

General Certificate of Education January 2013

Citizenship Studies

CIST1

Unit 1 Identity, Rights and Responsibilities

Final

Mark Scheme

Mark schemes are prepared by the Principal Examiner and considered, together with the relevant questions, by a panel of subject teachers. This mark scheme includes any amendments made at the pre-standardisation meeting attended by all senior examiners and any post-standardisation changes made in the light of students' responses. The process of standardisation ensures that the mark scheme covers the students' responses to questions and that every examiner understands and applies it in the same correct way. As preparation for standardisation, each examiner analyses a number of students' scripts, the marks for which have already been agreed. If, later in the process, examiners encounter unusual answers which have not previously been seen, they are required to refer these to a senior examiner.

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The following indicative content is to be used in conjunction with the Generic Mark Bands, which are shown here in italics. In addition to the indicative content detailed here, all relevant responses will be given credit.

Section A - Identity

0 1 What is an *underclass*?

(5 marks)

AO1

Level 3 (4-5 marks)

Answers demonstrate a range of citizenship knowledge and an accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and understanding to citizenship issues.

Response fully covers the meaning of underclass. Answers are expected to deal with the notion of class as a social group in society, based on economics, wealth, income, values, etc. An underclass is a social group at the bottom of the social strata that is sometimes considered socially excluded from mainstream society, suffering from the poverty trap, poor education, criminality, long-term unemployment, disability, homelessness, etc.

Level 2 (2-3 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers will demonstrate less comprehensive explanation of underclass, perhaps lacking the extra detail regarding social exclusion, etc.

Level 1 (1 mark)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Answers will demonstrate only basic understanding of the term underclass.

0 2 Explain, with examples, how some groups are protected by equality legislation.

(10 marks)

AO1

Level 3 (3-4 marks)

Answers demonstrate a range of citizenship knowledge and an accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and understanding to citizenship issues.

Students may be expected to show knowledge of the Equality Act 2010 which replaced other equality and anti-discrimination legislation, though students who are aware of older legislation, and that the provisions of that legislation are essentially the same, will be rewarded in this level. Characteristics covered by the act include disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. People are protected from unfair treatment, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

Level 2 (2 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers demonstrate less accurate knowledge of how some groups are protected by equality legislation, with gaps in knowledge or errors. Perhaps one or two groups mentioned.

Level 1 (1 mark)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Limited knowledge of how some groups are protected by equality legislation.

AO₂

Level 3 (3 marks)

The response contains good evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers will show explicit and detailed evaluation and/or analysis of the way groups are protected by equality legislation. Legislation prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).

Level 2 (2 marks)

The response contains evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers at this level will contain evaluation and analysis of how some groups are protected by equality legislation, but this will be more limited.

Level 1 (1 mark)

The response contains little evidence of the skills of analysis and evaluation of issues, problems or events, in relation to the citizenship concepts and topics studied.

Answers will contain very limited evaluation of how some groups are protected by equality legislation.

(0 marks) No relevant response.

AO3

Level 3 (3 marks)

A range of relevant evidence is selected and organised which forms the basis of the arguments being presented. Arguments are clear and logical and the response uses appropriate citizenship terminology. Where appropriate, the response recognises and draws upon the student's own experiences in relation to citizenship participation. The response is legible with few, if any, errors of spelling, punctuation and grammar.

Level 2 (2 marks)

A range of information is selected and organised, from which arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates an ability to discuss a wide range of key elements relating to citizenship participation. There may be occasional errors of spelling, punctuation and grammar.

Level 1 (1 mark)

There is little or no attempt to select and organise information and construct arguments. The response makes limited use of appropriate citizenship terminology. Where appropriate, the response indicates only a limited ability to discuss basic elements of citizenship participation. Errors in spelling, punctuation and grammar may be intrusive and the response may not be legible.

EITHER

0 3 Assess the reasons for the growth in 'Englishness'.

(15 marks)

A01

Level 3 (5-6 marks)

Answers demonstrate a range of citizenship knowledge and an accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and understanding to citizenship issues.

