

## TEST 2, WRITING TASK 2

### SAMPLE ANSWER

This is an answer written by a candidate who achieved a **Band 7.5** score. Here is the examiner's comment:

This is a thoughtful and well-argued response to the task. The candidate examines the opposing views of the topic and gives a clear opinion that is well developed and supported. To reach the highest band a more clearly-signalled conclusion would be needed. The argument is well organised and linking is well managed throughout. The development of the answer is not helped, however, by poor control of paragraphing which sometimes confuses the links across different sections. This is a weak feature of the script which limits the overall rating. In contrast, an excellent range of vocabulary is used with a sophisticated level of control and only rare slips. The range of structures is also wide and most sentences are accurate and precise, but there are some errors and omissions. These, however, are only minor and do not affect communication.

Fixing punishments for each type of crime has been a debateable issue. There are many arguments supporting both views, those for and those against fixed punishments.

On the one hand, fixed punishments will have a deterring effect on society. Individuals knowing that they will be subject to a certain punishment if they are convicted with a given crime, will reconsider committing this act in the first place.

This deterring effect also leads to social stability and security, through minimising the number of crimes committed.

If people knew they would be able to convince the court or the jury of a reason for having committed the crime they are accused of, penal decisions would be largely arbitrary. This would result into criminals getting away with their crimes and into a high level of injustice caused by the subjective approach of different courts.

On the other hand, taking the circumstances of a crime and its motivation into consideration is a prerequisite for establishing and ensuring justice and equity.

A person killing in self-defense cannot be compared to a serial killer, moving from one victim to the next. In my opinion an intermediary position between both solutions is the perfect way to establish and ensure justice and equity.

There have to be fixed punishments for all crimes. However, criminal laws have to provide for a minimum and a maximum for the punishment and the laws also have to foresee certain cases of exemptions.

An example for setting minimum and maximum penalties is Competition Law where a person being held liable of a crime under this law will be convicted to pay a fine, according to the harm caused by the violation and the profit gained by the violator through committing the crime.

As for the exemptions, in some countries the law exempts thieves stealing food during a period of famine taking into consideration the distress and hunger.

Also, a person killing in self-defense will be exempted from punishment.