

## Law for University Study

### [Assignment title: The tensions between English law and the European Convention on Human Rights]

### Assignment 1: Case brief

### Sample Assessment Marking Scheme

Markers are advised that, unless a task specifies that an answer be provided in a particular form, then an answer that is correct (factually or in practical terms) **must** be given the available marks. If there is doubt as to the correctness of an answer, the relevant NCC Education materials should be the first authority.

This marking scheme has been prepared as a **guide only** to markers and there will frequently be many alternative responses which will provide a valid answer.

Each candidate's script must be fully annotated with the marker's comments (where applicable) and the marks allocated for each part of the tasks.

**Throughout the marking, please credit any valid alternative point.**

**Where markers award half marks in any part of a task, they should ensure that the total mark recorded for the task is rounded up to a whole mark.**

**Marker's comments:**

**Moderator's comments:**

**Mark:**

**Moderated mark:**

**Final mark:**

**Penalties applied for academic malpractice:**



Aspect	Guide	Maximum Marks
1	<p><b><u>Introduction</u></b></p> <p><b>3 marks – The introduction is clear and outlines the purpose and planning for the assessment</b>  <b>2 marks – The introduction shows evidence of some planning</b>  <b>1 mark – The introduction is unclear</b>  <b>0 marks – No introduction</b></p>	<hr/> <p style="text-align: right;"><b>3</b></p>
2	<p><b><u>Key legal concepts and cases</u></b></p> <p><b>5 marks – A clear understanding of the key legal concepts and cases required for the assessment has been presented.</b>  <b>3 marks – Some clear understanding of the key legal concepts and cases required for the assessment has been presented.</b>  <b>1 mark – A basic understanding of the key legal concepts and cases required for the assessment has been presented.</b>  <b>0 marks – No understanding of the key legal concepts and cases required for the assessment has been presented.</b></p>	<hr/> <p style="text-align: right;"><b>5</b></p>
3	<p><b><u>Structure</u></b></p> <p><b>5 marks – The assessment has a clear structure.</b>  <b>3 marks – The assessment has been provided with a structure that is largely clear.</b>  <b>1 mark – The structure is unclear.</b>  <b>0 marks – There is no evidence of a structured approach in the assessment.</b></p>	<hr/> <p style="text-align: right;"><b>5</b></p>
4	<p><b><u>Presentation</u></b></p> <p><b>5 marks – The assessment has been presented in a clear manner.</b>  <b>3 marks – The assessment has been presented with some errors but they do not impact on the narrative flow.</b>  <b>1 mark – The presentation is unclear.</b>  <b>0 marks – The presentation is unclear with little evidence of a structured approach.</b></p>	<hr/> <p style="text-align: right;"><b>5</b></p>
5	<p><b><u>Analysis</u></b></p> <p><b>5 marks – There is evidence of analysis of multiple legal sources.</b>  <b>3 marks – The student presents descriptive arguments, using multiple sources.</b>  <b>1 mark – The student has used a limited range of sources to support their work.</b>  <b>0 marks – No sources used and no analysis presented.</b></p>	<hr/> <p style="text-align: right;"><b>5</b></p>

6	<p><b><u>Proofreading</u></b></p> <p><b><i>2 marks – There are no errors in spelling or punctuation.</i></b>  <b><i>1 mark – There are some errors in spelling and punctuation.</i></b>  <b><i>0 marks – There are multiple spelling and punctuation errors.</i></b></p>	<hr/> <p style="text-align: right;"><b>2</b></p>
	<b>Total out of 25</b>	

## Learning Outcomes matrix

Task	Learning Outcome(s) / Assessment Criteria assessed	Marker can differentiate between varying levels of achievement
1	LO1, LO2, LO3	Yes

## Grade descriptors

Learning Outcome	Pass (40-59%)	Merit (60-69%)	Distinction (70-100%)
1. Be able to recognise and discuss the primary concepts, terms and processes in the practice of law in England and Wales and discuss the interpretation and application of legal rules, providing insight into key aspects of professional practice and law in the workplace	Demonstrates an adequate awareness and understanding of key concepts, terminology and perspectives with a reasonable application of principles.	Demonstrates a consistent and accurate awareness and understanding of key concepts, terminology and perspectives with a detailed application of principles.	Demonstrates an outstanding awareness and understanding of key concepts, terminology and perspectives with a highly comprehensive and sophisticated application of principles.
2. Be able to recognise and analyse different types of law, what constitutes valid and enforceable laws and look at the obligations, rights and terms, covering a range of concepts via legal reasoning, and analytical and critical evaluations.	Demonstrates an adequate ability to analyse the concepts with reasonable analytical and critical evaluations.	Demonstrates a consistent and accurate ability to analyse the concepts with detailed analytical and critical evaluations.	Demonstrates an outstanding ability to analyse the concepts with highly comprehensive and sophisticated analytical and critical evaluations.
3. Be able to recognise and discuss the skills needed for effective legal practice, including the proper use of language, legal reasoning, critical thinking, and decision making as well as the processes and procedures of professional conduct, with client care, interviews and communications.	Demonstrates an adequate ability to discuss the concepts with reasonable application of analytical and critical evaluation tools and techniques.	Demonstrates a sound and appropriate ability to discuss the concepts with detailed application of analytical and critical evaluation tools and techniques.	Demonstrates an outstanding and highly appropriate ability to discuss the concepts with highly comprehensive and sophisticated application of analytical and critical evaluation tools and