

LEVEL 2 AWARD

THINKING AND REASONING SKILLS

Unit 2 Thinking and Reasoning Skills Case Study

B902

Candidates answer on the Question Paper

OCR Supplied Materials:

- Resource Booklet (B902/RB)

Other Materials Required:

None

Tuesday 22 June 2010
Afternoon

Duration: 1 hour



Candidate Forename		Candidate Surname	
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Centre Number						Candidate Number				
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INSTRUCTIONS TO CANDIDATES

- Write your name clearly in capital letters, your Centre Number and Candidate Number in the boxes above.
- Use black ink. Pencil may be used for graphs and diagrams only.
- Read each question carefully and make sure that you know what you have to do before starting your answer.
- Answer **all** the questions.
- Do **not** write in the bar codes.
- Write your answer to each question in the space provided. Additional paper may be used if necessary but you must clearly show your Candidate Number, Centre Number and question number(s).

INFORMATION FOR CANDIDATES

- The number of marks is given in brackets [] at the end of each question or part question.
- The total number of marks for this paper is **60**.
- You will be assessed on the quality of your written communication in question 12. The quality of your grammar, spelling and punctuation will affect the mark for these questions.
- This document consists of **12** pages. Any blank pages are indicated.

Section A: Thinking through the documents.

You are advised to spend no more than 40 minutes on this Section. It is worth 40 marks.

Answer all the questions in this Section.

In this section you will be required to use all your reasoning, evaluation, information processing and creative thinking skills on the documentary sources.

When it is necessary to refer to one specific source in order to answer the question, you will be directed to that source.

1 In Document 6 Alice gives the following argument:

“Although there have been mistakes in the past and innocent people have been found guilty, DNA testing is so good these days that they can prove who was and wasn’t at a crime scene and if the penalty is death then juries will only give a guilty verdict when they’re absolutely certain anyway. So it’s unlikely that there will be miscarriages of justice in the future. Therefore murderers, terrorists and drug dealers who have caused the death of others should be put to death themselves.”

(a) Mark up Alice’s argument in the box above to show the different argument components:

- Underline the **main** conclusion [1]
- Put brackets around the **intermediate** conclusion [1]
- Circle **both** conclusion indicator words [2]

(b) At the start of this argument Alice says, “... *there have been mistakes made in the past and innocent people have been found guilty...*”

Circle the correct name of this argument component:

Counter Argument	Evidence	Example	Reason	[1]
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2 In Document 6 Pawel and Alice have the following dialogue:

Pawel 1	<i>So are you saying it was right when those two 18 year-old girls last year were hanged in Singapore for drug trafficking? One of them had had a really hard life. She had been orphaned when she was 8 and sent to live with awful carers. She was exploited by people and had been living on the streets.</i>
Alice 1	<i>I don't know about that, but I do know that since the death penalty was abolished in Britain in the 1960s the murder rate has more than doubled. It just goes to show that if you take away the deterrent of hanging then people are more likely to commit murder.</i>
Pawel 2	<i>If we bring back the death penalty for murder, it will then be extended to rape, then to GBH and next thing you know we'll be back in the nineteenth century and hanging people for stealing something worth a few quid and even for food poisoning with some dodgy dumplings!</i>
Alice 2	<i>Now you're just being ridiculous. That's the sort of thing Kate would say. She was arguing earlier that Eliza must have been guilty because there was no other explanation for the sickness, but there's no point paying any attention to what Kate says. She's so arrogant all the time and just exaggerates about everything.</i>

All the arguments in these pieces of dialogue contain flaws or weaknesses.

(a) Use the following list to identify the flaw or weakness present in each of the arguments.

A	Ad hominem flaw
B	Irrelevant appeal to authority
C	Straw man flaw
D	Irrelevant appeal to pity
E	Tu quoque flaw
F	Slippery slope flaw

Insert the correct letter identifying the flaw or weakness contained in each piece of dialogue in the table below. Only one letter should be entered for each piece of dialogue.

Pawel 1	
Pawel 2	
Alice 2	

[3]

(b) Explain the weakness in reasoning in the piece of dialogue labelled 'Alice 1'.

.....

..... [2]

- 3 In Document 6 Alice argues in favour of the death penalty for certain crimes today, but she doesn't clearly say whether she believes it was right to hang people for other crimes in 1815.

Using what you already know about Alice from Document 6, would Alice believe it was right to sentence people to death for attempted murder in 1815?

Yes **No** (circle **one** answer)

Explain your answer:

.....

.....

