



Examiners' Report
Principal Examiner Feedback
Summer 2024

Pearson Edexcel GCE Advanced Subsidiary Level
In Politics (8PL0-02)
Paper 2 UK Government

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Introduction

Overall candidates and centres should be commended for their hard work and commitment to the study of UK Government. There was a good standard of responses across the different question styles and specification areas covered in this summer's exam paper. It was very pleasing to see candidates engaging well with the sources and the questions, and a strong use of contemporary political examples to help bring their answers to life. In particular, Question 2 and Question 3 were answered to a high standard.

A key area that is still worth reflecting on is timing; it is vital that candidates plan their timing so they can give the necessary time to each question to meet the demands of the whole paper.

There are, as with any examination, however, several areas to reflect upon and lessons to be learned, which will enable future cohorts to address the examination effectively.

Question 1(a)

Most candidates were able to describe at least one role of a Peer in the House of Lords. The main approach adopted was to get straight into describing the roles, which was exactly right as there is no need for an introduction or conclusion in these responses.

Better answers had breadth and depth; candidates were able to exemplify the roles, including their role in holding the government to account, in scrutinising legislation, and sharing their expertise and experience in a particular area of policy. A good example of this here was where candidates could talk about Peers and their role in scrutinising legislation, by amending legislation and the process of "ping-pong". Stronger answers were able to deploy key terminology from the specification in their writing and use modern examples, including Peers who have been highly active in the House of Lords or recent legislation, such as the Safety of Rwanda Act.

Weaker answers tended to focus more on who Peers are, their behaviour and what they could not do, rather than remaining focussed on their roles. A lack of exemplification, or the selection of examples was ineffective such as picking Peers to reflect specialism who had very weak attendance and voting records, also made it difficult to really develop any depth in the answers.

The first role of a peer is to scrutinise government. Peers will be called upon within committees to provide scrutiny regarding the running of government departments, these Select Committees may be used to scrutinise the actions of members of these departments, as well as the work that is done there. An example of such a committee would be the environmental protection committee.

Peers will also lend expertise to certain areas that they have experience. Peers are chosen by PMs based on their experience and ability in certain fields that may make them useful for the effective running of government. Peers may have knowledge on topics such as law enforcement, healthcare or within the sciences. Prime Ministers may also invite peers to serve in the cabinet if they have vast experience in an area that will be useful to the PM, for example Lord David Cameron was invited to the cabinet of Rishi Sunak as Foreign Secretary due to his experience in determining foreign policy in the UK.

Peers will also have a role in the legislative function of parliament. Once a bill has been voted upon by the House of Commons, and has passed, it will pass to the House of Lords where it will be

debated, and if necessary, ideas for amendments will be given. However, once the bill is passed back to the Commons, the Lords' amendments do not have to be taken into account. Peers are also able to vote to delay a bill from passing for up to a year, due to the Parliament Act 1949, unless the bill is a finance bill, which despite the Parliament Acts of 1911 and 1949, the House of Lords is unable to delay. Thus they have a necessary role in the legislation of governments.

Examiner Comment

This is a Level 3 response; it is very effective by getting straight into the answer and highlights three key roles, with some development and exemplification. To improve, the exemplification here could be stronger by for instance, using a contemporary example of a Bill to illustrate the legislative function.

One role of a peer within the House of Lords is the scrutiny of both primary and secondary legislation. For primary legislation, this can mean being a part of committees to go through legislation line by line to make sure it is correct, and to a good standard. If not, ~~the~~ ^{a peer} ~~lords~~ can suggest an amendment and send the legislation back to the commons. A peer can play a much larger role in the scrutiny of secondary legislation. As this does not go through the full legislative process and does not go through the House of Commons, the responsibility falls to the peers to ~~scrutinise~~ scrutinise those pieces of legislation. Usually, no change is needed but a key example of a piece of secondary legislation being plugged was in 2015 when the Conservatives tried to lower tax credits to low income people. In that case, the Lords played a pivotal role in the identification and amendment of the bill.

