



Mark Scheme (Results)

Summer 2019

Pearson Edexcel GCE
In Government and Politics (6GP02)
Paper 01

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General Marking Guidance

- All candidates must receive the same treatment. Examiners must mark the first candidate in exactly the same way as they mark the last.
- Mark schemes should be applied positively. Candidates must be rewarded for what they have shown they can do rather than penalised for omissions.
- Examiners should mark according to the mark scheme not according to their perception of where the grade boundaries may lie.
- There is no ceiling on achievement. All marks on the mark scheme should be used appropriately.
- All the marks on the mark scheme are designed to be awarded. Examiners should always award full marks if deserved, i.e. if the answer matches the mark scheme. Examiners should also be prepared to award zero marks if the candidate's response is not worthy of credit according to the mark scheme.
- Where some judgement is required, mark schemes will provide the principles by which marks will be awarded and exemplification may be limited.
- When examiners are in doubt regarding the application of the mark scheme to a candidate's response, the team leader must be consulted.
- Crossed out work should be marked UNLESS the candidate has replaced it with an alternative response.

No. 1 (a)	With reference to the source give three reasons why the independence of the judiciary must be ensured.
AO1	Knowledge and understanding
Key knowledge and understanding	
The source identifies the following reasons why the independence of the judiciary must be ensured: • For the public to have confidence in them • They should not be influenced by 'improper influences' – of which many are identified such as other actors in the state • Democracy would be damaged if independence was compromised • The law must be applied and upheld in all cases, if it was not done independence would not be upheld.	
Marks are allocated for each reason that is correctly identified. 1 mark is awarded if any one aspect is identified. 2 marks are awarded if any one aspect is identified with some detail. A composite mark is then obtained.	

No. 1 (b)	With reference to the source and from your own knowledge what measures ensure judicial independence?
AO1	Knowledge and understanding
Key knowledge and understanding	
There are various measures which have been taken to ensure judicial independence, the source notes the following: • Judges are immune from prosecution from any aspect of a case • Judges also have immunity from defamation arising from anything they say during a case • Judges are also protected from the comments and actions of any litigants who is a party to the case. Own knowledge of the measure taken to ensure judicial independence may include the following: • Any development or enhancement of the points raised in the source • Judges are not criticised when a case is in progress • The establishment of the Judicial Appointment Commission aids independence • Judges enjoy security of tenure • The decisions which Judges reach are respected by other areas of the state – such as the government and it complies with their verdict • Judges are paid high salaries from the consolidated fund and their income is not the province of politicians. A Level 2 response will typically exhibit the following features: It will rely purely on own knowledge or exclusive reference to the source. A Level 3 response will typically exhibit the following features: Accurate and relevant reference made from both the source and own knowledge.	
Level 3 6-7 Marks	Good to excellent knowledge and understanding. Drawn from own knowledge and the source.
Level 2 3-5 Marks	Limited to sound knowledge and understanding either drawn from the source and/or from the candidate's own knowledge.
Level 1 0-2 Marks	Weak to very limited knowledge and understanding drawn either from the source or the candidate's own knowledge.

AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to explain the measures taken to ensure judicial independence.	
Level 3 3 Marks	Good to excellent ability to explain the dangers of ensuring judicial independence.
Level 2 2 Marks	Limited to sound ability to explain the dangers of ensuring judicial independence.
Level 1 0-1 Mark	Weak or poor ability to explain the dangers of ensuring judicial independence.

No. 1 (c)	To what extent has the role and influence of the judiciary changed in recent years in the UK?
AO1	Knowledge and understanding
Key knowledge and understanding (<i>This is not an exhaustive account of relevant points</i>).	
The role of the judiciary has changed in recent years as a result of the following: • The introduction of the Human Rights Act (HRA) empowered judges greatly. It meant that they could challenge or at least ask Parliament to reconsider legislation. It meant that judges were involved in areas that had not before been their province • The Constitutional Reform Act (CRA) removed the Law Lords from being part of the legislature and enhanced their independence and autonomy • There has been a vast rise in the process of judicial review empowering the judiciary to become involved in political choices • Membership of the EU and the large areas of law emanating from there has increased the profile and importance of the judiciary. However there is a case that in recent years there has been little change to the role of the judiciary and cite the following: • Their role in upholding and establishing the law continues in the same vein • They still declare common law principles and interpret statutes as before • Their constitutional role has not altered – they have moved location but their constitutional position as being subservient in post to parliament remains • The principles of neutrality (and independence) remain intact and in place as before. A Level 2 response will typically exhibit the following features: Restricted knowledge and understanding of any change of the role and influence of the judiciary in recent years. A Level 3 response will typically exhibit the following features: Detailed knowledge and understanding of the role and influence of the judiciary in recent years.	
Level 3 6-8 Marks	Good to excellent knowledge and understanding of the extent of the changing role of the judiciary.
Level 2 3-5 Marks	Limited to sound knowledge and understanding of the extent of the changing role of the judiciary.
Level 1 0-2 Marks	Weak to very limited knowledge and understanding of the extent of the changing role of the judiciary.

