development of English Law: custom, common law, statute law</li> <li><input type="checkbox"/> The rule of law: definition and importance</li> </ul>	<ul style="list-style-type: none"> <li>✓ the differences between civil and criminal law: procedure, purpose and outcomes, including the different court systems</li> <li>✓ the development and application of each area of law</li> <li>✓ the principle of the rule of law as an underpinning concept for justice, human rights and as a guiding principle of the law, including core elements of the rule of law</li> <li>✓ evaluation of the rule of law</li> </ul>
<b>Law and morality</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The distinction between law and morals</li> <li><input type="checkbox"/> The diversity of moral views in a pluralist society</li> <li><input type="checkbox"/> The relationship between law and morals and its importance</li> <li><input type="checkbox"/> The legal enforcement of moral values</li> </ul>	<ul style="list-style-type: none"> <li>✓ define morality and law; the function of morals and law</li> <li>✓ overlap and difference between immoral and illegal acts</li> <li>✓ the main legal theories underpinning the law; such as legal positivism and natural law</li> <li>✓ pluralism as a key factor in shaping the approach to morality in our society</li> <li>✓ issues where morality and law have clashed in the courts</li> <li>✓ the main arguments and issues in the Devlin-Hart debate and be able to apply the main arguments to specific areas and cases</li> <li>✓ evaluation of law and morality</li> </ul>

Content	Guidance
<b>Law and justice</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The meaning of justice</li> <li><input type="checkbox"/> Theories of justice</li> <li><input type="checkbox"/> The extent to which the law achieves justice</li> </ul>	<ul style="list-style-type: none"> <li>✓ the different types of justice within the law</li> <li>✓ the different theories of justice which affect the way that the law is conducted</li> <li>✗ it is not necessary to learn every theory and case in detail</li> <li>✓ the extent to which the legal system produces just outcomes</li> <li>✓ evaluation of law and justice</li> </ul>
<b>Law and society</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The role law plays in society</li> <li><input type="checkbox"/> The law as a social control mechanism</li> <li><input type="checkbox"/> The way in which the law creates and deals with consensus</li> <li><input type="checkbox"/> The realist approach to law making</li> </ul>	<ul style="list-style-type: none"> <li>✓ the role that the law has in shaping society through social control and vice-versa</li> <li>✓ the role of the media in creating moral panic as an agent of social change</li> <li>✓ the theories behind law as a social control mechanism; formal and informal mechanisms</li> <li>✓ the different theories and how they are reflected in the legal system: consensus theory, conflict theory and labelling theory</li> <li>✓ the different viewpoints within realism, such as left realism and right realism; the impact of the approaches on specific areas of the law</li> <li>✓ evaluation of law and society</li> </ul>

## Section B: Human rights law

This section focuses on human rights, including their nature, protection and constitutional position under UK law. Specific rights are explored in detail as are the restrictions upon them and the process of enforcement through the courts. Learners will

develop knowledge and understanding of human rights law, the skills to apply their legal knowledge to scenario-based situations and gain a critical awareness of the present state of human rights law.

2

Content	Guidance
<b>Rules and theory</b>	
<input type="checkbox"/> An outline of the rules of human rights law <input type="checkbox"/> An overview of the theory of human rights law	<input checked="" type="checkbox"/> features and underpinning principles of human rights law: universality, interdependence, inalienable and indivisible rights, dignity, pluralism <input checked="" type="checkbox"/> constitutional theories which underpin human rights law: rule of law, democracy, separation of powers <input checked="" type="checkbox"/> approaches to interpretation including balancing of rights, proportionality, margin of appreciation
<b>Protection of the individual's human rights and freedoms in the UK</b>	
<input type="checkbox"/> The history of the European Convention on Human Rights and the European Court of Human Rights <input type="checkbox"/> The impact of the Human Rights Act 1998 <input type="checkbox"/> The entrenched nature of the Human Rights Act 1998 in the devolution settlements of Scotland, Wales and Northern Ireland	<input checked="" type="checkbox"/> contextual background of the Second World War for the creation of the ECHR <input checked="" type="checkbox"/> understand the relationship between the ECtHR, the Convention and the Council of Europe <input checked="" type="checkbox"/> the provisions in the main sections within the Human Rights Act and the impact they have on domestic law <input checked="" type="checkbox"/> understanding that the devolution settlements contained guarantees that human rights would be respected
<b>Key provisions of the European Convention on Human Rights</b>	
<input type="checkbox"/> Article 5: the right to liberty and security <input type="checkbox"/> Article 6: the right to a fair trial <input type="checkbox"/> Article 8: the right to respect for family and private life <input type="checkbox"/> Article 10: the right to freedom of expression <input type="checkbox"/> Article 11: freedom of assembly <input type="checkbox"/> Restrictions permitted by the European Convention on Human Rights	<input checked="" type="checkbox"/> definitions of key terms within the articles <input checked="" type="checkbox"/> understand that the restrictions consist of a combination of limitations within the articles of the ECHR and within domestic law in statute and common law