Another role of a peer is to provide expert opinion on certain areas. However, this does not apply to all peers as hereditary peers are simply inheritants of the position and not experts of a field. For the most part, peers are selected to represent a key area on which they have ~~expert~~ extensive expertise. This is important as it provides use of the Lords as they can offer advice on certain legislation and political matters. A key expert

in the Lords is Lord Darro. The former Chief of Staff played a key role in providing military advice on the issue of military action in Syria in 2015/16. Overall, the role of expert is an important one in ensuring the best advice is given in Parliament.

Another role of peers is to question ministers in the Lords. At all times there is a member of the Lords who sits in Cabinet (Leader of the House of Lords). This therefore, it is a permanent role of peers to question any Lords who are minister on certain days. This role survives when fewer Lords are notable ministers but has seen an important return with the inclusion of Lord ^{David} Cameron of Chipping Norton as Foreign Secretary. Now, minister's question days have a crucial role in checking government and holding the government to account in the House of Lords.

Examiner Comment

This is an example of a Level 3 response with a range of different roles and some good exemplification. Notice there is no need for an introduction or conclusion here as this answer is about A01 only, and so needs to show accurate and comprehensive knowledge effectively linked to the question to reach Level 3.

Question 1(b)

This question focussed on the convention of individual ministerial responsibility and drew a wide range of responses. The main approach adopted was to get straight into describing how Ministers can be held to account and forced to resign or be sacked, which was exactly right as there is no need for an introduction or conclusion in these responses.

Many candidates were able to detail that Individual Ministerial Responsibility involved Ministers having to accept responsibility for their personal behaviour and actions and could provide examples of where Ministers had lost their job for personal misconduct, with Matt Hancock used as a common example. Stronger answers could explain the nature of a convention and could also explain how Individual Ministerial Responsibility also applied in cases of policy or administrative failure with good examples. A good understanding of key terminology of the specification provided a good framework for answering this question. It was good to see lots of modern examples here from the 2019 Parliament, although some candidates were still using examples from the past, which are relevant but perhaps not quite as effective.

Weaker answers just focussed on the element of personal misconduct or lacked exemplification. A more structural problem was where candidates confused Individual Ministerial Responsibility with Collective Ministerial Responsibility.

The convention of individual ministerial responsibility is a responsibility ~~to~~ government ministers undertake in order to uphold their position, status and role within the executive. Since it is a convention, it is not legally-binding, however ~~the~~ ministers are ~~is~~ instead morally-compelled to take responsibility for their actions. One case in ~~above~~ ^{which} individual ministerial responsibility was upheld was ~~to~~ ~~&~~ when Amber Rudd (who was the ~~Home~~ ~~Secretary~~ home secretary in 2018 under the leadership of Theresa May) was investigated by the 'Home Affairs Select committee'. It was found out that Rudd gave ~~the~~ incorrect and false information about immigrants who came to the UK during the 'Windrush era', this led to many innocent individuals being deported as a result of this false information. In turn, the ~~committe~~ committee found out about this information and Rudd was held accountable for her actions which led to her resigning as home secretary. This shows how ~~authoritative~~ authoritative the convention of individual ~~&~~ ministerial responsibility is as it

essentially forces a minister to take responsibility for their actions in order to prevent large backlash against their party and a large amount of societal unrest.

However, in some cases the convention of individual ministerial responsibility can be ineffective in holding government ministers to account. For example, Priti Patel who had the role of foreign secretary ^{in 2020} was found guilty of bullying through a select committee investigation. However, she did not lose her job. This essentially highlights the ~~fact that~~ convention of individual ministerial responsibility not being legally-binding, since Patel did not receive any proper repercussions for ~~the~~ her actions ~~even though~~ she was convicted of it.

