

Examiners' Report  
January 2012

GCE Government and Politics 6GP02 01

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## Introduction

This was a normal examination in all respects. The quality of answers was very much in line with past examinations. Candidates have clearly learned many of the lessons included in previous reports. Longer answers were, on the whole, structured well, and most candidates included effective introductions and conclusions.

The marks for the (a) part questions were typically a little lower than in previous years. This was mainly because many candidates were unable to offer good explanations of the features they were asked to identify in the source material.

Part (b) questions were answered well, on the whole, although there were still too many candidates who did not include enough material from their own knowledge. Examiners do not expect a perfect balance between material from the source and from candidates' own knowledge but some of the candidates' own knowledge should be demonstrated. A substantial minority failed to do this.

Part (c) questions improved slightly from the past. Candidates do now treat these usually as 'mini essays' and structure them well. The main failing, as usual, tended to be a lack of examples and illustrations. These should be used more extensively - the more up-to-date, the better.

Section B essays were nearly all structured well. The main failing was, as above, lack of examples. However, many more candidates are now using effective evaluation and this was a significant improvement.

A detailed observation concerns the coalition government and one question, (i(c)), referred specifically to it. The coalition is now nearly two years old and candidates should now be expected to have good knowledge of how it has changed the nature of UK government and politics - whether it has strengthened or weakened government and how it has affected institutions. This does not mean that specific questions about the coalition will become common or extensive, but students do need to be aware of the changes that have occurred, when answering analytical and evaluative questions in general.

## Question 1

### Part (a)

This question was answered slightly disappointingly on the whole. The most common fault was simply identifying and reproducing, often verbatim, the role of legislative committees. This could only attract three marks. To reach level 3, and therefore be awarded four or five marks, it was necessary to explain the role in a little more detail than material to be found in the source. This did not need to be extensive, but enough to demonstrate that the candidate not only identified the correct answer, but also *understood* it.

A few candidates remained confused between the role of select and legislative committees, even though the source made that distinction quite clear. They achieved no marks. It remained extremely important that candidates were able to distinguish between the roles of different parliamentary committees (in both Houses), especially as the role of these committees has become more prominent in recent times.

The example shown below demonstrates what can be done to ensure all five marks.

### Part (b)

Answers here were typically better than part (a) responses. To achieve level 3, candidates needed to include material both from the source and from their own knowledge. There was good knowledge shown of the work of select committees, although only stronger responses went beyond the source. Too few candidates were able to identify examples of select committee reports having an influence.

Examples were not essential for a level 3 mark, but they were often a key discriminator between level 2 and level 3. Debates on legislation and questions to ministers were common features of answers. *Prime Minister's Question Time* (PMQT) was used frequently, and this is correct. However, PMQT is not as strong an example as questions to ministers, because backbenchers play a relatively minor role on questions to the PM, which remains a media event.

Candidates who explained *how* the methods make government accountable, attracted marks under Assessment Objective 2. Those who merely described methods did less well with Assessment Objective 2. This is illustrated in the examples shown below.

To obtain a level 3 mark, candidates needed to include at least three relevant points, each well-explained.

To obtain a level 2 mark, at least two well-explained points needed to be included.

Part (c) proved to be very challenging for many candidates. It was clear that, although most understood the nature of coalition government, very few could focus effectively on how it has affected relations between government and parliament. Too few also evaluated the changing relationship, explaining what was unchanged as well as what was changed. That said, there was also a good number of inspired responses that discussed the changed behaviour of the House of Lords (much more active because the government's mandate is less clear), and noted that, despite the apparent fragility of coalition, the government had experienced no major defeats in the Commons.

As time goes by, it will become increasingly necessary that candidates are up-to-date with how coalition politics works. Relationships between political institutions are constantly changing and the coalition is an example of contemporary change. The changed circumstance relating to the electoral mandate - and lack of it - is a typical example of this, as is the enhanced activism of the Lords.

To achieve good marks under Assessment Objective 2, it was necessary for candidates not only to analyse the relationship under coalition, but also to evaluate the extent to which the relationship has or has not changed.

In view of the fact that question 1(c) was clearly difficult for candidates who were not prepared for such a new development, credit was given to those whose answers suggested *implied*, rather than *explicit* focus on government-legislative relations.

To achieve a level 3 mark, candidates needed to include at least three points from both sides of the issue. These points needed to be well-explained and analysed.

To achieve a level 2 mark candidates needed to describe at least two changes, both well-explained.

