GCE AS MARKING SCHEME

SUMMER 2018

AS (NEW)
GOVERNMENT AND POLITICS - UNIT 2
2160U20-1

INTRODUCTION

This marking scheme was used by WJEC for the 2018 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

It is hoped that this information will be of assistance to centres but it is recognised at the same time that, without the benefit of participation in the examiners' conference, teachers may have different views on certain matters of detail or interpretation.

WJEC regrets that it cannot enter into any discussion or correspondence about this marking scheme.

GCE GOVERNMENT AND POLITICS UNIT 2

SUMMER 2018 MARK SCHEME

UNIT 2: Living and participating in a democracy

Mark Scheme Post QPEC

Marking guidance for examiners

Summary of assessment objectives for Unit 2

The questions in Section A assess AO1. The questions in Section B assess both AO1 and AO2. The questions in Section C assess both AO1 and AO3. The assessment objectives focus on the ability to demonstrate knowledge and understanding of relevant institutions, processes, political concepts, theories and issues (AO1); the ability to interpret and apply political information to identify and explain relevant similarities, differences, and connections (AO2), and the ability to analyse and evaluate the areas of government and politics studied to construct arguments, make substantiated judgements and draw conclusions (AO3).

The structure of the mark scheme

The mark scheme for each question has two parts:

- Advice outlining indicative content which can be used to assess the quality of the specific response. The content is not prescriptive and candidates are not expected to mention all the material referred to. Examiners should seek to credit any further admissible evidence offered by the candidates.

- An assessment grid advising bands and associated marks that should be allocated to responses which demonstrate the characteristics needed in AO1, AO2 and AO3.

Deciding on the mark awarded within a band

- The first stage for an examiner is to use both the indicative content and the assessment grid to decide the overall band.
- The second stage is to decide how firmly the characteristics expected for that band are displayed.
- Thirdly a final mark for the question can then be awarded.

Organisation and communication

This issue should have bearing if the standard of organisation and communication is inconsistent with the descriptor for the band in which the answer falls. In this situation, examiners may decide not to award the highest mark in the band.

Level Descriptors

Using 'best–fit', decide first which set of level descriptors best describes the overall quality of the answer. The following grid should inform your decision as to which band the answer belongs. (N.B. The majority of questions follow a four band structure. However, when the question has three bands 'Adequate' as a descriptor has been removed.)

	AO1	AO2	AO3
Thorough	• Aware of a wide range of detailed and accurate knowledge. • Demonstrates fully developed understanding that shows relevance to the demands of the question. • Evidence/examples are well chosen. • Precision in the use of terminology.	• Knowledge and understanding is consistently applied to the context of the question. • Is able to form a clear, developed and convincing interpretation of evidence that is fully accurate. • Is able to fully identify and explain similarities, differences and connections where relevant.	• Analysis and evaluation skills are used in a consistently appropriate and effective way. • An effective and balanced argument is constructed. • Detailed and substantiated evaluation that offers secure judgements leading to rational conclusions.
Reasonable	• Has a range of detailed and accurate knowledge. • Demonstrates well developed understanding that is relevant to the demands of the question. • Evidence/examples are appropriate. • Generally precise in the use of terminology.	• Knowledge and understanding is mainly applied to the context of the question. • Is able to form a clear and developed interpretation of evidence that is mostly accurate. • Is partially able to identify and explain similarities, differences and connections where relevant.	• Analysis and evaluation skills are mostly used in a suitable way and with a good level of competence and precision. • An accurate and balanced argument is constructed. • Detailed evaluation that offers generally secure judgements, with some link between rational conclusions and evidence.
Adequate	• Shows some accurate knowledge. • Demonstrates partial understanding that is relevant to the demands of the question. • Evidence/examples are not always relevant. • Some use of appropriate terminology.	• Knowledge and understanding is partially applied to the context of the question. • Is able to form a sound interpretation of evidence that shows some accuracy. • Makes some attempt to identify and explain similarities, differences and connections where relevant.	• Analysis and evaluation skills are used in a suitable way with a sound level of competence but may lack precision. • An imbalanced argument is constructed. • Sound evaluation that offers generalised judgements and conclusions, with limited use of evidence.
Limited	• Limited knowledge with some relevance to the topic or question. • Little or no development seen. • Evidence/examples are not made relevant. • Very little or no use of terminology.	• Knowledge and understanding is applied in a weak manner to the context of the question. • Can only form a simple interpretation of evidence, if at all, with very limited accuracy. • Makes weak attempt to identify and explain similarities, differences and connections where relevant.	• Analysis and evaluation skills are used with limited competence. • Unsupported evaluation that offers simple or no conclusions.