However, in some cases ^{the convention of} individual ministerial responsibility is still effective as Matt Hancock (who was ^{the} ~~the~~ health minister at the time) was found guilty of ~~the~~ kissing his colleague and breaking covid regulations, this ~~led~~ led to him resigning from his ministerial role, therefore he (Total for Question 1 = 10 marks) was held accountable for his actions.

TOTAL FOR SECTION A = 10 MARKS

Examiner Comment:

This is a Level 3 response. This is an effective response to this question that is clearly focussed on the question and covers the convention of Individual Ministerial responsibility, with development and examples. The exemplification here is contemporary.

Examiner Comment

This is a Level 3 answer, with a range of examples from historical to contemporary. It really covers a good range of different applications of Individual Ministerial Responsibility. One area for improvement would be much greater accuracy in the use of the Gavin Williamson example.

One ^{aspect} ~~conception~~ of individual ministerial responsibility is that ~~6~~ ministers are expected to resign over policy failures. An aspect of this is that heads of departments are expected to resign ~~if~~ ~~then~~ regardless of whether the policy failure was their doing or not - they are responsible for the successes and failures of their department. For example, Estelle Morris who was Tony Blair's education secretary had to resign due to a department failure regarding a-level grading - she took due responsibility. Similarly, Gavin Williamson resigned from the same post in 2022 due to the failure of an a-level grading system. If policies fail in a department it is convention that the head of said department resigns.

Another ^{aspect} ~~conception~~ of individual ministerial responsibility is resigning over administrative failures. If there is an administrative failure the minister heading the department responsible has to resign. In the 1940s ~~1950s~~ the UK government borrowed ~~was~~ land in order to test weapons ~~for~~, and in 1954 it was

realised that an administrative error had occurred resulting in the borrowed land not being ~~returned~~ ^{returned}, it was dubbed the 'Crickel downs affair'. The 1954 minister of Agriculture Sir Thomas Dugdale resigned due to the failing despite it having nothing to do with him specifically. This shows how the convention of ~~minister~~ individual responsibility can cause resignations due to administrative failure.

The last aspect of the convention of individual ministerial responsibility are scandal resignations. Ministers should be responsible for personal conduct and if this conduct falls short they should resign. One example is the 2022 Chris Pincher sex scandal which caused uproar at his personal conduct resulting in him resigning. Furthermore, Dominic Raab resigned over bullying allegations which went against the ministerial code of conduct. His behaviour was unacceptable personal conduct so he ~~resigned~~ followed the convention and resigned showing personal conduct as an aspect of the ^{convention}.

(Total for Question 1 = 10 marks)

Examiner Comment

This is a Level 3 answer, with a range of examples from historical to contemporary. It really covers a good range of different applications of Individual Ministerial Responsibility. One area for improvement would be much greater accuracy in the use of the Gavin Williamson example.

Question 2

This question is a compulsory question and focussed on source skills, with marks awarded for A01 and A02. The subject area was the factors that Prime Ministers consider when appointing their Cabinet. As an explain question, there was no need here to use an introduction or a conclusion.

Stronger answers used the source to answer the question by developing their analysis of what Prime Ministers have considered in choosing their cabinet and were able to use examples to build higher levels of analysis. This was often done by using a short quote from the source, then explaining how and why this factor was considered by Prime Ministers in choosing their cabinet. Stronger answers remained clearly focussed on the question throughout.

Weaker answers tended to quote or paraphrase the source rather than build on it by explaining the factors.

The first factor, which the source states, that Prime Ministers consider when appointing their cabinet is appointing senior ministers that share the same ideology and will not turn against the PM.