Content	Guidance
<b>Human rights and English law</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Public order offences</li> <li><input type="checkbox"/> Police powers</li> <li><input type="checkbox"/> Interception of communications</li> <li><input type="checkbox"/> Duty of confidentiality</li> <li><input type="checkbox"/> Obscenity</li> <li><input type="checkbox"/> Torts of defamation and trespass</li> <li><input type="checkbox"/> Harassment</li> </ul>	<ul style="list-style-type: none"> <li>✓ public order offences in relation to restricting Articles 10 and 11: breach of the peace, criminal offences under the Public Order Act 1986 of riot, violent disorder and affray, illegal forms of assembly</li> <li>✓ police powers in relation to Articles 5 and 6 to stop and search, arrest and detain under the Police and Criminal Evidence Act 1984, including the rights of the individual</li> <li>✓ interception of communications in relation to restricting Article 8 including acquisition of data and surveillance under Regulation of Investigatory Powers Act 2000, and general privacy protections and lawful interceptions under Investigatory Powers Act 2016</li> <li>✓ duty of confidentiality in relation to rights under Articles 8 and 10</li> <li>✓ obscenity in relation to restricting Article 10</li> <li>✓ torts of defamation in relation to restricting Article 10 and trespass to land in relation to restricting Article 11</li> <li>✓ harassment in relation to restricting Article 10</li> </ul>
<b>Enforcement of human rights law</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Role of domestic courts</li> <li><input type="checkbox"/> The process of judicial review</li> <li><input type="checkbox"/> The role of the European Court of Human Rights</li> </ul>	<ul style="list-style-type: none"> <li>✓ role of domestic courts in interpreting and applying human rights</li> <li>✓ the mechanisms within the domestic courts for enforcing human rights pre and post 2000</li> <li>✓ the process of enforcing human rights through judicial review</li> <li>✓ the procedure for bringing a case before the ECtHR, including the criteria for admission of a case; the guiding principles of the ECtHR</li> </ul>
<b>Evaluation</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Critical evaluation of human rights protection in the UK: <ul style="list-style-type: none"> <li>• Articles 5, 6, 8, 10 and 11 of the European Convention on Human Rights</li> <li>• the Human Rights Act 1998</li> <li>• ideas for reform</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>✓ the protections and restrictions offered by the ECHR and English law</li> <li>✓ criticisms of the Human Rights Act 1998</li> <li>✓ idea of a UK Bill of Rights</li> </ul>

## 2c. Content of H418/04 – The nature of law and the law of contract

### Section A: The nature of law

This section focuses on the nature of law. Learners will explore the nature of law in a wider context and develop their understanding of how the law interacts with morality, justice, and society. They will consider the changing nature of law.

Learners will be expected to bring together the different areas of knowledge and understanding of the English legal system and the nature of law, legal rules and principles, concepts and issues from across the full course of study.