- (a) This is a five-mark answer. It adds a little information to that found in the source. This information places the work of the committees into the context of the legislative process.
- (b) Four methods by which MPs can call government to account are included. In addition to identifying four correctly, the candidate explains why these make government accountable.
- (c) This does focus on the relationship between government, including the prime minister, and parliament. It does, however, lack enough evaluation. The candidate needed to point out ways in which the relationship has *not* changed, as well as how it has. The evaluation is implicit rather than explicit.

Put a cross in the box  indicating the first question that you have chosen.  
If you change your mind, put a line through the box   
and then indicate your new question with a cross .

Chosen Question Number: Question 1

Question 2

(a) One reason legislative committees are needed is to scrutinise laws proposed by the executive. They do this through 'detailed discussion'. As suggested by the source these committees provide their approval for these proposed laws so they may be passed. Another reason why they are needed is to propose and discuss amendments as stated by the source. These amendments are then allowed to be passed on to Parliament the two Houses so they may be revised. Therefore legislative committees are needed to help both Houses of Parliament in the legislative process.

(b) From the source it can be deduced that one way in which backbench MPs can call government to account is through select committees. They do this by 'examining three aspects: spending, policies and administration'. This allows ~~they~~<sup>them</sup> to scrutinise government proposals and expenses, thus calling ~~they~~<sup>them</sup> to account. The government must reply to these recommendations within 60 days, which means that the government must take the select committees proposals into account.

Other ways in which backbenchers can call government into is through 'ministers questions' and prime ministers question time. This allows them to question and scrutinise the government and hold them to account. These question times are held on a weekly basis. Backbenchers have this authority as they have popular consent through general elections.

Backbenchers part of the opposition (which would be Labour currently) are given specific times to call the government account as they are part of the 'Official Opposition'.

A less likely rarely used method of calling the government to account would be through

(b) continued) a vote of no confidence. If this vote was passed then the government at the time would be forced to step down. The last successful vote of no confidence was in 1979 by Thatcher's Conservative Party, who took down the Labour government.

(c) This formation of a coalition government has changed the relationship between the government and Parliament. In past times, most notably the Thatcher and Blair governments, the executive has held a large amount of power over Parliament. However, this coalition between the Liberal Democrats and the Conservatives has created an arguably weak government.

There <sup>are</sup> many examples in recent times of the executive or the Prime Minister executing its power over Parliament, they ~~are able to~~ the biggest and most recent example would be Blair and the Iraq invasion. They have been able to do this by taking advantage of their large majority - exaggerated by the First Past the Post system - also through party systems such as party loyalty and whips. However, the coalition has reduced these abilities as both parties, especially the Conservative party, has to take the other's opinions into account.

The whip system will be weaker as the whips for both parties might in some ~~occasions~~ occasions ~~may~~ be told to push their backbenchers in <sup>different</sup> ~~one~~ ~~certain~~ directions. Having said this, Cameron is a dominant Prime Minister and uses his

((c) continued) majority to its fullest advantage. ~~The~~  
This can be seen by ~~the~~ his decision to  
not hold a referendum on the EU back in  
2011 and also the Tuition Fees policy, which  
the Liberal Democrats said they would not bring in  
in their manifesto.

The Prime minister is also able to use his  
powers of patronage to appoint loyal ministers  
and control the ~~the~~ backbenchers. This was most  
prominent with Blair and his 'kitchen cabinets'  
and also with Cameron who has been criticised  
for appointing an uncomfortable amount of old  
Eton boys. However, ~~the~~ the coalition has  
reduced this ability of the PM as Cameron not  
only has to take into account of ideological  
Balance ~~of~~ of his own ~~Enter~~ Party in Cabinet but  
also Liberal Democrat ministers.

In conclusion, the relationship between the  
government and Parliament has changed due to  
the coalition government, however Cameron it  
could be argued that Cameron's strong leadership  
ability has made up for it.



### ResultsPlus

Examiner Comments

- (a) Two functions have been identified and they have been placed in context by the candidate, demonstrating that they understand what the committees are doing.
- (b) The candidate has identified four methods, more than was needed, but this does ensure full coverage.  
Some candidates place too much emphasis on Prime Minister's Question Time. That has not happened in this example.
- (c) This strong response only really lacks enough clear evaluation to be awarded top marks.



### ResultsPlus

Examiner Tip

With part (a) answers, use the source to *identify* the answer(s) but add some of your own knowledge about the answer to demonstrate your understanding. Do not be tempted to add analysis or evaluation because there are only marks for knowledge and understanding.