..... [2]

- 4 The drama students studying the trial are set a task examining the credibility of the participants in the trial to help them understand their characters better. These are the notes made by one of the students having read Documents 2a, 2b, 2c, 2d and 2e:

Credibility Criterion:		Explanations	
A	Had a good ability to observe	1	Because he/she works for Robert Turner and might support the prosecution to protect his/her job
B	Lacks relevant expertise to justify his evidence	2	Because Eliza had been disrespectful towards him/her
C	Will be neutral in what they say	3	Because he/she served the dumplings to the family
D	Should have strong relevant expertise	4	Because his/her job involves good knowledge and understanding of medicine and science
E	May have a bias against Eliza	5	Because he works for a law firm and not as a scientist with a knowledge of arsenic
F	May have a vested interest to lie	6	Because it is his/her profession to provide unbiased guidance at a trial

Please complete the table below, by matching the witnesses to the appropriate credibility criteria (A to F), which in turn should be matched to the appropriate explanations (1 to 6). There is one for each witness.

Please circle the correct letter or number. The first pair has been done for you.

Name of witness	Credibility Criterion	Explanation
The Judge	A B C D E F	1 2 3 4 5 6
Charlotte Turner	A B C D E F	1 2 3 4 5 6
Haldebart Turner	A B C D E F	1 2 3 4 5 6
Roger Gadsdell	A B C D E F	1 2 3 4 5 6
Sarah Peer	A B C D E F	1 2 3 4 5 6
John Marshall	A B C D E F	1 2 3 4 5 6

[10]

5 In order to persuade a jury to find somebody guilty of a serious crime, the prosecution tries to establish that the accused had a strong motive to commit a crime.

In Document 2a line 1 to line 17 the prosecution is trying to establish Eliza’s motive to commit murder – i.e. why Eliza might want to kill the Turner family.

(a) Explain the motive the prosecution is trying to establish.

.....
..... [2]

(b) Decide whether you think this is a likely motive for Eliza to want to murder the family and explain your answer.

Yes **No** **Maybe** (circle **one** answer)

Your explanation:
.....
.....
..... [3]

6 In Document 2b, the evidence of Haldebart Turner, the following exchange takes place:

Q. Did the prisoner give any of you any assistance while you were sick?
A. None in the least.

This evidence is intended to help prove Eliza’s guilt.

Give **two** possible alternative explanations for the fact that Eliza did not help any members of the family, which do not suggest any guilt.

Alternative explanation 1:

.....
.....

Alternative explanation 2:

.....
..... [2]

7 In Document 2e, paragraph 4, the judge makes the following claim:

The other question for your consideration is, by whose hand the poison was administered; and we have nothing before us but circumstantial evidence

Identify **three** examples of ‘circumstantial evidence’ in what the judge goes on to say in Document 2e.

Example 1:
..... [1]

Example 2:
..... [1]

Example 3:
..... [1]

8 In Document 5, the following argument is presented:

Guilty verdicts were given in 26 of the 56 cases involving servants. The fact that so many faced charges which did not stand up in court can be seen as a sign of the prejudice of the employers of servants when something went wrong. Blame was cast immediately on the servant, regardless of whether there was actually any evidence against them.

If the following statistic was true, explain how it would weaken the above argument:

“Of the 540 poisoning cases studied overall (not only those where servants were accused), the accused was found guilty in 250.”

.....
.....
..... [2]