This means that PMs such as Liz Truss appoint these ministers in order to effectively pass their legislation, without them criticising the cabinet's work. This is supposed to lead to more wins in the House of Commons but also a type of cabinet unity, which represents strength and resilience. The second factor

the source states is that PMs reappoint former ~~the~~ ministers, which can be seen in Boris Sunak reappointing Suella Braverman, ~~after taking over~~ ~~to~~ as a Home Secretary, after Liz Truss resigned as a PM. Prime Ministers do this so ~~that~~ because these ministers have ~~shown themselves~~ already shown their

performance and are especially helpful in the beginning stages of the formation of a cabinet, as reliable ministers are needed. This helps the Prime Ministers to make a good start, ~~without dissatisf~~ while trying to ~~maintain~~^{strengthen} their mandate.

Another factor which PMs consider when appointing Ministers are balancing the cabinet with two slightly varying ideologies, seen in ~~Blair's~~ ~~Blair's~~ Blair's 'Old- and New Labour' cabinet. PMs do this so that the unity of their party is maintained, as the party parties are often split into two main factions. This prevent discontent under the backbenchers and helps with efficiently implementing the party's manifesto, as well as keeping harmony within the party. Another factor is appointing 'big beasts', which are popular ~~and~~ MPs with a ~~good rep~~ broad reputation and backbenchers supporting them. Not appointing these into your cabinet can often turn to them turning against the cabinet and making the executives work difficult, through defeating bills. ~~Lastly the source states that PMs~~ This was the case with Gordon Brown under Blair, who later separated the party under 'Brownites' and 'Blairites'.

(Total for Question 2 = 10 marks)

Examiner Comment

This is a Level 3 response that remains clearly focussed on the question, as it keeps coming back to "factors". It clearly uses the source as a springboard to develop its explanation of how and why certain factors are considered by PMs in selecting their cabinet.

- 2 Using Source 1, explain the factors that Prime Ministers consider when appointing their Cabinet

In your response you must use knowledge and understanding to analyse points that are **only** in the source. You will **not** be rewarded for introducing any additional points that are not in the source.

(10)

One factor that Prime Ministers consider when appointing their cabinet is who is influential within the party and therefore may create an opponent if not included. These ministers are 'big beasts' with some examples being 'Gordon Brown under Blair' and Boris Johnson under Theresa May. PMs need to consider big beasts for cabinet because if they are left out, they may be unhappy ~~and~~ leading to them building resentment against the PM. As big beasts are influential, if they dislike the PM, they may openly discuss it therefore those who like the big beast will also adopt a similar outlook towards the PM. This would be bad for the PM because it could create divisions among the party therefore weakening the PM's power leading to an increased likelihood of being removed via a vote of no confidence.

Another factor that an PM must consider when appointing cabinet is the 'abilities of senior colleagues.' This is because cabinet ministers have great responsibility therefore must be able to do the job successfully otherwise, the government

could be undermined and appear weaker due to cabinet ministers poor decisions. Cabinet ministers ~~must~~ must be good enough for the role because they also influence the government decisions in crisis events such as when Russia invaded Ukraine. Boris Johnson called an emergency cabinet meeting. Those world changing events must be handled by ministers who are the best for the job otherwise wrong decisions could be made that puts people in danger. A strong government must have successful cabinet ministers who have the ability like 'Michael Gove' who was seen as a 'safe pair of hands' otherwise people won't vote for you in the next general election.

A final factor that PMs need to consider is cabinet balance. 'Blair balanced his cabinet with 'old labour' and 'new labour.' This allows for a wider range of the parties and voters views to be represented in cabinet allowing for a more representative outcome. Similarly, Theresa May included half pro-brexit and half remain conservatives in her cabinet to ensure there isn't a large divide and to try create solutions that are a compromise between the two split groups. If a cabinet is not balanced, only a minority is being represented and therefore if the majority do not feel represented, there could be a vote of no confidence or simply the PM won't be elected in the next general election.

Examiner Comment

This is a Level 3 answer that achieves this level due that the fact it demonstrates comprehensive and precise knowledge and consistent and sustained analysis of political information.