AO2	Intellectual skills
Intellectual skills relevant to this question.	
Ability to assess the changing role of the judiciary in recent years.	
Level 3 7-9 Marks	Good to excellent ability to assess the changing scope and importance of the judiciary in recent years.
Level 2 4-6 Marks	Limited to sound ability to assess the changing scope and importance of the judiciary in recent years.
Level 1 0-3 Marks	Weak to poor ability to assess the changing scope and importance of the judiciary in recent years.
AO3	Communication and coherence
Level 3 6-8 Marks	Good to excellent ability to construct and communicate coherent arguments, making good use of appropriate vocabulary. A well-structured response with balance and clear conclusions supported by evidence.
Level 2 3-5 Marks	Limited to sound ability to construct and communicate coherent arguments, making some use of appropriate vocabulary. A structured response with some balance and some coherent conclusions drawn.
Level 1 0-2 Marks	Very poor to weak ability to construct and communicate analysis, making little or no use of appropriate vocabulary. Poor or limited structure and weak or limited conclusions.

No. 2 (a)	With reference to the source how was the House of Lords reformed in the twentieth century?
AO1	Knowledge and understanding
Key knowledge and understanding.	
The source identifies several ways by which the House of Lords has been reformed in the twentieth century • The 1911 Parliament Act – introducing a two year delay – and limiting the scope of legislation (no money bills) • The 1949 Parliament Act reducing the power of delay to one year • The 1958 Life Peerages Act which allowed for the introduction of life peers • The 1999 House of Lords Reform Act which removed the bulk of the hereditary peers.	
Marks are allocated for 1 mark is awarded if any one aspect is identified with some detail. 2 marks are awarded if any one aspect is identified and fully described. A composite mark is then obtained.	

No. 2 (b)	With reference to the source and your own knowledge, what factors limit the influence of political parties in the House of Lords?
AO1	Knowledge and understanding
Key knowledge and understanding	
The source highlights the following factors which influence political parties in the House of Lords: • 20% of the peers are crossbenchers with no party political allegiance • The power of party whips is much less than the Commons • Peers vote on issues and not on party diktat Own knowledge on how party affiliation affects the House of Lords: • Any enhancement or development of the points raised in the source • Experts are able to speak with independent authority on specialist topics • The Conservative Party hegemony went with the removal of the hereditary peers in 1998 • There has been concern that the appointment process to an extent within the power of the incumbent PM creates a political party bias in the chamber • The political parties have different numerical dimensions than the Commons with no government majority A Level 2 response will typically exhibit the following features: It will rely purely on own knowledge or exclusive reference to the source. A Level 3 response will typically exhibit the following features: Accurate and relevant reference made from both the source and own knowledge.	
Level 3 6-7 Marks	Good to excellent knowledge and understanding of the political party affiliations in the Lords. Drawn from own knowledge and the source.
Level 2 3-5 Marks	Limited to sound knowledge and understanding of the political party affiliations in the Lords either drawn from the source and/or from the candidate's own knowledge
Level 1 0-2 Marks	Weak to very limited knowledge and understanding of the political party affiliations in the Lords drawn either from the source or the candidate's own knowledge

AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to analyse the relevance of political party affiliation in the Lords	
Level 3 3 Marks	Good to excellent ability to the relevance of political party affiliation in the Lords
Level 2 2 Marks	Limited to sound ability to explain the relevance of political party affiliation in the Lords
Level 1 1 Mark	Very poor or weak ability to explain the relevance of political party affiliation in the Lords