Question 1

Using examples describe the main features of the Rule of Law. **[6]**

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In describing the main features of the Rule of Law, candidates are expected to demonstrate knowledge and understanding of the part it plays in the governance of the United Kingdom. In demonstrating this knowledge and understanding candidates are required to give an answer which is focused on describing the features of the Rule of Law. The response might consider issues such as:

- Government is not above the law, e.g. Ministers are accountable.
- Institutions of government, e.g. the police and courts are not above the law, as the Stephen Lawrence and Hillsborough Disaster cases demonstrated.
- Individuals are not above the law.
- It prescribes those actions which are injurious to others, e.g. murder, theft.
- It makes clear that all citizens are treated equally and fairly, e.g. evidence is gathered lawfully, a defendant is innocent until proven guilty.
- Any other relevant information about the Rule of Law.

Band	Marks	AO1
3	5-6	Thorough knowledge and understanding of the Rule of Law, using a range of relevant evidence/examples.
2	3-4	Reasonable knowledge and understanding of the Rule of Law, with some use of evidence/examples.
1	1-2	Limited knowledge and understanding of the Rule of Law, with limited evidence/examples.
	0	Response not creditworthy or not attempted.

Question 2

Using examples explain what is meant by citizenship. **[6]**

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In explaining what is meant by citizenship, candidates are expected to demonstrate knowledge and understanding of the main features of citizenship. In demonstrating this knowledge and understanding candidates are required to give an answer which is focused on explaining what is meant by citizenship. The response might consider issues such as:

- It refers to being a member of a state e.g. being a British citizen.
- It implies that a person has possession of certain fundamental political rights e.g. the right to vote.
- It implies that a person has possession of certain fundamental civil rights e.g. freedom from police detention without charge.
- It implies that a person has a responsibility to the community e.g. to respect and abide by the rule of law.
- It can refer to a person being part of a larger community than just a state, and wanting to contribute to a wider set of values and practices e.g. global citizenship applies to someone who identifies with being part of the world community, or being an EU citizen applies to someone who sees themselves as being a European and part of the European community.
- Any other relevant information about citizenship.

Band	Marks	AO1
3	5-6	Thorough knowledge and understanding of citizenship, using a range of relevant evidence/examples.
2	3-4	Reasonable knowledge and understanding of citizenship, with some use of evidence/examples.
1	1-2	Limited knowledge and understanding of citizenship, with limited evidence/examples
	0	Response not creditworthy or not attempted.

Question 3

Read the extract below and answer the question that follows.

Extract A

Electoral Reform

There is little doubt that an element of proportional representation leads to a strengthening of 'third' parties and coalition as the basis for majority government. The Conservatives may claim that the present First Past the Post system provides accountability, since the voters normally choose the government, and that the single-member constituency is a valuable part of our political system. The reformers have on their side the persisting failure of the First Past the Post system to reflect what has become a multi-party system. Without reform Britain is blessed with, or condemned to, permanent single party government.

[Extract adapted from Madgwick. P. (1994) *A new introduction to British Politics*, Stanley Thorne.]

Using Extract A as well as your own knowledge, compare and contrast the First Past the Post electoral system with the Additional Member electoral system. **[24]**

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In comparing the First Past the Post (FPTP) and Additional Member (AMS) electoral systems candidates are expected to demonstrate the ability to interpret and apply political information of the systems and explain similarities and differences between them. In demonstrating this candidates are required to give an answer which is focused on any relevant connections between the two. The response might consider issues such as:

- FPTP has clarity and accountability as suggested in the extract. AMS is a mixed or hybrid system and about two-thirds of seats are elected by FPTP, and used in Welsh Assembly elections.
- FPTP discourages small parties. AMS benefits smaller parties as suggested in the extract.
- FPTP unfair to 'third parties' as suggested in the extract. AMS strengthens 'third parties' as implied in the extract.
- FPTP many constituency votes are 'wasted'. AMS each voter has a second vote for a party, seats awarded according to the proportion of second votes the party gets.
- FPTP does not guarantee a majority government.
- Any other relevant information.