Answers demonstrate a good understanding of identity, in particular, Englishness, Britishness, Scottish, Welsh and Northern Irish identity. Students may also be aware of competing regional, European and global identities. Reward will be given for knowledge of constitutional changes, such as devolution, that have impacted on national identity and identity politics. Reward will be given to students who attempt to define 'Englishness' and also acknowledge the lack of agreement on its definition.

Level 2 (3-4 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers will contain less extensive knowledge of national identity in the context of the UK. Answers that conflate Britishness with Englishness are unlikely to get out of this level.

Level 1 (1-2 marks)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Responses will contain very limited knowledge of national identity in the context of the UK.

AO₂

Level 3 (4-5 marks)

The response contains good evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers will examine the extent of the growth of Englishness. Reasons given may include devolution in other parts of the UK, the cost to the English taxpayer of devolution, the decline of Britishness, growing Euroscepticism, a greater confidence in England as a nation, etc. Negative reasons for growth, such as support for the English Defence League, may also be rewarded. Students who challenge the question may be rewarded.

Level 2 (2-3 marks)

The response contains evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers are likely to show less depth of analysis, be more unbalanced or not have the range of arguments. Answers that conflate Britishness with Englishness are unlikely to get out of this level.

Level 1 (1 mark)

The response contains little evidence of the skills of analysis and evaluation of issues, problems or events, in relation to the citizenship concepts and topics studied.

Little evidence of analysis and evaluation of the growth of Englishness is likely to be seen.

(0 marks) No relevant response.

AO3

Level 3 (3-4 marks)

A range of relevant evidence is selected and organised which forms the basis of the arguments being presented. Arguments are clear and logical and the response uses appropriate citizenship terminology. Where appropriate, the response recognises and draws upon the student's own experiences in relation to citizenship participation. The response is legible with few, if any, errors of spelling, punctuation and grammar.

Level 2 (2 marks)

A range of information is selected and organised, from which arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates an ability to discuss a wide range of key elements relating to citizenship participation. There may be occasional errors of spelling, punctuation and grammar.

Level 1 (1 mark)

There is little or no attempt to select and organise information and construct arguments. The response makes limited use of appropriate citizenship terminology. Where appropriate, the response indicates only a limited ability to discuss basic elements of citizenship participation. Errors in spelling, punctuation and grammar may be intrusive.

OR

10 4 'There are many good reasons to move to the UK.' Assess some of the factors influencing why people migrate to the UK. (15 marks)

AO1

Level 3 (5-6 marks)

Answers demonstrate a range of citizenship knowledge and an accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and understanding to citizenship issues.

Answers demonstrate a good understanding of the pull factors that may influence people to migrate to the UK. Reasons might include economy/wealth/jobs, asylum, way of life/culture, English language, tolerance, welfare state, health provision, friendliness of the locals, join family, European Union membership, being an 'easy touch', an 'open door' immigration policy, freedom and democracy, etc. Students will be rewarded for knowledge of trends and waves of immigration and the underlying reasons for those trends, eg Eastern European migration to the UK after the 2004 and 2007 EU enlargements.

Level 2 (3-4 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers will contain less extensive knowledge of reasons for migration to the UK.

Level 1 (1-2 marks)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Responses will contain very limited knowledge of reasons for migration to the UK.

(0 marks) No relevant response.

AO2

Level 3 (4-5 marks)

The response contains good evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers will examine the pull factors that influence people's decision to migrate to the UK. Students may argue that the UK is a rich, tolerant, liberal, open society, with world class health and welfare systems, political stability and a positive global image. Some students may argue that the UK has been too open and that migrants have been taking advantage of British hospitality. Students may question why migrants come to the UK rather than go

to other states. Reward will be given for students who mention wealthy and educated people who are leaving the UK in a so-called 'brain drain' due to high taxes and declining opportunities. Likewise, mention of British citizens and others who leave to live in other countries, perhaps to return home or to retire or change their lifestyle, will also be rewarded. Discussion of temporary migration may also be rewarded.

