Chartered Trading Standards Institute qualifications

Qualifications Framework Examiner's report

Qualifications Framework

Stage 1: Regulatory Environment and Enforcement Examiner's Report May 2026

General

Well done to all candidates who undertook the Unit 1 examination paper in the May 2026 cycle. Undertaking study and assessments is a big commitment and 9 students sat the May paper. Marks ranged from 29% to an impressive 76%.

The candidates' performance across the paper was mixed, with some candidates demonstrating stronger performance where they adopted a structured and methodical approach and tailored responses to address the elements of the question.

Candidates who achieved the highest marks clearly identified the legal issue, explained the relevant principles, supported their discussion with the relevant legislation and case law, and then applied the law directly to the question. Lower-scoring responses often lacked sufficient detail, failed to answer all elements of the question set, or discussed related topics rather than the specific area being assessed.

Advice for future candidates:

- Read each question carefully and answer the question set rather than writing everything known about the general topic of the question.
- Provide sufficient depth in higher-mark questions, particularly Part B questions worth 35 marks.
- Identify and apply relevant legislation and case law.
- Apply legal principles to the facts rather than providing purely descriptive answers.
- Use the reading time effectively to select questions that best match your knowledge and strengths.

Section A

Q1. Answered by 2 candidates with marks ranging from 5–10.
This question assessed a candidate's knowledge of the full code test contained within the Code for Crown Prosecutors. Strong answers provided by candidates identified both the evidential test and the public interest test and provided sufficient detail about the questions prosecutors must consider at each stage. One candidate achieved an impressive 10 out of 10. Responses achieving lower marks generally identified the tests but failed to explain the decision-making process in sufficient detail.

Q2. Four candidates answered this question.
For this question, candidates were required to explain the doctrine of common mistake/error, using case law and a practical example. Some candidates demonstrated some confusion between the law of common mistake and misrepresentation, whilst other candidates discussed mutual or unilateral mistake instead of the doctrine specified in the question. Higher-scoring responses remained focused on the relevant legal concepts, identified the necessary elements and supported their analysis with relevant case law and a practical example.

Q3. Six candidates elected to answer this question with marks ranging from 1–8.
This question explored the importance of voluntary consent in contract law and required a discussion of duress/force and fear and undue influence. The strongest responses demonstrated a clear understanding of free consent, supported their discussion with relevant case law and linked these principles directly to the question. Weaker responses demonstrated gaps in understanding of these vitiating factors.

Q4. Six candidates answered this question and marks ranged from 3–7.
Candidates were required to discuss the doctrine of judicial precedent and the role of case law in legal development. Strong responses adopted a methodical structure, covering binding and persuasive precedent, the hierarchy of the courts, and methods of departing from or distinguishing precedent. References to the Practice Statement and the Young v Bristol Aeroplane exceptions often distinguished stronger answers.

Q5. Only one candidate selected to answer this question.
Part (a) of this question required candidates to demonstrate a good understanding of producer liability under the Consumer Protection Act 1987, identifying manufacturers, own-branders and importers liability. Part (b) of the question required a discussion of the statutory approach to defectiveness, including factors such as safety expectations, warnings, marketing and foreseeable use etc.

Q6. This popular question was answered by 7 out of 9 candidates and marks ranged from 2–8.
Part (a) of this question required candidates to explain the purposes of criminal law. Better responses discussed protection of the public, protection of property, deterrence, punishment and maintenance of social order. Part (b) was generally answered well, with most candidates accurately identifying and explaining actus reus and mens rea. Strict liability proved more challenging for some candidates and would benefit from further revision. Where a question has bullet points or several elements; candidates who addressed each point achieved higher marks.

Section B

Q7. This was the most popular Section B question, with 7 candidates electing to answer it. Marks ranged from 9–18 out of 35.

