AQA

ASSESSMENT and
QUALIFICATIONS
ALLIANCE

SOCIAL SCIENCE: CITIZENSHIP   **SSC1**
Unit 1   The Citizen and the State

Thursday 18 January 2007   9.00 am to 10.00 am

For this paper you must have:
- an 8-page answer book.

Time allowed: 1 hour

Instructions
- Use blue or black ink or ball-point pen.
- Write the information required on the front of your answer book. The *Examining Body* for this paper is AQA. The *Paper Reference* is SSC1.
- Answer Question 1 and **either** Question 2 **or** Question 3.
- Do all rough work in the answer book. Cross through any work you do not want to be marked.

Information
- The maximum mark for this paper is 60.
- The marks for part questions are shown in brackets.
- You will be marked on your ability to use good English, to organise information clearly and to use specialist vocabulary where appropriate.

Advice
- You are advised to read through the examination paper before you attempt the questions.
- Where appropriate, you should use local and/or national and/or international examples and/or case studies.

SSC1

Answer Question 1 and **either** Question 2 **or** Question 3.

Each question carries 30 marks.

1 Read the source below and answer parts (a) to (c) which follow.

The Human Rights Act 1998

The Human Rights Act 1998 incorporated the European Convention on Human Rights into UK law. The effect of this is to strengthen the protection of individual rights by UK courts and to provide improved remedies where these rights are violated. The Convention is now applicable directly in the UK courts. It is no longer necessary to go all the way to the European Court of Human Rights in Strasbourg to enforce Convention rights.

Under the Human Rights Act 1998, UK courts are required to interpret all legislation in a way that is compatible with Convention rights 'so far as it is possible to do so'. However, if it is not possible to do this, legislation which is incompatible with the Convention is still valid – the judges cannot strike it out. In these circumstances, judges can make 'a declaration of incompatibility'. The government may then amend the legislation to bring it in line with the Convention.

It is unlawful for public authorities to act in a way which is incompatible with Convention rights. A public authority includes central and local government, the police and the NHS.

There has been some debate as to whether the Act allows individual citizens to enforce Convention rights against other individual citizens. The courts appear to have accepted that the Human Rights Act allows this, at least to a limited extent.

Source: adapted from C ELLIOTT & F QUINN, *English Legal System* (6th edition), Pearson Education, 2005

Your answers should refer to the source as appropriate, but you should also refer to other relevant information.

(a) Using the source, outline what is meant by 'the Human Rights Act 1998 incorporated the European Convention on Human Rights into UK law'. *(4 marks)*

(b) Briefly explain, using examples, **two** ways in which the Human Rights Act 1998 can be said to strengthen the protection of the rights of individual citizens. *(10 marks)*

(c) 'Citizens are unable to fully exercise their human rights because the Freedom of Information Act 2000 does not actually give them sufficient access to information.' Assess this claim. *(16 marks)*

EITHER

2 (a) Briefly explain, using examples, **two** reasons why some citizens make greater demands on state services than others. *(10 marks)*

    (b) 'Cases in the Magistrates' Courts should be tried solely by a district judge and not by a bench of lay magistrates.'
Assess this view. *(20 marks)*

OR

3 (a) Briefly explain **two** methods of alternative dispute resolution that a citizen can use to resolve a dispute and avoid litigation in the civil courts. *(10 marks)*

    (b) 'Active citizenship is an excuse for some citizens to interfere in the lives of their fellows and should be discouraged.'
Assess this view. *(20 marks)*

END OF QUESTIONS

There are no questions printed on this page