With part (b) answers, make absolutely sure you include some of your own knowledge if you can.

In part (c) treat your response as a mini essay.

This attracts only three marks because it merely reproduces what is in the source. There needed to be some explanation and context, as is shown in the previous example.

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If you change your mind, put a line through the box   
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Chosen Question Number: Question 1

Question 2

(a) The rule of law is the foundation stone of any healthy democracy. It establishes that all conduct or behaviour throughout society should conform to the framework of law: include equality before the law and punishment only for breaches of law.

(b) one way that the independence of the judiciary is guaranteed is through the separation of powers. The judge cannot also be part of <sup>the</sup> parliamentary system, which didn't used to be the case for example, the lord chief chancellor was also a member of cabinet and the speaker of the ~~House~~ House of Lords.

Another way that the independence of the judiciary is guaranteed is through the independent appointment commission, in which 12 people of no political influence appoint the ministers, which never used to be the case. For instance, the Prime Minister and the chief chancellor used to pick <sup>the</sup> judges.

~~They~~ Also the common clashes between the judges and ministers show the independence of the judiciary today. However, some ministers such as Clark have criticised the judges before which undermines the independence of the judiciary as it can cause them to change their decision.

(c) one of the many ways <sup>the</sup> Judiciary can check the power of the legislature is through judicial review. Judicial review enables the judges to overturn the minister who act ultra vires. For example <sup>Blunkett</sup> ~~ministers~~ who decided that asylum seekers could not ask for benefits while waiting for their case to go through. The judges had declared that he was acting ultra vires in which he couldn't make the decision ~~distate~~ decision. However, only 1/3 of judicial reviews actually go through and only 1/6 win the cases. Also judicial review are very expensive which doesn't really benefit the ~~non~~ people and hardly any one more.

Another way of the Judiciary can check the power of the legislature is through the human rights act, if a law was passed that was against the Human Rights Act, the judges can over turn this law for example the anti terror legislation which ~~went a made acceptable~~ to arrest without trial to foreigners the judges ~~decided~~ it ~~was~~ ~~also~~ overturned that law as it went against the discrimination act, <sup>as it was</sup> ~~again~~ discriminating against foreigners, the judges had found a loophole which could be there always ~~can~~.

However, though ~~it~~ <sup>judges</sup> can say it's 'incompatible' if a law was to go against the Human Rights Act, for example, when they took out article 5 of the Human Rights Act, the judges said it was 'incompatible', the legislature can choose to ignore it, as the judiciary can only put pressure on them. Also if a law was to be made that goes against the Human Rights Act, the judges ~~can~~ can't do anything about it.

So in ~~fact~~ also through the higher law, that everyone is equal in the eyes of the law, meaning everyone will get treated the same, this can check the powers of the law, as it doesn't overtake in the ~~the~~ court.

In conclusion, though the judicial reviews can check the power of the legislature, ~~if they are acting~~ if they are acting *ultra vires*, hardly any of them go through in fact only 1/3 and only 1/6 win. Also the judges can't say a law is 'incompatible' but not actually make a change. This only comes to show that the judiciary can only check the powers to an extent and I believe that <sup>the judges</sup> they can't really as ~~independently~~ <sup>independently</sup> they work with the legislature and though



### ResultsPlus

Examiner Comments

(a) part questions take material only from the source, but you should try to place the information in context yourself.



### ResultsPlus

Examiner Tip

Try to go a little beyond the source, but do not add any material that is not in the source.

## **Question 2**

### **Question 2(a)**

Candidates had no problems in identifying which part of the source related to the rule of law, but too many simply reproduced material from the source and so received only three marks. Those who were able to place the rule of law in the context of a democratic society, albeit only briefly, achieved either four or five marks.

### **Question 2(b)**

On the whole, this question was answered well. Most candidates were able to identify at least three ways in which judicial independence is maintained, both from the passage and from their own knowledge. It was encouraging to see that many fewer candidates than in the past were able to distinguish between independence and neutrality. The most common weakness was that many candidates identified methods but failed to explain well, or at all, how these methods would encourage independence. Thus, for example, many referred to security of tenure as a method, but failed to explain why this might protect judges from political influence. Similarly, the separated Supreme Court was usually mentioned but without comments about why this might be more independent than the former Law Lords.

To achieve a level 3 mark, candidates needed to include at least three methods, each one well-explained.

To achieve a level 2 mark, candidates needed to include at least two methods, both explained reasonably fully.