2

Content	Guidance
<b>Introduction to the nature of law</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Law and rules: the difference between enforceable legal rules and principles and other rules and norms of behaviour</li> <li><input type="checkbox"/> The connections between law, morality and justice</li> <li><input type="checkbox"/> The differences between civil and criminal law</li> <li><input type="checkbox"/> An overview of the development of English Law: custom, common law, statute law</li> <li><input type="checkbox"/> The rule of law: definition and importance</li> </ul>	<ul style="list-style-type: none"> <li>✓ the differences between civil and criminal law: procedure, purpose and outcomes, including the different court systems</li> <li>✓ the development and application of each area of law</li> <li>✓ understand the principle of the rule of law as an underpinning concept for justice, human rights and as a guiding principle of the law, including core elements of the rule of law</li> <li>✓ evaluation of the rule of law</li> </ul>
<b>Law and morality</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The distinction between law and morals</li> <li><input type="checkbox"/> The diversity of moral views in a pluralist society</li> <li><input type="checkbox"/> The relationship between law and morals and its importance</li> <li><input type="checkbox"/> The legal enforcement of moral values</li> </ul>	<ul style="list-style-type: none"> <li>✓ define morality and law; the function of morals and law</li> <li>✓ overlap and difference between immoral and illegal acts</li> <li>✓ the main legal theories underpinning the law; such as legal positivism and natural law</li> <li>✓ pluralism as a key factor in shaping the approach to morality in our society</li> <li>✓ issues where morality and law have clashed in the courts</li> <li>✓ the main arguments and issues in the Devlin-Hart debate and be able to apply the main arguments to specific areas and cases</li> <li>✓ evaluation of law and morality</li> </ul>



Content	Guidance
<b>Law and justice</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The meaning of justice</li> <li><input type="checkbox"/> Theories of justice</li> <li><input type="checkbox"/> The extent to which the law achieves justice</li> </ul>	<ul style="list-style-type: none"> <li>✓ the different types of justice within the law</li> <li>✓ the different theories of justice which affect the way that the law is conducted</li> <li>✗ it is not necessary to learn every theory and case in detail</li> <li>✓ the extent to which the legal system produces just outcomes</li> <li>✓ evaluation of law and justice</li> </ul>
<b>Law and society</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> The role law plays in society</li> <li><input type="checkbox"/> The law as a social control mechanism</li> <li><input type="checkbox"/> The way in which the law creates and deals with consensus and conflict</li> <li><input type="checkbox"/> The realist approach to law making</li> </ul>	<ul style="list-style-type: none"> <li>✓ the role that the law has in shaping society through social control</li> <li>✓ the role of the media in creating moral panic as an agent of social change</li> <li>✓ the theories behind law as a social control mechanism; formal and informal mechanisms</li> <li>✓ the different theories and how they are reflected in the legal system: consensus theory, conflict theory and labelling theory</li> <li>✓ the different viewpoints within realism, such as left realism and right realism; the impact of the approaches on specific areas of the law</li> <li>✓ evaluation of law and society</li> </ul>

## Section B: The law of contract

This section focuses on the central elements of contract law from the formation of contracts to their enforcement. Learners will develop knowledge and understanding of the law of

contract, the skills to apply their legal knowledge to scenario-based situations and gain a critical awareness of the present state of the law of contract.

2

Content	Guidance
<b>Rules and theory</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> An outline of the rules of the law of contract</li> <li><input type="checkbox"/> An overview of the theory of the law of contract</li> </ul>	<ul style="list-style-type: none"> <li>✓ the parties to the contract</li> <li>✓ the burden of proof</li> <li>✓ sources of contract law</li> <li>✓ remedies</li> <li>✓ freedom of contract</li> <li>✓ acting on good faith</li> <li>✓ consumer protection</li> <li>✓ balancing interests and justice</li> <li>✓ principle of fault</li> <li>✓ inequality of bargaining power</li> </ul>
<b>Formation</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Offer and acceptance, including the rules of communication and revocation</li> <li><input type="checkbox"/> Intention to create legal relations: domestic and commercial, presumptions and rebuttals</li> <li><input type="checkbox"/> Consideration: adequacy, sufficiency, past consideration, pre-existing duties</li> <li><input type="checkbox"/> Privity: the rights of third parties under the Contract (Rights of Third Parties) Act 1999 and common law exceptions</li> </ul>	<ul style="list-style-type: none"> <li>✓ key concepts: invitation to treat, bilateral offer, unilateral offer, counter offers</li> <li>✓ what is the presumption in domestic contracts? When is it rebutted in domestic contracts?</li> <li>✓ what is the presumption in commercial contracts? When is it rebutted in commercial contracts?</li> <li>✓ rules of consideration</li> <li>✗ promissory estoppel</li> <li>✓ privity: the rule itself, the common law exceptions to privity; Statutory exceptions</li> </ul>