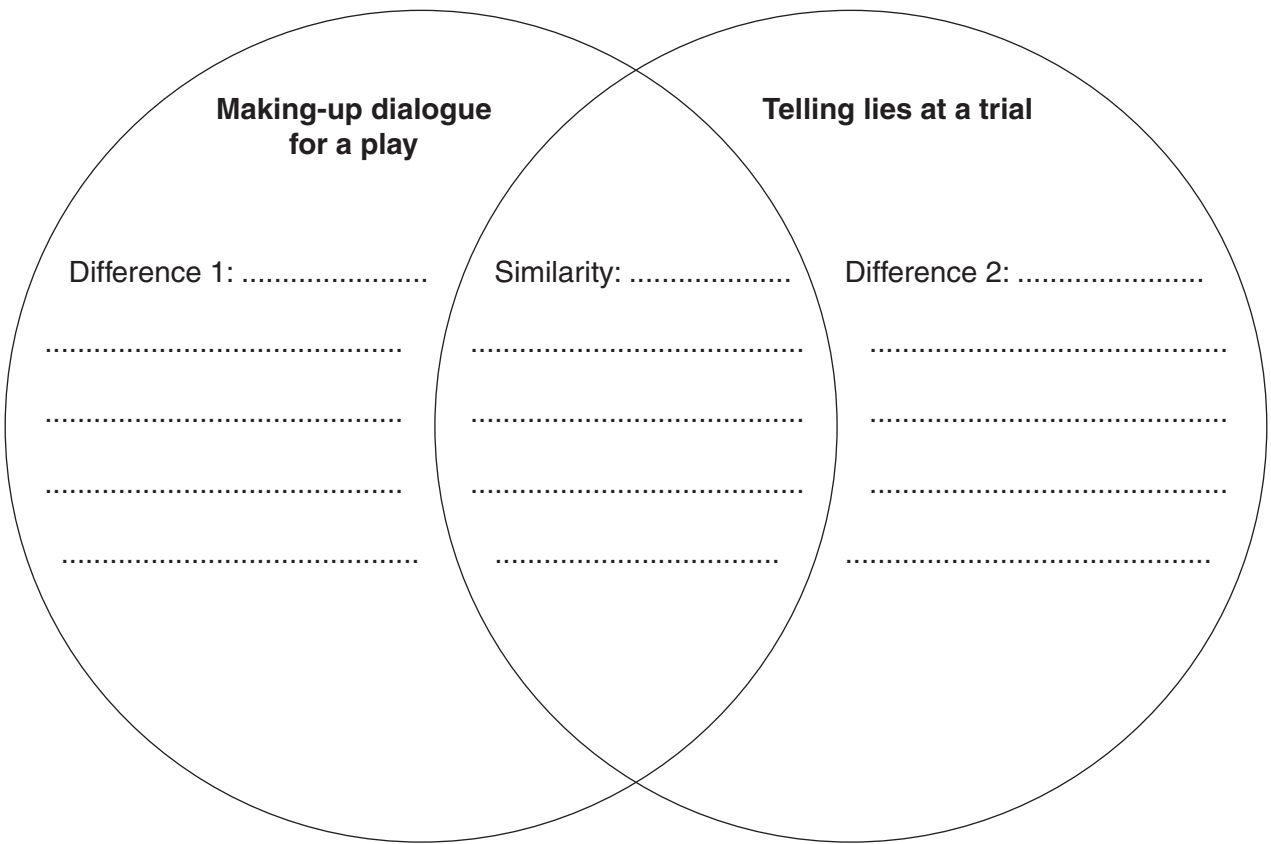
9 In Document 7 Kate says:

Putting in made-up dialogue which points the finger at Robert is just like somebody at the trial telling lies.

(a) What is the name given to this type of component in an argument?

analogy assumption counter argument example (circle **one** answer) [1]

(b) Use the Venn diagram below to identify **one** similarity and **two** clear differences between making up dialogue for a play about Eliza and witnesses telling lies at Eliza’s trial.



[3]

(c) At the end of Document 7, Nyati claims that Kate is “going over the top”. Nyati clearly does not agree with Kate’s reasoning that “Putting in made-up dialogue which points the finger at Robert is just like somebody at the trial telling lies.” Using your answer to part (b), explain whether or not you agree with Nyati.

Agree with Nyati

Disagree with Nyati

(circle **one** answer)

Explanation:
.....
.....
.....
..... [2]

Section A Total [40]

Section B: Thinking to a conclusion based on reasons and evidence.

Allow approximately 20 minutes for this section. It is worth 20 marks.

Answer all the questions in this section.

- 10** In this section you will be required to use all of your reasoning, evaluation, information processing and creative thinking skills to come to a reasoned decision or conclusion.

You may use any of the documents for evidence and information to support you in your argument.

In Document 3 a number of claims are made to support the conclusion that Eliza was guilty. For each claim listed below, give a counter claim in order to support the view that Eliza could be innocent. You may use information contained in any of the other documents or your own reasoning skills in your answers. The first one has been done for you.

Example:

Claim 1: It was not possible that any person other than Eliza could have put arsenic into the dumplings because she was the only person in the kitchen throughout the time they were being made.

Counter to Claim 1: As it says in document 4, 'There was no real evidence that what had

 made the family ill was arsenic,' so it is quite possible that nobody put any arsenic into the

 dumplings.

Claim 2: Eliza ate the dumplings herself only after the family had started to suffer ill effects and after Gadsdell had ignored her warning. She did this either to divert suspicion away from her or to try to kill herself.

Counter to Claim 2:

 [2]

Claim 3: She gave a strong warning to Roger Gadsdell not to eat any of the remaining dumplings when he came into the kitchen. She did this because she didn't want him to be poisoned.

Counter to Claim 3:

.....
.....
.....
..... [2]

11 Using the information in Document 4, identify and state three claims which are used as evidence or reasons in support of the argument that Eliza Fenning was innocent of the charge of attempted murder.

Claim 1:
..... [1]

Claim 2:
..... [1]

Claim 3:
..... [1]

13 In 1815 the legal system did not allow the accused to be questioned in court. The author of Document 3, John Paget, later claims that if Eliza had been questioned at her trial, then this would have only strengthened the case for finding her guilty. Give one reason why you might agree with this claim and one reason why you might disagree. Explain your answer.

Agree:
.....
.....
..... [2]

Disagree:
.....
.....
..... [2]

Section B Total [20]



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