Question 3

Question 3 is another compulsory question that focusses on source skills and in this case, assessing whether select committees exert significant influence on government. In many ways, the structure of responses to this answer is all important. The structure must focus on similarities and differences between the sources to answer the question. In answering the question, candidates need to build the debate from the sources to reach justified conclusions about the success or otherwise of devolution. An overall conclusion to this answer is very valuable, although an introduction is not necessary.

Stronger answers clearly focussed on locating differences and similarities between the sources, whilst the best answers used these to develop an argument to reach mini conclusions and an overall conclusion. A good contextual understanding of the role of select committees in checking and reporting on the work of government departments was clearly very helpful.

Weaker answers tended to repeat the source through quoting it or paraphrasing it without really developing any analysis. There were some answers that just wanted to answer the question and ignore the source or ignore the element of similarities and differences, and this really limits the ability to score well under the mark scheme. Other answers found the question a challenge, as there was a lack of clarity about the role of select committees.

- 3 Using Sources 2 and 3, assess whether select committees exert significant influence on government.

In your response you must compare and contrast **similarities** and **differences** and consider competing points in the sources by analysing and evaluating them. **Only** analysis and evaluation based on the knowledge from the sources will gain credit.

(10)

Sources 2 and 3 begin in agreement by ~~saying~~ saying that Select Committees 'contribute to the issues of the day' and 'current political issues'. This would immediately suggest that Select committees ~~to~~ must exert some influence on government, even if relatively minor. The sources then differ with Source 3 saying that Select committees 'had NO influence on the final outcome' on major issues such as 'Brexit' and that the Government can simply 'ignore their recommendations'. Although Source 2 argues against this by stating the 'Exiting the -EU Committee forced the government to publish its 31 'economic impact' assessments' on Brexit. Here it is difficult to accept Source 2's argument as being superior, because real influence on government involves ~~the~~ the decision making, not just holding the government's plans to account. Furthermore, source 2 says that the 'Home Affairs Select Committee into the Windrush scandal' which led to her resignation when it became clear she 'misled MPs'. However, as source 3 states this is not an example of power coming from select committees as ~~that~~ the Home Secretary's resignation came about as a result of her 'misleading Parliament', which had little to do with the Committee's investigation into her 'policy failure'. It could be argued that the

committee had some influence here as they helped to bring the Home Secretary's 'policy failings' to light but they undoubtedly lacked the power to effectively hold the minister to account. It is purely a coincidence that the Secretary was forced to resign soon misleading Parliament, which is something that may of happened in the House of Commons ~~effect~~ chamber, ~~as~~ making the influence of the Select committee redundant. Source 2 continues by explaining an important point that Select committees have the ability to and often choose to 'widen scrutiny' beyond ~~the~~ Westminster by investigating societal issues such as when the 'Health and Housing' committees run a joint citizen's assembly as part of their inquiry into long-term funding into adult social care. This shows that committees have the ability to bring ~~some~~ forward ~~some~~ a wider perspective to ~~the~~ ~~of~~ the government and its policy makers. However, this is rarely successful as they lack 'sufficient power', ~~as~~ ~~stated~~ as stated by Source 3. ~~Overall~~ Overall, Select committees exert a relatively minor influence on government. It is clear that they've helped to raise 'political ideas' with the government, many of which may not have been ~~of~~ part of the debate had Committees not investigated into wider society. However, they ultimately lack any significant influence on governments as ~~they~~ they can and often are ignored.

(Total for Question 3 = 10 marks)

TOTAL FOR SECTION B = 20 MARKS

Examiner Comment

This is a Level 3 response with an effective structure; there is clear comparative analysis of the sources that is used to build judgements about whether select committees exert significant influence on the government.

Question 4 (a)

This question was the less popular of the two optional essay questions. Most candidates were able to “refer to both ultra vires and judicial review” in answering the question, although some candidates struggled to define the two key terms. Generally, candidates were able to include effective synoptic links back in particular to rights in context from Component 1 (synoptic being part of A01).