Content	Guidance
<b>Terms</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Express and implied terms, including the Consumer Rights Act 2015</li> <li><input type="checkbox"/> Types of term: conditions, warranties, innominate terms</li> <li><input type="checkbox"/> Exclusion and limitation clauses, including the Unfair Contract Terms Act 1977 and the Consumer Rights Act 2015</li> </ul>	<ul style="list-style-type: none"> <li>✓ the concept of terms and incorporation; the difference between express and implied terms; implied terms through common law, by statute, by course of dealings</li> <li>✓ terms which are implied by the Consumer Rights Act</li> <li>✗ terms implied by the Sale of Goods Act 1979 and the Supply of Goods and Services Act 1982 are not essential</li> <li>✓ term-based and breach-based approach; consequences for breach of each kind of term; problems with the term-based approach; situations where a term will be identified as a condition</li> <li>✓ common law regulation of exclusion clauses, Statutory regulation of exclusion clause, Regulation of exclusion clauses in non-consumer contracts</li> </ul>
<b>Vitiating factors</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Misrepresentation, including omission in consumer contexts and the Misrepresentation Act 1967</li> <li><input type="checkbox"/> Economic duress</li> </ul>	<ul style="list-style-type: none"> <li>✓ fraudulent misrepresentation, negligent misstatement, statutory misrepresentation, innocent misrepresentation, remedies for each kind of misrepresentation</li> <li>✓ the nature of the threat, the consequences of the threat, extra criteria (<i>Pao On v Lau Yiu Long</i>), remedies and limits</li> </ul>
<b>Discharge</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Performance</li> <li><input type="checkbox"/> Frustration</li> <li><input type="checkbox"/> Breach of contract: actual and anticipatory breach</li> </ul>	<ul style="list-style-type: none"> <li>✓ discharged through performance; exceptions: tender of performance, severable contracts, substantial performance, acceptance of partial performance, delayed performance</li> <li>✓ grounds for claiming frustration, limits to frustration and the financial consequences of a contract being frustrated</li> <li>✓ meaning of repudiatory breach; damages for repudiatory breach and for non-repudiatory breach; breach of a condition, an innominate term and a warranty</li> <li>✓ nature of anticipatory breach; choices the other party has</li> </ul>

Content	Guidance
<b>Remedies</b>	
<input type="checkbox"/> Damages: compensatory damages; causation and remoteness of damage; mitigation of loss <input type="checkbox"/> Equitable remedies <input type="checkbox"/> Consumer remedies under the Consumer Rights Act 2015	<input checked="" type="checkbox"/> basis for a claim in damages, Special situations, Foreseeability of the losses, mitigation, enforceability of liquidated damages clauses <input checked="" type="checkbox"/> specific performance <input checked="" type="checkbox"/> injunctions <input checked="" type="checkbox"/> awareness of the remedies for breach of rights in the Consumer Rights Act: rejection and partial rejection of goods, how the right is exercised, time limit for short term right to reject, reduction in price and having work redone
<b>Evaluation</b>	
<input type="checkbox"/> Critical evaluation of: <ul style="list-style-type: none"> <li>• formation</li> <li>• contract terms</li> <li>• ideas for reform</li> </ul>	<input checked="" type="checkbox"/> offer and acceptance <input checked="" type="checkbox"/> intention to create legal relations <input checked="" type="checkbox"/> consideration <input checked="" type="checkbox"/> privity of contract <input checked="" type="checkbox"/> incorporation of terms <input checked="" type="checkbox"/> classification of terms <input checked="" type="checkbox"/> exclusion clauses <input checked="" type="checkbox"/> ideas for reform for the above areas