Band	Marks	AO1	Marks	AO2
4	7-8	• Thorough knowledge and understanding of FPTP and AMS electoral systems. • Evidence/examples used are well chosen. • Depth and range to material used. • Effective use of terminology.	13-16	• Thorough application of political knowledge to the source. • Thorough interpretation of political information on FPTP and AMS. • Thorough explanation of relevant similarities, differences and connections between FPTP and AMS.
3	5-6	• Reasonable knowledge and understanding of FPTP and AMS electoral systems. • Evidence/examples used are appropriate. • Depth and range to material used, but not in equal measure. • Good use of terminology.	9-12	• Reasonable application of political knowledge to the source. • Reasonable interpretation of political information on FPTP and AMS. • Reasonable explanation of relevant similarities, differences and connections between FPTP and AMS.
2	3-4	• Adequate knowledge and understanding of FPTP and AMS electoral systems. • Evidence/examples used are not always relevant. • Depth or range to material used. • Some appropriate use of terminology.	5-8	• Adequate application of political knowledge to the source. • Adequate interpretation of political information on FPTP and AMS. • Adequate explanation of relevant similarities, differences and connections between FPTP and AMS.
1	1-2	• Limited knowledge and understanding of FPTP and AMS electoral systems. • Evidence/examples used are not made relevant. • Very little use of terminology.	1-4	• Limited application of political knowledge to the source. • Limited interpretation of political information on FPTP and AMS. • Limited explanation of relevant similarities, differences and connections between FPTP and AMS.
	0	Response not creditworthy or not attempted.		

Question 4

Read the extract below and answer the question that follows.

Extract B

Pressure Groups

Pressure groups assist the process of interaction between government and the people, either directly or indirectly. They vary not only in size and objectives, but also in their access to and influence on government, both at the domestic and international level. Consultation in the policy formation process is vital to the success or otherwise of policy implementation. Both insider and outsider pressure groups are interested in securing avenues into the processes of government, exerting pressure on government departments and on Members of Parliament to further their objectives. Many pressure groups also wish to raise people's awareness of a particular issue.

[Extract adapted from Barnett. H. *Britain Unwrapped,* Penguin (2002)]

Using Extract B as well as your own knowledge, explain the differences between insider and outsider pressure groups **[24]**

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In explaining the differences between insider and outsider pressure groups, candidates are expected to demonstrate the ability to interpret and apply political information of the different types of pressure groups. In demonstrating this candidates are required to give an answer which is focused on connections between the different types of pressure groups. The response might consider issues such as:

- Insider groups succeed in becoming a part of the decision-making process itself as suggested in the extract.
- Insider groups take part in the development of policy and hope to mould it to their own benefit as suggested in the extract.
- Insider groups may be able to prevent unfavourable legislation at an early stage.
- Insider groups provide useful and specialised information in the policy stage.
- Some insider groups have permanent seats on government committees and agencies, e.g. National Farmers' Union (NFU).
- Some insider groups have actually been set up by government and funded by taxpayers' money, e.g. Commission for Equality and Human Rights (CEHR).
- Typical insider group, e.g. Confederation of British Industry (CBI) regularly produces reports on business and inform legislation makers of attitudes to taxation, employment regulations, trade and economic policy.
- Outsider groups prefer to remain outside the governing process in order to preserve their independence and their freedom of action.
- Outsider groups have no special links with government but seek to influence decision makers by mobilizing public opinion.
- Some outsider group, e.g. Greenpeace, as an organisation undertake acts of civil disobedience such as disrupting international conferences to influence and change opinion and policy – as an insider group they would not be able to operate in this way.
- Some outsider groups would like to become insider groups but have not yet been invited into the governing process, e.g. Countryside Alliance. These types of groups have been described as 'aspiring insiders'.
- Any other relevant information.