No. 2 (c)	Is the House of Lords more representative than the House of Commons?
AO1	Knowledge and understanding
Key knowledge and understanding (<i>This is not an exhaustive account of relevant points</i>)	
Those who argue that the House of Lords is more representative than the House of Commons cite the following: • There is a far better gender balance in the Lords than that of the Commons • In terms of political parties the Lords proved a far better representation of political party interests • The fact that the government does not have a majority is more representative of how the nation votes in GE's • The Lords contains people from multiple and different academic, professional and social backgrounds than that of the Commons • The Lords is more 'functionally' representative given the background of its members than the Commons. Those who argue that the House of Lords is not more representative than the House of Commons cite the following: • The Commons carries democratic accountability which makes it representative of the electorate unlike the Lords • The Commons has clear geographical representation which the Lords does not • The House of Lords with still having 92 hereditary peers is not truly representative • Representation in the Commons is fluid and changes with each election whereas representation in the Lords is static and unchanging to reflect new views • The Commons is more open to public scrutiny and petition than the Lords which makes it more representative. A Level 2 response will typically exhibit the following features: Restricted knowledge and understanding of how representative both the Lords and Commons are – or a reliance on the representativeness of just one chamber without sufficient balance. A Level 3 response will typically exhibit the following features:	

Detailed knowledge and understanding of how each chamber is representative with informed and detailed information.	
Level 3 6-8 Marks	Good to excellent knowledge and understanding of the representative nature of both Houses of Parliament.
Level 2 3-5 Marks	Limited to sound knowledge and understanding of the representative nature of both Houses of Parliament.
Level 1 0-2 Marks	Weak to very poor knowledge and understanding of the representative nature of both Houses of Parliament.
AO2	Intellectual skills
Intellectual skills relevant to this question.	
The ability to evaluate and assess the context in which both Houses of Parliament are representative or not.	
Level 3 7-9 Marks	Good to excellent ability to evaluate and assess the representative nature of the Houses of Parliament.
Level 2 4-6 Marks	Limited to sound ability to evaluate and assess the representative nature of the Houses of Parliament.
Level 1 0-3 Marks	Weak ability to evaluate and assess the representative nature of the Houses of Parliament.
AO3	Communication and coherence
Level 3 6-8 Marks	Good to excellent ability to construct and communicate coherent analysis and evaluations, making good use of appropriate vocabulary.
Level 2 3-5 Marks	Limited to sound ability to construct and communicate coherent analysis and evaluations, making some use of appropriate vocabulary.
Level 1 0-2 Marks	Very poor to weak ability to construct and communicate coherent analysis and evaluations, making little or no use of appropriate vocabulary.

No. 3	'Prime Ministers are only powerful if political circumstances allow them to be.' Discuss
AO1	Knowledge and understanding
Key knowledge and understanding (<i>This is not an exhaustive account of relevant points</i>)	
There is an on-going debate concerning the amount of power which the UK Prime Minister (PM) enjoys and the power of the office and the events or circumstances which befall a PM. Evidence that political circumstances decide on Prime Ministerial power cite the following • Success at elections are crucial for a PM to survive and prosper • Carrying favour with the members of the PMs political party is also central to building a PM powerbase • Gauging the public's mood and reaction have to be traits of a powerful PM • Political events and how a PM responds to the hand which is dealt to them is vital • The media can limit the PMs power if they adopt a hostile position to that of the PM However there is evidence that a powerful PM can create and fashion their own power base by guile and skill and as such can transcend circumstances which befall them • The PM has a platform to create news and not be ransomed by it, as such the media may add to PM power • The PM has at their disposal an array of constitutional procedures which enhance their power and status – such as the power of patronage • A powerful PM will build up a strong collegiate workbase which can protect them and secure their position this can include the Cabinet, SPADS and the Civil Service • If a PM has a vision and articulates this via effective policies then this policy success can turn into a power base which affords the PM prestige and confidence • In the main if a PM delivers success for the political party in elections they normally acquiesce and bow to the PM affording them power	

Both sides of the debate should be addressed

A Level 2 response will typically exhibit the following features:

A recognition of both sides in the debate, but both sides not fully developed or there is uneven development on the remit of the question

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A Level 3 response will typically exhibit the following features:

Clear and defined knowledge and understanding with a focused recognition of both sides in the debate