## 2d. Legal Skills

This qualification:

- develops competence in using legal skills during the study of the nature of law, legal issues and the English legal system, and the private and public areas of substantive law.
- requires learners to demonstrate their ability to analyse a factual scenario by identifying the key facts from which legal issues arise.
- requires learners, when formulating a legal argument, to be able to analyse legislation by applying the rules and principles of statutory interpretation; and analyse case law by applying the doctrine of precedent.
- requires learners, in respect of each private and public area of substantive law they are required to study, to analyse, apply and evaluate the legal rules and principles of that area of law. Analysis and application must include the ability to identify and breakdown into constituent parts the relevant legal rules and principles for each area of law and apply those legal principles to a hypothetical scenario. Evaluation must require learners to formulate a reasoned argument to support a particular proposition by reference to the relevant legal rules and principles that support that argument.
- requires learners to construct clear, concise and logical legal arguments which are substantiated by legal authority, using appropriate legal terminology. In addition, learners must be required to construct a persuasive argument including instances where they have recognised that there are no clear legal precedents or conflicting precedents to solve a problem.
- requires learners to analyse and critically evaluate legal issues by identifying different perspectives, being able to support their identification of the strongest viewpoint and demonstrating the ability to counter alternative viewpoints.

## 2e. Prior knowledge, learning and progression

- No prior learning or knowledge of the subject is required.
- Throughout the course of study, learners are encouraged to develop a critical awareness of how legal institutions operate in society and the changing nature of law in society.
- This qualification provides a suitable opportunity for the study of law or related courses in higher education. Equally, it is suitable for learners intending to pursue business careers or further study in business, social sciences or as part of a course of general education.

## 3 Assessment of A Level in Law (H418)

### 3a. Assessment objectives (AO)

There are three Assessment Objectives in OCR A Level in Law. These are detailed in the table below.

Learners are expected to demonstrate their ability to:

	Assessment Objective
AO1	Demonstrate knowledge and understanding of the English legal system and legal rules and principles.
AO2	Apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology.
AO3	Analyse and evaluate legal rules, principles, concepts and issues.

### AO weightings in A Level in Law

The relationship between the assessment objectives and the components are shown in the table below:

Component	% of overall A level in Law (H418)		
	AO1	AO2	AO3
The legal system and criminal law (H418/01)	13⅓	10	10
Law making and the law of tort (H418/02)	13⅓	10	10
The nature of law and Human rights (H418/03)	13⅓	10	10
The nature of law and the law of contract (H418/04)			
<b>Total</b>	<b>40</b>	<b>30</b>	<b>30</b>

## 3b. Forms of assessment

OCR's A Level in Law is a linear qualification with 100% external assessment. Candidates must sit H418/01, H418/02 and **either** H418/03 **or** H418/04.

### Components 01 and 02

Components 01 and 02 have exactly the same structure. The structure will follow this pattern:

Questions	AO1	AO2	AO3	Total
1–2	8	0	0	8
3–4	0	0	12	12
5 or 8	8	12	0	20
6 or 9	8	12	0	20
7 or 10	8	0	12	20
<b>Total</b>	<b>32</b>	<b>24</b>	<b>24</b>	<b>80</b>

#### Section A

Learners will answer **two** questions.

Questions 1–2 will require learners to demonstrate their knowledge and understanding of the English legal system. Learners will answer one question from two. Questions 1–2 are worth 8 marks.

Questions 3–4 will require learners to analyse and evaluate legal concepts. Learners will answer one question from two. Questions 3–4 do not require a conclusion and are worth 12 marks.

#### Section B

All Section B questions are worth 20 marks.

Learners will answer Part 1 or Part 2, each comprising of two scenario questions and one essay question.

Questions 5, 6, 8 and 9 will require learners to demonstrate knowledge and understanding of legal rules and principles and to apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology. Learners will use their legal reasoning developed through the study of statutory interpretation and judicial precedent. The scenarios may or may not be related – this will be made clear on the assessment material.