### **Question 2(c)**

There were many good narrative answers to this question, explaining how judges can achieve some control. Judicial review was invariably mentioned and explained reasonably well. There were good accounts of *ultra vires* and the importance of the Human Rights Act. However, there remained too many candidates who believed the European Convention is administered by the European Union. The Freedom of Information Act was also mentioned, although references to the expenses scandal were not strictly relevant to the question.

The strongest aspect of typical answers was an understanding of parliamentary sovereignty and its significance in this area. Many weaker candidates were under the impression that judges can overturn a Westminster Statute. Strong candidates, indeed, pointed out that, where primary legislation is concerned, the judges may influence law-makers but have no power over them.

The main weakness was a failure to deploy relevant examples, of which plenty are available. Many did refer to Belmarsh but too few could go beyond this. There was also a common failure to evaluate sufficiently. Many could, indeed, demonstrate the importance of parliamentary sovereignty in this regard, but too few could go any further than this. In particular, not many candidates were able to point out that judges cannot be as proactive as they are in some other systems.

To achieve a level 3 mark, candidates needed to include at least three pieces of evidence, with at least one from both sides of the argument. These pieces of evidence needed to be well-explained and analysed.

To achieve a level 2 mark, candidates needed to deploy at least two pieces of evidence, well-explained. These needed to show some balance between both sides of the argument.

## Part (a)

The nature of the rule of law is correctly identified and it is placed well in context by referencing it to prerogative powers. This gives the response all five marks.

## Part (b)

Four examples are clearly identified of how independence is maintained. This makes the response clearly level 3 for Assessment Objective 1, especially as the responses are from both the source and the candidate's own knowledge. Full marks were awarded for Assessment Objective 2, because each method is explained, demonstrating *how* it can create independence.

## Part (c)

This has the great strength of being evaluative. The limitations on the power of the judiciary are well-balanced against the nature of those powers. The section of the significance of constitutionality is especially effective. There is a good range of powers described and it is clear how these affect government.

It is not a very well-written answer and so loses a little on Assessment Objective 3, but this deficiency is off-set, especially in Assessment Objective 2, as a result of the strong evaluation. Under Assessment Objective 1, it is clear that the candidate not only knows several judicial powers, but also understands them and their significance.

The candidate avoids the common problem of overstating the judiciary's powers.

**Indicate your first question choice on this page.**

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**If you change your mind, put a line through the box**   
**and then indicate your new question with a cross .**

Chosen Question Number: **Question 1**                       **Question 2**

(a) The rule of Law is fundamental principle of the UK's Constitution. The key idea of the rule of law is that everyone is equal; they are ruled alike. An example of the principle of the rule of law is ~~that~~ that no-one is above the law. However as many powers of ministers are based on the Royal prerogative which is not a ~~subject~~ subject to oversight shows that they are in fact above the law. The rule of law establishes a relationship between the government and people. This is significant as it ensures that public bodies, ministers are using their powers reasonably.

## (b) \* Security of tenure, appointment, pay, training

The process in which judges are appointed shows the independence of judges. ~~Before~~ ~~the~~ prime minister used to appoint ~~just~~ Law Lords and appeal court in the advice of Lord Chancellor and Lord Chancellor had the authority of appointing <sup>senior</sup> judges. However this has now changed due to the creation of judicial appointments ~~process~~ Committee in which the Lord Chancellor does not have any effect in judicial independence. Lord Chancellor ~~has sworn on the oath that he will not~~ is bound by ~~oath~~ to preserve the principle of judicial independence. The process in which judges are appointed significantly puts forward that judicial independence has clearly been considered ~~and that~~ ~~is~~ so that judges were not ~~also~~ appointed on their sympathies for the government of the day. This shows that judges will have no political influence when being appointed.

Security of tenure is another way in which judicial independence is maintained. ~~Just~~ once judges are appointed they cannot be sacked until their retirement age of 70. This shows that there will be no political influence in the decisions in which they make ~~also~~ that judges do not have to worry about decisions which they have made as they will ~~not~~ not be sacked.

((b) continued) Judges pay has no political influence. The rewards and pay comes from a separate fund. This shows that judges will not be influenced by politicians. Another way in which judicial independence is maintained is that judges are free from criticism. Ministers cannot affect the court rulings however in 2003 David Blunkett criticised the Belmarsh case ruling.

Their training also has no political influence. They are rule from their experience and legal training. Overall judges independence is maintained as no political influence can change their decisions due to pay, security of tenure and their appointment process as well as the way they are trained.