7

Band	Marks	AO1	Marks	AO2
4	7-8	• Thorough knowledge and understanding of insider and outsider pressure groups. • Evidence/examples used are well chosen. • Depth and range to material used. • Effective use of terminology.	13-16	• Thorough application of political knowledge to the source. • Thorough interpretation of political information on insider and outsider pressure groups. • Thorough explanation of relevant differences and connections between insider and outsider pressure groups.
3	5-6	• Reasonable knowledge and understanding of insider and outsider pressure groups. • Evidence/examples used are appropriate. • Depth and range to material used, but not in equal measure. • Good use of terminology.	9-12	• Reasonable application of political knowledge to the source. • Reasonable interpretation of political information on insider and outsider pressure groups. • Reasonable explanation of relevant differences and connections between insider and outsider pressure groups.
2	3-4	• Adequate knowledge and understanding of insider and outsider pressure groups. • Evidence/examples used are not always relevant. • Depth or range to material used. • Some appropriate use of terminology.	5-8	• Adequate application of political knowledge to the source. • Adequate interpretation of political information on insider and outsider pressure groups. • Adequate explanation of relevant differences and connections between insider and outsider pressure groups.
1	1-2	• Limited knowledge and understanding of insider and outsider pressure groups. • Evidence/examples used are not made relevant. • Very little use of terminology.	1-4	• Limited application of political knowledge to the source. • Limited interpretation of political information on insider and outsider pressure groups. • Limited explanation of relevant differences and connections between insider and outsider pressure groups.
	0	Response not creditworthy or not attempted.		

Section C

Question 5

How effective are referendums as a means of resolving political issues? **[22]**

Indicative Content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In discussing the effectiveness of referendums, candidates are expected to demonstrate the ability to analyse and evaluate relevant evidence in order to construct arguments, make substantiated judgements and to draw conclusions. In demonstrating this candidates are required to give an answer which is focused on evidence from both sides of the argument. The response might consider issues such as:

Arguments that referendums are effective as a means of resolving political issues might include:
- A referendum is the most direct form of democracy and the people's views on a particular question are clearly indicated, e.g. Scottish and Welsh devolution, Scottish Independence, UK continued membership of EEC (1975), UK withdrawal from membership of the EU (2016).
- A referendum makes decisions legitimate and confirms the principle of government by consent, e.g. Northern Ireland (1998).
- A referendum may prevent governments from making unpopular decisions when a 'no' vote is delivered, e.g. North East England (2004), Scottish Independence.
- A referendum resolves an issue that government and/or political parties are finding difficult to resolve, e.g. the Labour government, as well as Conservative opposition were divided over UK continued membership of EEC (1975).
- A referendum effectively entrenches constitutional changes. It protects them from attacks by future governments whose policies may be only short term, e.g. as Scotland voted for own government (1997) it would be extremely disruptive if a future UK government decided to abolish that parliament, only the Scots will be able to undo what they did in 1997.
- Any other relevant material.

Arguments that referendums are not effective as a means of resolving political issues might include:
- A referendum undermines the status of, and respect for representative institutions, as many people prefer to be led by their elected political representatives who they trust to use their judgement when resolving political issues, e.g. UK withdrawal from EU (2016).
- Some issues may be too complex and using a single question referendum presents the problem in a simplistic way as not all issues can be resolved with a simple 'yes' or 'no' response.
- Referendum turnouts have ranged between 10% and 84% suggesting that it is no better at capturing the view of the electorate than general elections.
- A referendum may produce an emotional rather than a rational response to an issue, e.g. UK withdrawal from EU (issue of immigration).
- A referendum result maybe the outcome of influence of certain groups, e.g. wealthy groups, media.
- A referendum may be used as a way for the electorate to deliver a verdict on the general popularity of the government, rather than on the issue in the question, e.g. the 'no' vote to devolution for the North-East of England.
- Any other relevant material.

Band	Marks	AO1	Marks	AO3
4	9-10	• Thorough knowledge and understanding of the effectiveness of referendums. • Evidence/examples used are well chosen. • Depth and range to material used. • Effective use of terminology.	10-12	• Thorough analysis and evaluation of how effective referendums are as a means of resolving political issues. • Thorough discussion with well-developed and balanced arguments. • Structure is logical. • Writing demonstrates accurate grammar, punctuation and spelling. • An appropriate conclusion is reached based on evidence presented.
3	6-8	• Reasonable knowledge and understanding of the effectiveness of referendums. • Evidence/examples used are appropriate. • Depth and range to material used, but not in equal measure. • Good use of terminology.	7-9	• Reasonable analysis and evaluation of how effective referendums are as a means of resolving political issues. • Reasonable discussion with well-developed and balanced arguments. • Structure is mostly logical. • Writing demonstrates reasonably accurate grammar, punctuation and spelling. • A reasonable conclusion is reached based on evidence presented.
2	3-5	• Adequate knowledge and understanding of the effectiveness of referendums. • Evidence/examples used are not always relevant. • Depth or range to material used. • Some appropriate use of terminology.	4-6	• Adequate analysis and evaluation of how effective referendums are as a means of resolving political issues. • Adequate discussion with well-developed and balanced arguments. OR • Reasonable discussion with only one side of the argument. • Structure is reasonable. • Writing demonstrates some errors in grammar, punctuation and spelling. • A superficial conclusion is reached.
1	1-2	• Limited knowledge and understanding of the effectiveness of referendums. • Evidence/examples used are not made relevant. • Very little use of terminology.	1-3	• Limited analysis and evaluation of how effective referendums are as a means of resolving political issues. • Limited discussion. • Answer lacks structure. • Writing demonstrates many errors in grammar, punctuation and spelling. • No conclusion.
	0	Response not creditworthy or not attempted.		