Questions 7 and 10 will be identical. They will require learners to demonstrate knowledge and understanding of legal rules and principles and analyse and evaluate legal rules and principles. Learners will be required to consider the law in relation to the relevant legal theory. This question is separate from the scenarios and is considered an extended response question. It should be treated as an essay requiring a conclusion.

## Component 03 and 04

Components 03 and 04 have exactly the same structure. The structure will follow this pattern:

Questions	AO1	AO2	AO3	Total
1 – 2	8	0	12	20
3 or 6	8	12	0	20
4 or 7	8	12	0	20
5 or 8	8	0	12	20
Total	32	24	24	80

### Section A

Learners will answer **one** question from two.

Questions 1–2 will require learners to demonstrate knowledge and understanding of the English legal system and legal rules and principles, and analyse and evaluate legal concepts and issues. Learners will be required to draw together their knowledge and understanding from across their full course of study. This question is considered an extended response question. It should be treated as an essay requiring a conclusion.

Section A questions are worth 20 marks.

The questions in Section A will be identical across both papers.

### Section B

All Section B questions are worth 20 marks.

Learners will answer Part 1 or Part 2, each comprising of two scenario questions and an essay question.

Questions 3, 4, 6 and 7 will require learners to demonstrate knowledge and understanding of legal rules and principles and to apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology. Learners will use their legal reasoning developed through the study of statutory interpretation and judicial precedent. The scenarios may or may not be related. This will be made clear on the assessment material.

Questions 5 and 8 will be identical. They will require learners to demonstrate knowledge and understanding of legal rules and principles and analyse and evaluate legal rules and principles. Learners will be required to consider the law in relation to the relevant legal theory. This question is separate from the scenarios and is considered an extended response question. It should be treated as an essay requiring a conclusion.



#### Support for OCR A Level Law:

Sample Assessment Materials and other resources which exemplify our approach to the examinations can be found on the H418 web page of the OCR website.



## Command words

**Explain** or **describe** is to demonstrate knowledge and understanding of the English legal system and legal rules and principles (AO1).

**Advise** is to demonstrate knowledge and understanding of legal rules and principles (AO1), **and**, in combination, apply legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology (AO2).

**Discuss** is to analyse and evaluate legal rules, principles, concepts and issues. Learners **are not** expected to give a conclusion (AO3).

Discuss **the extent to which** is to demonstrate knowledge and understanding of the English legal system and legal rules and principles (AO1), **and**, in combination, analyse and evaluate legal rules, principles, concepts and issues. Learners **are** expected to give a conclusion (AO3).

### 3c. Total qualification time

Total qualification time (TQT) is the total amount of time, in hours, expected to be spent by a learner to achieve a qualification. It includes both guided learning hours and hours spent in preparation, study,

and assessment. The total qualification time for A Level in Law is 360 hours. The total guided learning time is 360 hours.

### 3d. Assessment availability

There will be one examination series available each year in May/June to **all** learners.

All examined components must be taken in the same

examination series at the end of the course.

This specification will be certificated from the June 2022 examination series onwards.

### 3e. Retaking the qualification

Learners can retake the qualification as many times as they wish. They must retake components 01 and 02 and either component 03 or component 04.

### 3f. Assessment of extended response

The assessment materials for this qualification provide learners with the opportunity to demonstrate their ability to construct and develop a sustained and coherent line of reasoning and marks for extended responses are integrated into the marking criteria.

The quality of extended response will be assessed in the evaluation essay questions for each area of law and in the nature of law essay questions which are marked with an asterisk in the assessment material.

### 3g. Synoptic assessment

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- Synoptic assessment is the learners' understanding of the connections between different elements of the subject. It involves the explicit drawing together of knowledge, skills and understanding within different parts of the A Level course.
- The emphasis of synoptic assessment is to encourage the understanding of law as a discipline.
- Learners will use their understanding of legal method and reasoning developed through the study of the English legal system, whilst answering scenario questions on criminal law and the law of tort, applying legal rules and principles to given scenarios in order to present a legal argument using appropriate legal terminology.
- At A Level, learners will answer questions on the nature of law in Component 03 or 04. This will focus on how the law interacts with morality, justice and society. In answering the questions learners will be required to use their knowledge and understanding gained from the entire course of study for A Level Law.