Timing was all important here; candidates needed to ensure that they gave themselves adequate time to really do justice to the longer essay format.

Structure was also crucial here. The most effective structure started with a short but clear introduction that detailed the nature of the debate, defined ultra vires and judicial review and then laid out the main direction of the argument to be pursued. Next paragraphs were built using an effective pairing of argument – for and against the idea that Supreme Court has significant influence over the Executive with clear analysis (AO2) – to build mini conclusions (AO3) throughout the answer. These mini conclusions offered steppingstone judgements that took the answer to the conclusion (AO3). The most effective conclusions were the ones that the reader could write for themselves in their own mind from reading the main body of the essay and found it matched the actual conclusion on paper.

This question was answered with a range of different arguments about whether the Supreme Court was able to exert significant influence over the Executive with better answers pairing arguments and developing a real sense of debate backed by well selected examples. The more contemporary examples were an effective way to select and deploy information precisely (AO1) to help build analysis (AO2).

Weaker answers tended to struggle to define judicial review and ultra vires, leading to some confusion in how to answer the question. Secondly, a main area for differentiation was whether candidates really focussed in on the Executive branch rather than getting dragged into a wider debate about checks and balances. Exemplification was also key – knowledge of relevant and contemporary cases made a big difference to being able to access the full range of the mark scheme. There was still a tendency to write all the arguments for then all the arguments against more like a list than a real debate, sometimes making it harder to really develop analysis (AO2) and evaluation (AO3).

The doctrine of *ultra vires* and the process of judicial review ~~ensure the Supreme Court~~ do not ensure the Supreme ~~to not~~ Court have significant influence over the executive. Throughout this essay the argument can be made that the executive still have more power than the Supreme Court with factors such as parliamentary sovereignty having a role to play in this.

Throughout the years we have seen the Supreme Court try influence the executive and urge them to reconsider certain laws from being passed, since its creation in 2005 to its formal establishment in 2009. ~~Fairly~~ Fairly recently, the executive has defeated the Supreme Court in parliament with Rwanda bin brought in under prime minister Rishi Sunak. ~~The argument could~~ The case was brought to the Supreme Court out of fear that it breached the human rights act 1998, in this case the judges carried out judicial review and came to the conclusion that sending illegal migrants to Rwanda was 'unlawful' and 'unlawful'. The argument

could be made that this is the Supreme Court asserting power and therefore influence over the executive by making sure Rishi Sunak was not acting ultra vires. However whilst this can be said in theory, the reality was that the executive passed a piece of statute law and said Rwanda is a safe place thereby, by law, they're not acting ultra vires. Furthermore, whilst the prime minister had to respond to judicial review ~~they~~ he was under no obligation to act upon the judges' recommendations therefore showing the doctrine of 'ultra vires' and process of judicial review ~~don~~ do not have significant influence over the executive ~~and~~ because in this case the government effectively shut down the judges' verdict and passed the Rwanda bill later on in the year anyway.

+ One case that could suggest the Supreme Court does have significant influence over the executive is Boris Johnson proroguing of parliament in 2019. Johnson tried to 'send parliament home' so him and his cabinet could pass his Brexit deal, this was when the Supreme Court carried out judicial review and came to the verdict that he acted ultra vires and that he could not prorogue parliament.

Johnson then could not do anything about this verdict and therefore did not ~~for~~ prorogue parliament. This would suggest the Supreme Court did have influence over the executive. However after this happened Johnson managed to 'get Brexit done' as provided in his manifesto, but legally. The Supreme Court did not say whether Brexit should happen or not, but did place limitations on how it could happen. Despite the Court's best effort Brexit ended up happening under Johnson.