Question 6

'Political parties should be state funded'. Discuss how far this would solve the issues of party and candidate funding in the UK. **[22]**

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In discussing funding of political parties candidates are expected to demonstrate the ability to analyse and evaluate relevant evidence in order to construct arguments, make substantiated judgements and to draw conclusions. In demonstrating this, candidates are required to give an answer which is focused on evidence from both sides of the argument. The response might consider issues such as:

Arguments that political parties should be state funded might include:
- State funding would get rid of political party funding and 'cash for influence' type funding given to candidates and make funding transparent.
- State funding would reduce political party dependence on large donors who are seen to then have undue influence on policy and legislation, e.g. the Labour Party and the Trade Unions, the Conservative Party and overseas funding.
- State funding would allow controls on media and advertising campaigns, allowing all parties to access these at the same level.
- State funding is a natural and necessary cost of democracy, if the UK is to have a stable and broad range of political parties and/or independent candidates, some argue that there is a need to be prepared to help pay for them.
- State funding would help overcome the problem that if parties and candidates are financed with only private funds, economic inequalities in society might translate into political inequalities in government.
- Any other relevant material.

Arguments that political parties should not be state funded might include:
- The Neill Committee recommended ways in which transparency of political party funding could be achieved without moving to state funding, e.g. all donations disclosed, anonymous donations refused, foreign donations banned.
- State funding would increase the distance between political elites (party leadership, candidates) and ordinary citizens (party members, supporters, voters) as there would be no dependence on voluntary donations.
- State funding could make political parties organs of the State rather than parts of civil society and accountable to members and supporters.
- State funding to political parties and candidates takes money away from other areas of government spending of taxpayers' money, e.g. schools and hospitals.
- The introduction of 'Short money', and 'Cranborne money' means that there is already some state funding for political parties to use to aid policy development, and this is available to political parties in the House of Commons, the Scottish Parliament, the National Assemblies of Wales and Northern Ireland and the parties in the House of Lords.
- Any other relevant material.

Band	Marks	AO1	Marks	AO3
4	9-10	- Thorough knowledge and understanding of the funding of political parties and candidates. - Evidence/examples used are well chosen. - Depth and range to material used. - Effective use of terminology.	10-12	- Thorough analysis and evaluation of the effectiveness of whether political parties and candidates should be state funded. - Thorough discussion with well-developed and balanced arguments. - Structure is logical. - Writing demonstrates accurate grammar, punctuation and spelling. - An appropriate conclusion is reached based on evidence presented.
3	6-8	- Reasonable knowledge and understanding of the funding of political parties and candidates. - Evidence/examples used are appropriate. - Depth and range to material used, but not in equal measure. - Good use of terminology.	7-9	- Reasonable analysis and evaluation of whether political parties and candidates should be state funded. - Reasonable discussion with well-developed and balanced arguments. - Structure is mostly logical. - Writing demonstrates reasonably accurate grammar, punctuation and spelling. - A reasonable conclusion is reached based on evidence presented.
2	3-5	- Adequate knowledge and understanding of the funding of political parties and candidates. - Evidence/examples used are not always relevant. - Depth or range to material used. - Some appropriate use of terminology.	4-6	- Adequate analysis and evaluation of the effectiveness of whether political parties and candidates should be state funded. - Adequate discussion with well-developed and balanced arguments. OR - Reasonable discussion with only one side of the argument. - Structure is adequate. - Writing demonstrates some errors in grammar, punctuation and spelling. - A superficial conclusion is reached.