### 3h. Calculating qualification results

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A learner's overall qualification grade for A Level in Law will be calculated by adding together their marks from the three components taken to give their total weighted mark. This mark will then be compared to

the qualification level grade boundaries for the relevant exam series to determine the learner's overall qualification grade.

## 4 Admin: what you need to know

The information in this section is designed to give an overview of the processes involved in administering this qualification so that you can speak to your exams officer. All of the following processes require you to submit something to OCR by a specific deadline.

More information about the processes and deadlines involved at each stage of the assessment cycle can be found in the Administration area of the OCR website.

OCR's *Admin overview* is available on the OCR website at <http://www.ocr.org.uk/administration>.

### 4a. Entries

#### Estimated entries

Estimated entries are your best projection of the number of learners who will be entered for a qualification in a particular series. Estimated entries

should be submitted to OCR by the specified deadline. They are free and do not commit your centre in any way.

#### Final entries

Final entries provide OCR with detailed data for each learner, showing each assessment to be taken. It is essential that you use the correct entry code, considering the relevant entry rules.

Final entries must be submitted to OCR by the published deadlines or late entry fees will apply.

All learners taking an A Level in Law must be entered for one of the two entry options:

Entry code	Title	Component code	Component title	Assessment type
H418 A	Law Option A	01	The legal system and criminal law	External Assessment
		02	Law making and the law of tort	External Assessment
		03	The nature of law and Human rights	External Assessment
H418 B	Law Option B	01	The legal system and criminal law	External Assessment
		02	Law making and the law of tort	External Assessment
		04	The nature of law and the law of contract	External Assessment

## 4b. Special consideration

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Special consideration is a post–assessment adjustment to marks or grades to reflect temporary injury, illness or other indisposition at the time the assessment was taken.

Detailed information about eligibility for special consideration can be found in the JCQ publication *A guide to the special consideration process*.

## 4c. External assessment arrangements

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Regulations governing examination arrangements are contained in the JCQ *Instructions for conducting examinations*.

## 4 Head of centre annual declaration

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The Head of Centre is required to provide a declaration to the JCQ as part of the annual NCN update, conducted in the autumn term, to confirm that the centre is meeting all of the requirements detailed in the specification.

Any failure by a centre to provide the Head of Centre Annual Declaration will result in your centre status being suspended and could lead to the withdrawal of our approval for you to operate as a centre.

## Private candidates

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Private candidates may enter for OCR assessments. A private candidate is someone who pursues a course of study independently but takes an examination or assessment at an approved examination centre. A private candidate may be a part-time student, someone taking a distance learning course, or someone being tutored privately. They must be based in the UK.

Private candidates need to contact OCR approved centres to establish whether they are prepared to host them as a private candidate. The centre may charge for this facility and OCR recommends that the arrangement is made early in the course. Further guidance for private candidates may be found on the OCR website: <http://www.ocr.org.uk>.

## 4d. Results and certificates

### Grade Scale

A Level qualifications are graded on the scale: A\*, A, B, C, D, E, where A\* is the highest. Learners who fail to reach the minimum standard for E will be

Unclassified (U). Only subjects in which grades A\* to E are attained will be recorded on certificates.

### Results

Results are released to centres and learners for information and to allow any queries to be resolved before certificates are issued.

The following supporting information will be available:

Centres will have access to the following results information for each learner:

- the grade for the qualification
- the raw mark for each component
- the total weighted mark for the qualification.

- raw mark grade boundaries for each component
- weighted mark grade boundaries for the qualification.

Until certificates are issued, results are deemed to be provisional and may be subject to amendment.

A learner's final results will be recorded on an OCR certificate. The qualification title will be shown on the certificate as 'OCR Level 3 Advanced GCE in Law'.