Level 2 (2-3 marks)

The response contains evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers are likely to show less depth of analysis, be more unbalanced or not have the range of arguments.

Level 1 (1 mark)

The response contains little evidence of the skills of analysis and evaluation of issues, problems or events, in relation to the citizenship concepts and topics studied.

Little evidence of analysis and evaluation of migration is likely to be seen.

(0 marks) No relevant response.

AO3

Level 3 (3-4 marks)

A range of relevant evidence is selected and organised which forms the basis of the arguments being presented. Arguments are clear and logical and the response uses appropriate citizenship terminology. Where appropriate, the response recognises and draws upon the student's own experiences in relation to citizenship participation. The response is legible with few, if any, errors of spelling, punctuation and grammar.

Level 2 (2 marks)

A range of information is selected and organised, from which arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates an ability to discuss a wide range of key elements relating to citizenship participation. There may be occasional errors of spelling, punctuation and grammar.

Level 1 (1 mark)

There is little or no attempt to select and organise information and construct arguments. The response makes limited use of appropriate citizenship terminology. Where appropriate, the response indicates only a limited ability to discuss basic elements of citizenship participation. Errors in spelling, punctuation and grammar may be intrusive.

Section B Rights and Responsibilities

0 5 Briefly explain what is meant by *human rights*.

(5 marks)

AO1

Level 3 (4-5 marks)

Answers demonstrate a range of citizenship knowledge and an accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and understanding to citizenship issues.

Response that fully explains both *human* **and** *rights* in detail. Human means conferred on the basis of being a living individual and a right is an entitlement. A *human right* is a universal, natural, inalienable entitlement for people on the planet. *Human rights* can be contrasted to more specific rights such as political, social, civil rights, etc. Examples, if included, may include right to life, right not to be tortured, right not to be a slave, etc.

Level 2 (2-3 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers will demonstrate less comprehensive understanding of human rights, perhaps lacking the extra detail regarding inalienability and universality, and may over-rely on examples.

Level 1 (1 mark)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Answers will demonstrate only basic understanding of the term human rights.

(0 marks) No relevant response.

0 6 Explain the main differences between solicitors and barristers.

(10 marks)

AO1

Level 3 (3-4 marks)

Answers demonstrate a range of citizenship knowledge and an accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and understanding to citizenship issues.

Answers will include a number of detailed differences between barristers and solicitors including training, role and, possibly, salary. Knowledge of cross-over roles, eg solicitor advocates, etc, will also be rewarded.

Level 2 (2 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers will demonstrate less accurate knowledge of differences between barristers and solicitors.

Level 1 (1 mark)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Answers will demonstrate limited knowledge of differences between barristers and solicitors. Examples may not be given or may not be accurate.

(0 marks) No relevant response.

•

Level 3 (3 marks)

AO2

The response contains good evidence of the skills of analysis and

evaluation of issues, problems or events in relation to the citizenship

concepts and topics studied.

Answers will give full explanation of the differences between barristers and solicitors. Both barristers and solicitors are educated to graduate level. Barristers must train at one of the four Inns of Court, solicitors have alternative training. Barristers must serve a pupillage with a senior barrister, solicitors in appropriate legal practices. Barristers are self-employed, solicitors are either self-employed or employed by firms in a number of settings. Barristers are registered with the Bar Council, solicitors with the Law Society. Solicitors give legal advice and prepare legal documents, and they help people buy houses. Barristers are advocates in court and provide specialist legal opinion. Solicitors meet with members of the public, barristers do not, but are referred by solicitors. Answers will make explicit distinctions between the two professions.

Level 2 (2 marks)

The response contains evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers will contain differences between barristers and solicitors, but they will be more limited or general. Answers that make implicit distinctions between the two professions will be in this level.

Level 1 (1 mark)

The response contains little evidence of the skills of analysis and evaluation of issues, problems or events, in relation to the citizenship concepts and topics studied.

Answers will contain very limited explanations of the differences between the barristers and solicitors.