The question focused on the Consumer Rights Act 2015 and the application of contract law principles to the given scenario. Strong responses adopted a structured approach by identifying the relevant parts of the legislation, explaining the relevant requirements of each section, applying the law to the facts given, and then identifying relevant case law and remedies. Candidates who identified key breaches of law such as misdescription of the goods, issues with goods not being of a satisfactory quality, mixed contracts with faulty installation, the service not being provided using reasonable care and skill, goods not being fit for a particular purpose and identified the relevant remedies under the Consumer Rights Act 2015 and contract law, achieved higher marks. The question also required candidates to identify the pre-court protocol requirements of sending a letter before action to the trader of their intention to take court action and providing a reasonable time for a resolution, the relevant court that a claim would be made in and identifying that the balance of probabilities would apply to the civil claim. To maximise marks, candidates should also recognise the need for a consumer-trader contract before statutory rights arise and ensure they are identifying these key aspects of contract law. The question also required the answer to be in a letter format. A lack of detail, insufficient statutory references and limited application to the facts were some of the reasons candidates achieved lower marks in this question.

Q8. 5 candidates selected to answer this question and marks achieved for this question ranged from 9 – 26.

This question required candidates to apply contract law principles to a car park scenario. Strong candidates allocated time proportionately across the four parts of the question. Part (a) of the question focuses on contract formation, and this part of the question was generally answered well. Candidates who identified the key elements of contract formation such as offer, acceptance, consideration and an intention to create legal relations, and applied these to the facts of the scenario, achieved strong marks for this part of the question.

Part (b) of the question provided candidates with the opportunity to demonstrate their knowledge of express and implied terms relevant to the scenario, using examples to aid the discussion. This part of the question exposed some confusion regarding implied terms and what these are. A detailed knowledge of contract terms is required for this unit.

Part (c) required candidates to provide a discussion about consumer terms and conditions and consumer notices under Part Two of the Consumer Rights Act 2015. Stronger responses supported their analysis with case law such as Thornton v Shoe Lane Parking, and applied it to the given scenario. A discussion of the bar on exclusions or restrictions on death or personal injury caused by the trader's negligence was also required, and a discussion that such terms are 'blacklisted' and automatically unfair. A lack of detail in this part of the question affected the marks achieved for some candidates.

Part (d) generated some excellent responses, including gathering further evidence, civil enforcement options under the Digital Markets, Competition and Consumers Act 2024, use of powers to request removal of the notice and injunctive action.

Q9. Only one candidate attempted this question. A high mark was achieved by this candidate.

Candidates were required to clearly distinguish between representations, contractual terms and mere sales puff, as well as demonstrating a strong understanding of actionable misrepresentation, the different categories of misrepresentation and the available remedies. Identifying key elements of actionable misrepresentation such as a false statement of fact or law, or for Scottish candidates, a unilateral induced error, a significant inducement to enter into the contract and relevant case law, such as Attwood v Small etc.

A clear explanation of the different types of misrepresentation such as fraudulent, negligent and innocent misrepresentation, supported by relevant legislation and case law.

For example, relevant areas of discussion would include the Misrepresentation Act 1967 and Hedley Byrne & Co v Heller & Partners for English and Welsh candidates or key case law such as Cramaso LLP v Ogilvie-Grant (Earl of Seafield) and Others for Scottish candidates.

Candidates should also clearly identify the remedies available for each type of misrepresentation, as these differ. This question provided a good opportunity for candidates to demonstrate their knowledge in this detailed area of the Unit 1 syllabus.

Q10. 5 candidates elected to answer this question and the marks achieved were between 17 to an impressive 29.

Part (a) of the question provided an opportunity for candidates to define Alternative Dispute Resolution and to identify four types of ADR. Examples could include mediation, conciliation, adjudication and arbitration.

Part (b) focused on Ombudsman schemes and their role in the consumer protection landscape. Answers which provided an explanation of Ombudsman schemes, provided a clear example, such as the Financial Ombudsman Service and the role of Ombudsman within the consumer protection landscape achieved higher marks. A lack of detail in this part of the question led to some candidates not achieving many marks for this part of their answer.

Part (c) of the question required a discussion of benefits and disadvantages of compulsory ADR in the home improvement and motor vehicle sectors. The question also required relevant examples to be provided. Candidates who adopted a step-by-step approach and a balanced discussion of the advantages and disadvantages of compulsory ADR generally performed well in this part of the question.