1	1-2	• Limited knowledge and understanding of the funding of political parties and candidates. • Evidence/examples used are not made relevant. • Very little use of terminology.	1-3	• Limited analysis and evaluation of the effectiveness of whether political parties and candidates should be state funded. • Limited discussion. • Answer lacks structure. • Writing demonstrates many errors in grammar, punctuation and spelling. • No conclusion.
	0	Response not creditworthy or not attempted.		

Question 7

'A British Bill of Rights is needed for the benefit of individual citizens and the country'.
Discuss. **[22]**

Indicative content

NOTE: The content is not prescriptive and candidates are not expected to mention all the material mentioned below. Each answer will be assessed on its merits according to the assessment grid and the indicative content. Examiners should seek to credit any further admissible evidence offered by candidates.

In discussing the need for a Bill of Rights candidates are expected to demonstrate the ability to analyse and evaluate relevant evidence in order to construct arguments, make substantiated judgements and to draw conclusions. In demonstrating this candidates are required to give an answer which is focused on evidence from both sides of the argument. The response might consider issues such as:

Arguments supporting the need for a Bill of Rights may include:
- A Bill of Rights would give greater constitutional clarity, e.g. it would be a code making clear government and citizen rights and responsibilities, and address some of the imbalances in the current constitutional arrangement which gives the executive excessive power.
- A Bill of Rights would provide the courts with a well-defined set of freedoms to protect.
- A Bill of Rights would give rights and freedoms a moral force lacking in present law, and be harder to flout by government or big interest groups.
- A Bill of Rights works well in other countries, e.g. USA, and is applied by the Supreme Court.
- A Bill of Rights would have educational value and develop citizens' political awareness and understanding which in turn should further encourage 'active' citizenship.
- A Bill of Rights can be extended or modified, and be flexible and responsive to changing social values at the time of their enactment.
- Any other relevant material.

Arguments against the need for a Bill of Rights may include:
- There would be difficulty in defining rights, e.g. socialists and most liberals would include social and economic rights, whereas conservatives might seek to limit civil and political rights.
- A Bill of Rights would give courts and unelected and unaccountable people power that they may make judgements about rights in a biased way.
- Certain issues, e.g. race relations, industrial relations, press freedoms, privacy, police powers and national security are inherently political and need to be decided openly by politicians.
- Judges may interpret rights narrowly and whittle them down rather than guarantee them.
- A successful Bill of Rights in one country, e.g. USA does not necessarily transplant well in another country. British parliamentary sovereignty works well, and may only require minor reform and extension, rather than 'root and branch' reform.
- A Bill of Rights could be overturned by a future parliament.
- Any other relevant material.

Band	Marks	AO1	Marks	AO3
4	9-10	• Thorough knowledge and understanding of the arguments for and against a Bill of Rights. • Evidence/examples used are well chosen. • Depth and range to material used. • Effective use of terminology.	10-12	• Thorough analysis and evaluation of the arguments for and against a Bill of Rights. • Thorough discussion with well-developed and balanced arguments. • Structure is logical. • Writing demonstrates accurate grammar, punctuation and spelling. • An appropriate conclusion is reached based on evidence presented.
3	6-8	• Reasonable knowledge and understanding of the arguments for and against a Bill of Rights. • Evidence/examples used are appropriate. • Depth and range to material used, but not in equal measure. • Good use of terminology.	7-9	• Reasonable analysis and evaluation of the arguments for and against a Bill of Rights. • Reasonable discussion with well- developed and balanced arguments. • Structure is mostly logical. • Writing demonstrates reasonably accurate grammar, punctuation and spelling. • A reasonable conclusion is reached based on evidence presented.
2	3-5	• Adequate knowledge and understanding of the arguments for and against a Bill of Rights. • Evidence/examples used are not always relevant. • Depth or range to material used. • Some appropriate use of terminology.	4-6	• Adequate analysis and evaluation of the arguments for and against a Bill of Rights. • Adequate discussion with well-developed and balanced arguments. OR • Reasonable discussion with only one side of the argument. • Structure is adequate. • Writing demonstrates some errors in grammar, punctuation and spelling. • A superficial conclusion is reached.

1	1-2	• Limited knowledge and understanding of the arguments for and against a Bill of Rights. • Evidence/examples used are not made relevant. • Very little use of terminology.	1-3	• Limited analysis and evaluation of the arguments for and against a Bill of Rights. • Limited discussion. • Answer lacks structure. • Writing demonstrates many errors in grammar, punctuation and spelling. • No conclusion.
	0	Response not creditworthy or not attempted.		