(0 marks)

No relevant response.

AO3

Level 3 (3 marks)

A range of relevant evidence is selected and organised which forms the basis of the arguments being presented. Arguments are clear and logical and the response uses appropriate citizenship terminology. Where appropriate, the response recognises and draws upon the student's own experiences in relation to citizenship participation. The response is legible with few, if any, errors of spelling, punctuation and grammar.

Level 2 (2 marks)

A range of information is selected and organised, from which arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates an ability to discuss a wide range of key elements relating to citizenship participation. There may be occasional errors of spelling, punctuation and grammar.

Level 1 (1 mark)

There is little or no attempt to select and organise information and construct arguments. The response makes limited use of appropriate citizenship terminology. Where appropriate, the response indicates only a limited ability to discuss basic elements of citizenship participation. Errors in spelling, punctuation and grammar may be intrusive and the response may not be legible.

EITHER

0 7

Assess the view that UK citizens have too many rights.

(15 marks)

AO1

Level 3 (5-6 marks)

Answers demonstrate a range of citizenship knowledge and an accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and understanding to citizenship issues.

Answers demonstrate a good understanding of rights held by UK citizens. Examples include social, legal, moral, political, civil, consumer, health, educational, human, against discrimination, property, etc. Knowledge of UK citizens' responsibilities may be expected. Reward will be given for knowledge of when and how rights were achieved. Reward will also be given for explanation of rights and context.

Level 2 (3-4 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers will contain less extensive knowledge of rights held by UK citizens.

Level 1 (1-2 marks)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Responses will contain very limited knowledge of rights held by UK citizens.

(0 marks) No relevant response.

AO₂

Level 3 (4-5 marks)

The response contains good evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers will assess the arguments over whether UK citizens have too many rights. Students may argue that you cannot have too many rights, that most rights are justifiable, that citizens need to fulfil their responsibilities to earn rights, that human rights are too freely claimed and therefore there are too many rights, etc. Reward will be given for relevant examples, eg discussion of the right to privacy. Balance is expected for answers in this level.

Level 2 (2-3 marks) The response contains evidence of the skills of analysis and

evaluation of issues, problems or events in relation to the citizenship

concepts and topics studied.

Answers are likely to show less depth of analysis, be more

unbalanced or not have the range of arguments.

Level 1 (1 mark) The response contains little evidence of the skills of analysis and

evaluation of issues, problems or events, in relation to the

citizenship concepts and topics studied.

Little evidence of analysis and evaluation of UK citizens' rights is

likely to be seen.

(0 marks) No relevant response.

AO3

Level 3 (3-4 marks) A range of relevant evidence is selected and organised which forms

the basis of the arguments being presented. Arguments are clear and logical and the response uses appropriate citizenship terminology. Where appropriate, the response recognises and draws upon the student's own experiences in relation to citizenship

participation. The response is legible with few, if any, errors of

spelling, punctuation and grammar.

Level 2 (2 marks) A range of information is selected and organised, from which

arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates an ability to discuss a wide range of key elements relating to citizenship participation. There may be

occasional errors of spelling, punctuation and grammar.

Level 1 (1 mark) There is little or no attempt to select and organise information and

construct arguments. The response makes limited use of appropriate citizenship terminology. Where appropriate, the response indicates only a limited ability to discuss basic elements of

citizenship participation. Errors in spelling, punctuation and

grammar may be intrusive.

(0 marks) No relevant response.

OR

0 8 'The European Court of Human Rights has too much power in the UK.'

Discuss this view.

(15 marks)

AO1

Level 3 (5-6 marks) Answers demonstrate a range of citizenship knowledge and an

accurate understanding of relevant citizenship concepts and theories. A range of examples is used to relate knowledge and

understanding to citizenship issues.