Level 3 14-20 Marks	Full and developed knowledge and understanding the constraints on the UK PM
Level 2 7-13 Marks	Limited to sound knowledge and understanding the constraints on the UK PM
Level 1 0-6 Marks	Weak to poor knowledge and understanding of the constraints on the UK PM
AO2	Intellectual skills
Intellectual skills relevant to this question	
Ability to explain and evaluate the arguments surrounding the constraints placed on the PM	
Level 3 8-12 Marks	Good to excellent ability to analyse and evaluate the constraints or lack of them on the PM
Level 2 4-7 Marks	Limited to sound ability to analyse and evaluate the constraints or lack of them on the PM
Level 1 0-3 Marks	Weak or very limited ability to analyse and evaluate the constraints or lack of them on the PM
AO3	Communication and coherence
Level 3 6-8 Marks	Good to excellent ability to construct and communicate coherent analysis and evaluations, making good use of appropriate vocabulary. A well-developed clear structure with coherent conclusions.
Level 2 3-5 Marks	Limited to sound ability to construct and communicate coherent analysis and evaluations, making some use of appropriate vocabulary. Some discernible structure with relevant conclusions.
Level 1 0-2 Marks	Very poor to weak ability to construct and communicate coherent analysis and evaluations, making little or no use of appropriate vocabulary. Lacking a clear structure and with weak or limited conclusions.

No. 4	To what extent has parliamentary sovereignty increased or decreased in recent years?
AO1	Knowledge and understanding
Key knowledge and understanding (<i>This is not an exhaustive account of relevant points</i>)	
There is a significant body of opinion that endorses the view that Parliamentary sovereignty has decreased in recent years. Those who argue this line cite the following: • The EU is a prime creator of laws which apply in the UK, and Parliament cannot challenge the rulings of the ECJ. • The creation of devolved government has reduced further the sovereignty of Parliament • Membership of NATO places restrictions on the sovereignty of Parliament • Membership of the ECHR and the passing of the Human Rights Act further restricts the sovereignty of Parliament • Organised political parties and successful pressure groups reduce the sovereignty of Parliament • A strong and united executive can erode the sovereignty of Parliament However there are those who argue that the sovereignty of Parliament has not decreased in recent years. Those who argue this line cite the following: • Parliament only ever loans its powers it never relinquished them. As Parliament took the UK into the EU it has the power to remove it • Parliament decided to adopt the ECHR and the Human Rights Act – it can revoke these promises • Devolution is once again power ‘on loan’ Parliament can revoke the devolution acts or as it has done in NI suspend the assembly • Power in political parties and pressure groups is transient – it ebbs and rises – whereas the power of Parliament is perpetual • Executives can have a torrid time when Parliament exerts its sovereign power – as with the recent May administration. Both sides of the debate should be addressed A Level 2 response will typically exhibit the following features: A recognition of both sides in the debate, but both sides not fully developed or there is uneven development on the remit of the question	

A Level 3 response will typically exhibit the following features: Clear and defined knowledge and understanding with a focused recognition of both sides in the debate	
AO1	Knowledge and Understanding
Level 3 14-20 Marks	Good to excellent knowledge and understanding of the increase or decrease in Parliamentary sovereignty in recent years.
Level 2 7-13 Marks	Limited to sound knowledge and understanding of the increase or decrease in Parliamentary sovereignty in recent years.
Level 1 0-6 Marks	Weak to very poor knowledge and understanding of the increase or decrease in Parliamentary sovereignty in recent years.
AO2	Intellectual skills
Intellectual skills relevant to this question are indicated by an ability to evaluate, explain and analyse the implications of both increasing and decreasing Parliamentary sovereignty in recent years.	
Level 3 8-12 Marks	Good to excellent ability to analyse, evaluate and explain the debate surrounding the implications of both increasing and decreasing Parliamentary sovereignty in recent years
Level 2 4-7 Marks	Limited to sound ability to analyse, evaluate and explain the debate the implications of both increasing and decreasing Parliamentary sovereignty in recent years
Level 1 0-3 Marks	Weak to poor ability to analyse, evaluate and explain the. debate the implications of both increasing and decreasing Parliamentary sovereignty in recent years
AO3	Communication and coherence
Level 3 6-8 Marks	Good to excellent ability to construct and communicate coherent analysis and evaluation, making good use of appropriate vocabulary. A well-developed clear structure with coherent conclusions.
Level 2 3-5 Marks	Limited to sound ability to construct and communicate coherent analysis and evaluation, making some use of appropriate vocabulary. Some discernible structure with relevant conclusions.
Level 1 0-2 Marks	Very poor to weak ability to construct and communicate coherent analysis and evaluation, making little or no use of appropriate vocabulary. Lacking a clear structure and with weak or limited conclusions.