Judicial review is a concept which means the Supreme Court carry out careful scrutiny of government policy to make sure the executive is not acting ultra vires. In theory this sounds like they keep the government in check however with the case of Ahmed they were undermined. Ahmed was suspected of being a terrorist by the British government so they froze all his assets. The Supreme Court ruled the executive was acting ultra vires and were violating the Human Rights Act 1998. The executive then passed an act of parliament to ~~over~~ overrule and undermine the role of the Supreme Court. This ~~shows~~ shows they ~~are~~ do not have significant influence over

the executive.

In conclusion the Supreme Court do not have significant influence over the executive as ~~more~~ often than not they can ~~pass~~ pass a ^{more} piece of Statute Law ~~to~~ to undermine the role of the Supreme Court. With Johnson's proroguing of parliament he only had to respond to the judges report not act upon the recommendations given to him thereby showing the executive ~~are~~ are still more powerful than the Supreme Court.

Examiner Comment

This is a Level 4 answer, that uses different Supreme Court cases as its structure, and with each case examines whether the influence of the Supreme Court on the Executive can be seen as significant. An area for improvement would be more accuracy around the Rwanda policy Supreme Court ruling. The answer does cover judicial review and ultra vires but would perhaps benefit from a clear definition of the terms in the introduction.

Chosen question number: Question 4(a) ☒ Question 4(b) ☒

The Supreme Court are an independent body and the highest Court of appeal, formed ~~from~~ ^{from} the Constitutional Reform Act of 2005. Judicial review and ultra vires (beyond the powers) acts as a ~~check~~ ^{influence} on the executive in 3 Major ways, the use of the Human Rights Act (1998) ~~is~~, ~~the~~ judicial review ~~cases~~ ^{cases} resulting significant outcomes and declarations of ~~incompatibility~~ ^{incompatibility}. ~~greatly~~ ^{greatly} ~~disagree~~ ^{I disagree} with the statement that the Supreme Court have an enabling system that can ~~also~~ have significant influence over the executive.

Firstly ~~in~~ ⁱⁿ ~~judicial~~ ^{judicial} reviews are argued to have great influence over ~~parliament~~ the executive as they ~~pressure~~ ^{pressure} ~~the~~ ^{the} ~~executive~~ ^{executive} immensely. In 2017 ~~Miller v Prime Minister~~ ^{Miller v Secretary of State} for exiting the European Union (EU), ~~the~~ the Supreme Court judged that it was illegal to ~~commit~~ go through Article 50 without the consent of Parliament, greatly affecting the ~~executive's~~ ^{executive's} plans for upholding the popular decision in the ~~Brexit~~ ^{Brexit} referendum. This was because ~~the~~ ^{the} Parliament was required ~~in~~ ⁱⁿ the signing of the European Communities Act in 1972 that enabled EU integration in the first place. This shows how the Supreme Court is significantly influential over the executive as it can alter entire executive

Plans even though it has a ~~big~~ national mandate
(FPP) granted by the electorate ~~and~~ because of ~~the~~ first past
the post which typically leads to strong governments (majority),
the Supreme Court has the power to still Circumvent executive
actions in an elitist fashion. On the other hand it is argued
that the Supreme Court does not have significant influence
on the executive and that the executive is simply as of
recent with the 2017 Miller case acting illegally and the
Supreme Court is acting within its own legal powers to
stop the executive from becoming too powerful in contrast
to the argument that ~~the~~ it has significant influence
over the executive. ~~However~~ Therefore we can
judge that it does not have ~~an~~ significant power as it
didn't impact the executive's decision greatly apart from
its legality and the Supreme Court has no power in ~~actually~~
Circumventing the executive's plans but makes sure its legal in judicial
reviews.

(PM)

The Supreme Court ~~it~~ can influence the executive
in important Constitutional matters such as in cases
of Ultra Vires. In 2019, Miller v Prime Minister was
a ^{case} ~~argument~~ where the Supreme Court judged the
proceeding of Parliament by at the time Prime Minister Boris
Johnson as UNLAWFUL. This was an attempt for Johnson
to pass policy without scrutiny from parliament but it was
ruled illegal as and Parliament was reinstated, Johnson's

allies criticised the Court and said they were bias, against sub-judice rules which makes the Supreme Court seem very influential as it establishes a clear check of power on the Executive which requires power to do so and resulted in powerless Chats of scrutiny which are legally unfit.