Answers will demonstrate knowledge of the European Convention on Human Rights and the European Court of Human Rights in Strasbourg. Reward will be given for knowledge of the circumstances in which UK citizens can take their case to the ECtHR, namely when they have exhausted their resort to UK courts. Students will show knowledge of the relationship between the UK and the Court. The rulings of the court are not legally binding on the UK in the sense that they do not overrule acts of Parliament and Parliament is still sovereign. However, they are binding on the UK as the UK is bound by an international treaty that it signed in 1953 (though the treaty was not ratified by Parliament at that time). The Court can award damages against offending states. The ECtHR has nothing to do with the EU and the European Court of Justice. Knowledge of links between the Convention and the Human Rights Act 1998 will be rewarded.

Level 2 (3-4 marks)

Answers are characterised by a good level of citizenship knowledge and an understanding of relevant citizenship concepts and theories. Examples are used to relate knowledge and understanding to citizenship issues.

Answers will contain less extensive knowledge of the ECtHR and its powers.

Level 1 (1-2 marks)

Answers are characterised by limited citizenship knowledge and limited understanding of relevant concepts and theories. Students may make a limited attempt to use examples to relate knowledge and understanding to citizenship issues, or no examples may be present.

Responses will contain very limited knowledge of the ECtHR and its powers.

(0 marks) No relevant response.

AO2

Level 3 (4-5 marks)

The response contains good evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers will assess arguments over whether the ECtHR has too much power in the UK. Students could argue that the court is unelected, unaccountable, staffed by under-qualified, inexperienced judges, with little understanding of English/British culture and jurisprudence, and makes apparently peculiar decisions that are ultimately undemocratic as they go against the wishes of the British people and their Parliament. Examples could include prisoners' votes issue, but also terrorism cases, DNA database, right to family life cases, etc. On the other hand, fundamental principles of democracy and the rule of law include the independence and neutrality of the judiciary, fundamental rights cannot and should not be able to be overridden by legislative acts, the court is an ultimate recourse for those who claim they have had their rights breached, and Parliament could withdraw us from the Convention obligations

at any time. There is an argument that the court is not too powerful and is merely doing its job as defined by Convention. Reward will also be given to students who refer to the fact that UK citizens can go to UK courts for redress, due to the HRA and its incorporation of the ECHR.

Level 2 (2-3 marks)

The response contains evidence of the skills of analysis and evaluation of issues, problems or events in relation to the citizenship concepts and topics studied.

Answers are likely to show less depth of analysis, be more unbalanced or not have the range of arguments.

Level 1 (1 mark)

The response contains little evidence of the skills of analysis and evaluation of issues, problems or events, in relation to the citizenship concepts and topics studied.

Little evidence of analysis and evaluation of the powers of the ECtHR are likely to be seen.

(0 marks) No relevant response.

AO3

Level 3 (3-4 marks)

A range of relevant evidence is selected and organised which forms the basis of the arguments being presented. Arguments are clear and logical and the response uses appropriate citizenship terminology. Where appropriate, the response recognises and draws upon the student's own experiences in relation to citizenship participation.

Level 2 (2 marks)

A range of information is selected and organised, from which arguments are developed. The response makes good use of appropriate citizenship terminology. Where appropriate, the response indicates an ability to discuss a wide range of key elements relating to citizenship participation. There may be occasional errors of spelling, punctuation and grammar.

Level 1 (1 mark)

There is little or no attempt to select and organise information and construct arguments. The response makes limited use of appropriate citizenship terminology. Where appropriate, the response indicates only a limited ability to discuss basic elements of citizenship participation. Errors in spelling, punctuation and grammar may be intrusive.

ASSESSMENT OBJECTIVE GRID

	Section A			Section B			
Assessment Objective	Marks allocated by Assessment Objective Question 01	Marks allocated by Assessment Objective Question 02	Marks allocated by Assessment Objective Questions 03 and 04	Marks allocated by Assessment Objective Question 05	Marks allocated by Assessment Objective Question 06	Marks allocated by Assessment Objective Question 07 and 08	Total Marks by Assessment Objective
AO1	5	4	6	5	4	6	30
AO2	0	3	5	0	3	5	16
AO3	0	3	4	0	3	4	14
Total	5	10	15	5	10	15	60