(c) Due to the principle of parliamentary sovereignty the judges in the UK do not have very far-reaching power also because of the uncodified constitution. However the judges in the USA have very far-reaching power as a result of the codified constitution. The UK judges can declare actions to be incompatible this shows that judges can in fact check the powers of the executive. An example of this is the Belmarsh case in which 9 terrorist suspects were detained with trial. The government were pressured into changing the act because it conflicts with the European Convention of the Human Rights act as well as violating the rights of the citizens of the UK. This shows that despite the terrorist Act 2001 the judiciary can in fact protect civil liberties.

~~The~~ Judicial review is a significant way in which judges can check the powers of the executive to see if they have acted ultra vires outside their powers. Judicial review is significant as it allows judges to check on the executive. An example of judicial review is Diane Pretty who suffered from motor neuron disease. Pretty wanted to commit suicide due to her illness and therefore wanted the help of her husband. She failed a judicial review so that she could make sure her husband ~~cannot~~ doesn't get prosecuted for aiding her to suicide. This shows that judges have power to help both citizens and check executive power.

((c) continued) The Human Rights Act is another way in which judges can check ~~that~~ executive power as they apply it in cases. The human rights act was applied in many cases such as R v A (2001), where judges ruled that the right to free speech was in the public interest. ~~That~~ Judges have issued control orders on the 7/7 bombers ~~as~~ which shows that they are actually doing a lot to check the executive. However the actions of judges have been criticised for instance by David Blunkett on the Belmarsh case.

~~The~~ The role of judges in which they can pre-empt over court proceedings allows them to make sure that the rules of court are properly applied in both cases. Judges ensure a fair trial. However now there has been limits of power in which the judges can exercise ~~an~~ an example is that traditionally judges decide the sentences on criminal cases ~~as~~ however there has been a limit due to minimum and mandatory sentences as a result ~~and~~ judges argue that mandatory sentences ~~are~~ affects the role of the judiciary.

The judges do not have very far reaching powers due to the ~~code~~ uncodified constitution as a result they cannot declare actions to be unconstitutional or constitutional. However they can stop ~~and~~ government acting ultra vires. An example is the educational secretary Michael

((c) continued) high court ruled that he had failed to use his powers due to the failure in consulting 6 Councils regarding the programme for the school building can be scrapped.

Another way in which the judges cannot exercise that many power is due to the principle of parliamentary sovereignty in which the government can amend abolish policies, such as the the Statute Law Human rights Act can be scrapped by a vote in parliament and example is Theresa May who wanted to replace the Act with a British Bill of Det. This shows that judges do not have very far reaching power in which they can check the executive.

on the 17th of January judges ruled that osama Binladins second hand cannot be deported due to the human rights Act. This shows that judges only apply the acts laid down by parliament. They do not make laws.

~~Overall judges have significant power to check~~  
Overall judges do not have far-reaching powers in which they can check the executive and this is because of the uncodified constitution. However judicial checks over executive and legislature are improving.



### ResultsPlus

Examiner Comments

All these answers are very clearly expressed and focused on the question. Each piece of knowledge or evidence is well-explained.



### ResultsPlus

Examiner Tip

Always try to place your answer in the context of modern government and politics. It is not enough merely to identify relevant points. Each point should be explained, including the consequences of various features of government and politics.

### Question 3

This was generally answered well. Many candidates were able to refer to at least four examples of constitutional reform. There was also an encouraging amount of evaluation.

For example, devolution was the commonest reform described and most candidates understood that this did not represent a transfer of sovereignty. Possibly more candidates should have identified *which* powers have been devolved and which have not, evaluating how significant they are. This kind of knowledge may become more essential as the issues of Scottish independence and *devolution max* emerge in the next few years. That said, many candidates pointed out that the devolved powers could be reclaimed.

The *Human Rights Act* was also frequently mentioned to good effect, although, here again, too few examples were deployed. Some very strong responses referred to the *Freedom of Information Act*, demonstrating that it makes governing more difficult.

Reform of the House of Lords did present problems. There was too little effective evaluation of the limited reforms. Clearly, reform has given more authority to the Lords. They have become more independent and active, making governing difficult, especially under coalition. Rather too many candidates seemed to think the Lords has already been extensively reformed – this is mere speculation and was not relevant. Similarly, a significant minority of candidates discussed the AV debate at length, although this was not significant to this question. There was also too little reference to reforms under the coalition, with the exception of the issue of fixed terms. Many stated that fixed terms may cause problems for governments, but too many failed to explain why.