## 4e. Post-results services

A number of post-results services are available:

- **Review of Results**  
If you are not happy with the outcome of a learner's results, centres may request a review of marking.

- **Missing and incomplete results**  
This service should be used if an individual subject result for a learner is missing, or the learner has been omitted entirely from the results supplied.

- **Access to scripts**  
Centres can request access to marked scripts.

## 4f. Malpractice

Any breach of the regulations for the conduct of examinations and non-exam assessment work may constitute malpractice (which includes maladministration) and must be reported to OCR as soon as it is detected.

Detailed information on malpractice can be found in the JCQ publication *Suspected Malpractice in Examinations and Assessments: Policies and Procedures*.

## 5 Appendices

### 5a. Overlap with other qualifications

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There is no significant overlap between the content of this specification and that for other A Level specifications. There is a small degree of overlap

between the content of this specification and those for other AS Levels and A Levels in Business and AS Levels and A Levels in Politics.

### 5b. Accessibility

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Reasonable adjustments and access arrangements allow learners with special educational needs, disabilities or temporary injuries to access the assessment and show what they know and can do, without changing the demands of the assessment. Applications for these should be made before the examination series. Detailed information about eligibility for access arrangements can be found in the *JCQ Access Arrangements and Reasonable Adjustments*.

The A Level qualification and subject criteria have been reviewed in order to identify any feature that could disadvantage learners who share a protected characteristic as defined by the Equality Act 2010. All reasonable steps have been taken to minimise any such disadvantage.

## H415 to H418: Summary of updates – key changes

Throughout the process of updating our qualification, we have engaged with teachers and listened to their feedback.

We have reduced the amount of content that needs to be taught.	Teachers told us that the H415 specification had too much content. We have removed a number of areas of the specification to help make the qualification more manageable and enjoyable to teach. Changes include removing 'Law and Technology' from The nature of law and reducing the number of areas for evaluation.
Guidance column added.	We have introduced a guidance column in response to customer feedback to ensure they know what needs to be taught.
We have updated some content.	We have updated content e.g. including <i>Robinson v Chief Constable of West Yorkshire (2018)</i> in duty of care to reflect changes to the law since the launch of our H415 qualification.
We have split Component 03 into H418/03 and H418/04.	We now require candidates to enter either H418/03 or H418/04.
We have reduced the mark tariff associated with each question.	The requirements for answers have not changed but we have reduced the number of marks available to make it easier for candidates and teachers to see how marks are credited.

We have produced a detailed guide showing exactly how and where the H418 specification differs from the H415 specification. This can be downloaded from the 'Teaching and Learning' area of the A Level Law webpage.

## Summary of updates

Date	Version	Section	Title of section	Change
February 2021	1.1			Update to specification covers to meet digital accessibility standards
August 2021	1.2	2c	Content of H418/01 - The legal system and criminal law	Correction of minor typographical error
June 2023	1.3	2c 3c	Content of H418/02 - Law making and the law of tort Total qualification time	Minor changes to guidance that reflect the UK's departure from the European Union Addition of TQT and GLH to comply with QiW requirements







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# YOUR CHECKLIST

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*Our aim is to provide you with all the information and support you need to deliver our specifications.*

- Bookmark [OCR website](#) for all the latest resources, information and news on A Level Law
  - Be among the first to hear about support materials and resources as they become available – register for [A Level Law](#)
  - Find out about our [professional development](#)
  - View our range of [skills guides](#) for use across subjects and qualifications
  - Learn more about [Active Results](#)
  - Visit our [Online Support Centre](#)
-

## Download high-quality, exciting and innovative A Level Law resources from [ocr.org.uk/law](https://ocr.org.uk/law)

Resources and support for our A Level Law qualification, developed through collaboration between our Law Subject Advisors, teachers and other subject experts, are available from our website. You can also contact our Law Subject Advisors who can give you specialist advice, guidance and support.

### Contact the team at:

01223 553998

[law@ocr.org.uk](mailto:law@ocr.org.uk)

@OCRexams

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