Despite the generally good quality of answers, it is worrying that too many candidates treat *government* and the *Prime Minister* as interchangeable, some suggesting that the Prime Minister is the government and develops all legislation. Clearly, the Prime Minister is the key figure in government, but candidates ought to differentiate between the collective entity of government and the individuality of the Prime Minister.

On another positive note, it could be said that the way in which these longer essays were constructed was good, generally. They had coherent introductions and conclusions and a logical flow. This made answers easier to mark and plenty of marks under Assessment Objective 3 were awarded.

In order to achieve a level 3 mark, candidates needed to describe at least three examples of constitutional reform. There also needed to be good balance between the ways in which government has lost power as well as examples of how and why it has not lost power.

In order to achieve a level 2 mark, candidates needed to discuss at least two examples of constitutional reform, each one analysed to some extent, in terms of its effect on government power.

This is a good example of an answer that contains a wide range of examples of reform. It has a fault under Assessment Objective 1, in that the impacts of the reforms are not fully explained, but the choice of reforms is good.

It also evaluates each of the reforms. Perhaps the evaluations are not deep enough, but there are some relevant comments made for each. Possibly the issue of referendums is not dealt with well, especially as the AV referendum is used to no good effect. The discussion of devolution is accurate, but does not have quite enough depth.

The essay has a good structure, with logical development. The candidate had an after-thought concerning the *Constitutional Reform Act* and correctly added it at the end, clearly.

It achieves level 3 on all three Assessment Objectives, but at the low end, because:

- the explanations are a little too brief
- the evaluations are not well-developed
- there is not sufficient political vocabulary to be at the top of Assessment Objective 3.

Indicate your second question choice on this page.

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If you change your mind, put a line through the box   
and then indicate your new question with a cross .

Chosen Question Number: Question 3  Question 4

Since 1997 there have been many constitutional reforms in the UK ranging from electoral systems used in devolved bodies to simple devolution + it isn't a common question to ask whether all these reforms have reduced the powers of UK government, some reforms would give evidence to say yes, it has but then others would disagree.

One of the major constitutional reforms since 1997 has been the wider use of referendums in the UK. An example is the AV referendum in 2010 to decide whether the Westminster elections should change from First Past the Post to the Alternative Vote electoral system. The referendum was put to the public ballot + resulted in a 'no' answer. Now the wider use of referendums could easily be seen to reduce the power of government because the whole point of a referendum is to offer 'people power' and referendums ensure that the people make the decisions on policies etc therefore increasing their power + reducing government power, this therefore supports the statement that constitutional reforms since 1997 have reduced the power of government.

Another constitutional reform which could be seen to reduce the power of government is the newly elected mayors + local government. This reduces their power because before ~~the~~ ~~mayors~~ ~~and~~ ~~local~~ ~~government~~ were chosen + completely controlled by government but now mayors + local government are elected by the people + the power is more with the electorate than with government. However there are very few elected mayors which suggest that this constitutional reform in fact hasn't actually reduced the power of government at all.

Devolution has been a massive constitutional reform since 1997. It has resulted in the creation of a Scottish parliament + Welsh Assembly + even political systems in Northern Ireland. Although a large + important constitutional reform it can also be seen to have reduced the power of government because now Scotland, Wales + NI have their own political systems + in some sense make their own decisions but one must not forget that they are still bound under the doctrine of parliamentary sovereignty and government and the PM still control the devolved bodies + this is a problem at the moment. Scotland are pushing to become even more independent and split off from the UK but Cameron + government are of course rejecting the Scottish plea for a referendum claiming it would be a 'referendum' because Cameron knows

that if Scotland were allowed complete independence this would reduce the power of government + it could be argued that this all occurred due to that original constitutional reform of Devolution.

Although it is clear that some constitutional reforms have reduced the power of government there are also some which haven't because they either simply are too weak or have not been reformed far enough. One major reform was the reform of the House of Lords but although reformed, it can be suggested that the reform hasn't gone far enough because although House of Lords is still important, it is still unelected and considered undemocratic. This reform therefore has not reduced the power of government at all because there is still no second elected chamber which would scrutinise government a lot more + therefore no power is taken away from government. Another reform which has not reduced the power of government is the increase use of PR electoral systems, in places such as NI. This hasn't affected the power of government apart from possibly the reform of elected mayors who are now elected using STV system.

Other reforms since 1997 include the Human Rights Act + the Freedom of Information act. The HRA protects the people and ensures their human rights are protected + the Freedom of Information act means that information

of the government ~~is~~ such as expenses, funding etc must be published and available. It can be suggested the Human Rights Act reduces the power of government because it stops government from controlling the people in certain ways but then again the ~~pro~~ problem of dealing with the people now really lies with government ~~is~~ more with the judiciary so maybe the reform hasn't really reduced the power + although the Freedom of Information Act means government is forced to be more open + less secretive this doesn't really affect its official powers.



So due to the vast amount of constitutional reforms since 1997 it is difficult to say that none of them reduce the power of government at all. Although there is evidence to suggest government ~~is~~ power has been reduced, the majority of reforms have not really affected this power but it is interesting to see that no constitutional reform since 1997 has increased government's power.

\* The Constitutional reform act of 2005 could also be seen to have reduced the power of government. This established a separation of powers and the independence of the judiciary. The process by which judicial appointments are made is now also more independent + distanced from the government. Due to this reform there is now no meaningful role for the government in the appointment of judges, except the most senior. Even in

the case of senior judges, the government's role is extremely limited. This is clear evidence of a constitutional system heavily reducing the power of the government.



### ResultsPlus Examiner Comments

A very solid level 3 response, with possibly a lack of development all round.



### ResultsPlus Examiner Tip

Make sure you have a coherent structure, with a meaningful introduction and a logical conclusion.

## Question 4

There were many good answers to this question, probably because evaluations of prime ministerial power have become central elements of teaching programmes. There were still insufficient examples being used, but there was, on the whole, strong awareness of theories about prime ministerial power, such as those of Foley or Hennessy.

Many candidates successfully discussed such variable factors in power as parliamentary majority size, the attitude of the media and the influence of world events. These were often – and well – contrasted with permanent factors, such as the role of prerogative powers and the position of the Cabinet.

The best answers compared theory with examples, discussing the experiences of Thatcher, Blair, Major and Brown to good effect.

Examiners did not expect necessarily any material concerning Cameron and coalition, but credited those who were able to analyse the Prime Minister's position in a coalition. However, as coalition is potentially a 'one-off' factor, it was not a central issue.

The main strength demonstrated was evaluation. Most candidates did attempt a cogent comparison of strengths and weaknesses, showing how circumstances change frequently, as well as personalities.

The main weakness among answers was a tendency to suggest that prime ministerial power is in decline, in view of the experiences of Brown and Cameron. Such a conclusion is based on only five years of political life and refers to a period when there are very unusual circumstances – the financial crisis and the coalition. This led to some unbalanced answers.

As with question 3, most answers were well-constructed and had logical themes, well-developed. Those who did not achieve impressive marks were mostly lacking in Assessment Objective 1 – knowledge and understanding – failing to deploy enough evidence to back sound analysis.

To achieve a level 3 mark, candidates needed to discuss at least three examples of prime ministerial powers. There also needed to be a good balance between evidence suggesting Prime Ministers do have as much power as is often believed, and commonly identified limitations to those powers.

To achieve a level 2 mark, candidates needed to discuss at least two examples of prime ministerial power, with some discussion and analysis of each.

Another example of a level three response. In this case the range of knowledge is not great. Every point is relevant, but there is a lack of 'theories' of prime ministerial power. This places the response on the border between level 2 and level 3 for Assessment Objective 1.

It has two main strengths. The first is the structure, which is logical and contains a good introduction and a sound conclusion. The structure gave it a level 3 mark for Assessment Objective 3, especially as it was clearly expressed. The second is that every issue is effectively, if perhaps briefly, evaluated. This gave it a level 3 mark for Assessment Objective 2. Examples were used to some effect, though the Blair-Brown material was a little unsure in terms of knowledge.

This demonstrates that a response can achieve a high mark, even if it is relatively short.

Indicate your second question choice on this page.

Put a cross in the box  indicating the second question that you have chosen.  
If you change your mind, put a line through the box   
and then indicate your new question with a cross .

Chosen Question Number: Question 3

Question 4

The UK prime minister (PM) is considered to be one of the main members of cabinet. Some say the PM dominates the parliament rather than the saying he 'is the first among equals'. In this essay I will argue ~~disagree~~ that PM is as powerful as what people claim.

One significant power that the PM has is patronage. In my opinion, this one of the biggest powers to have. As patronage allows the PM to hire and fire ministers as well as signing of foreign treaties. As ministers are able to ~~have~~ propose legislation and the PM appoints ministers this indirectly also shows that the PM has the ability to propose make legislation go through ~~parliament~~ <sup>cabinet</sup>. Furthermore, ministers are also aware of the tendency to always listen to the PM as they are fearful of losing their position of being a minister. On the other hand it would be foolish for the PM to ignore advice from a minister as he appointed them.

During Tony Blair's rule he had the disadvantage of having to appoint Gordon Brown (Big boy) as he had a major amount of popularity in the Labour government. ~~Consequently in the current coalition~~ The next Tony Blair had to listen to Gordon Brown as if he displeased him he would have weak party unity. ~~Consequently in the current coalition David Cameron is at a weaker~~

position as he had to appoint <sup>party</sup> opposition leader Nick Clegg as well as other members of the liberal democrats. Nick Clegg Since he cannot ignore or ~~just~~ <sup>fire</sup> Nick Clegg in ~~an~~ cabinet as it ~~might~~ might result to a broken coalition. The main legislation passed through cabinet would have some liberal democratic views. This reducing the overall power of the PM.

One factor which dictates whether or not a PM is powerful is the size of his/her majority. For example Tony Blair had a majority of 179-147. This meant he could propose ~~most~~ legislation and even have members of his own party voting against him and still win. For example when Tony funded hospitals as well as tuition fees. These were major ~~is~~ <sup>strong</sup> major legislation however due to his majority, it ~~was~~ was able to go through the house of commons.

On the other hand the current coalition government does not even have a ~~major~~ majority. This means David Cameron would need members of his other parties to vote for him. For example to increase in tuition fees to 9000 only just barely ~~was~~ <sup>passed</sup>.

~~174~~  
~~174~~  
Party unity is also an essential factor which would determine how powerful a PM is as it ~~enables~~ enables legislation to pass through quickly in the commons. Tony Blair had very strong party unity in his ~~big~~ <sup>big</sup> big the beginning as Labour was not in power since 1979. Without party unity could be the end of a PM. For example John Major had a divide views on the issue of EU

in his own party. Tony Blair said to him he couldn't even get 97% votes in his own cabinet. This shows that party unity is essential as without it the PM is weak.

In recent years the PM has even started to use soft governments and appointing special advisers. For example Tony Blair had an overwhelming 50 special advisers. This allowed him to reduce the time of cabinet meetings to 45 minutes. As he was able to get his advice from loyal subordinates. In addition PM had the ability to decide the agenda of cabinet meetings. This meant he was able to do not discuss issues he did not want to talk about. Therefore giving more control to the PM. However, in practice this was not the case as if issues were relatively important it would be highly unlikely that PM would not talk about it.

Critical events are <sup>another</sup> ~~other~~ ~~rather~~ issues where the PM ~~power~~ ~~power~~ can even improve or reduce. For example 'Black Wednesday' was a terrible event which led to economic recession. This economic issue was solely due to John Major and his government. This led to Tony Blair being the next PM. The Iraq war was another ~~major~~ ~~which~~ ~~destroys~~ event which destroyed Tony Blair's party unity as well as public morale. As ~~people~~ ~~and~~ there was more opposition for example Robin Cook resigned as he could not take part of such an unjust war. Robin Cook had to resign due to collective responsibility. Collective responsibility is to mean that

members of the cabinet publicly support the government.

Margaret Thatcher on the other hand largely benefited from her control even 'Jackland war'. As she was considered a hero and thus had large support. ~~during her time~~ However, the introduction of the Poll tax ~~was~~ was so demoralising that she had to resign from her post of being PM. This shows how effective control events can be.

In conclusion, I think the PM is powerful under certain conditions. For example the size of a ~~person's~~ PM's majority will ensure that they can easily propose legislation for example ~~Blair's~~ Tony Blair's legislation on foundation hospitals. However, a ~~major~~ majority is useless without party unity. As party unity is difficult to maintain it will in fact show that PM is powerful only if these criteria are in place.



**ResultsPlus**

Examiner Comments

The main strength of this answer is evaluation. Not only does the answer discuss prime ministerial power, it also demonstrates that it has key limitations.



**ResultsPlus**

Examiner Tip

When the question asks for an evaluation, try to make sure that you evaluate every aspect of your answer, not just some aspects. Also come to a firm conclusion, usually on one side of the argument or the other.

## Paper Summary

The main areas that future candidates need to address appear to be the following:

- (a) part questions need more explanation, using the candidates' own knowledge, even though features themselves are confined to the source
- (b) part questions need more balance between the source material and the candidates' own knowledge
- the importance of evaluation for Part B essays should be re-emphasised
- more examples and illustrations need to be used as evidence to support analysis and argument.

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