In April 2024 the head of the judiciary scrutinised PM Rishi Sunak in talks about hiring 150 judges, ~~the~~ ~~say~~ ~~this~~ ~~that~~ it threatens ~~the~~ judicial independence and politicises the judiciary and ~~exposes~~ Supreme Court as the Executive (currently) is in wanting to regain power from the Supreme Court that was lost in the signing of the constitutional reform act 2005. Yet again proving the ~~supreme~~ Supreme Court has ^{significant influence} ~~power~~ ~~and~~, especially in Ultra vires cases. On the other hand itⁿ is ~~not~~ the Executive who Under FPTP typically has a majority in our ~~bourgeois~~ bourgeois representative system which can at any time vote to abolish the Supreme Court legally as the de jure status of the judiciary is not guaranteed in our unentrenched uncodified constitution, therefore the Supreme Court's ~~as~~ existence is at the whims of the executive, which truly holds significant influence on the Supreme Court and not the other way round.

However this argument can be disputed as it is unlikely the electorate who elect ~~parl~~ MPs as trustees would allow this to happen without public outcry ~~and~~, since ~~or~~ they hold political sovereignty as they ultimately decide who

Can be elected or not, they would make government accountable in the next regular ~~and~~ general election. Meaning ~~that~~ the executive are in reality powerless in this regard as it would lead to electoral suicide in the next election as people would lose faith in the party's politicians (undemocratic). Therefore it is visible the Supreme Court have significant power and influence over the executive as they are truly independent and can act without in consideration of the executives focus and reverse important decisions from them as seen in 2019 (Ultra Vires) case.

demonstrates significant influence over the executive

The Supreme Court's Judicial reviews and declarations of incompatibility in regards to the HRA (1998).

The Supreme courts role is to interpret law and thereby create common law in the cases of appeal.

This can be seen in the HRA 1998 that was passed in Blair's government which essentially incorporates the European Convention of Human Rights (ECHR) into UK law. An example of this was in ~~2013~~ the Rwanda bill ~~in~~ 2023 which was declared incompatible with the HRA as Rwanda was not deemed a safe country to deport illegal immigrants too. ~~During~~ Publishing full reports on why it was illegal under the law, this prevented PM Sunak from continuing with the bill whilst Rwanda was deemed unsafe as it was technically ~~in~~ contradictory. Showing how much influence the

Supreme Court has as since it can interpret law, it has a quasi-legislative function that can pressure and bind future laws which can disrupt the executive.

However this is easily repented as the Supreme Court ^{cannot} ~~can~~ not pick which cases it chooses, it must be handed by a lower court through appeal in our appellate court system. ^{can not be activist}

The Supreme Court can also not strike down acts of parliament which the executive typically have a majority over which means that it can be ignored, rendering it powerless in judicial reviews of these ~~sorts~~ ^{sorts} (HRA). This was seen in the passing of the Safety of Rwanda Act (immigration and asylum) 2024 where Sunak proceeded legally with the plan to now deport immigrants ~~away~~ and in the Illegal Immigration Act 2023 which had a note by Stella Braithwaite stating it to go through even if it contradicts the HRA. This shows the Supreme Court although has significant power over the executive in pressing it for legal reforms such as in Blair's terrorism, crime, security Act of 2001 but does not strip parliamentary sovereignty as that would be undemocratic, therefore it has significant influence but not excessive power over the executive.

In conclusion, the Supreme Court does have significant influence over the executive as the

Judicial reviews succeed in against the prime minister and Miller v Secretary of State for the Home Department EU showcases how it has power to reverse executive decisions and disrupt plans legally without issue. As well as it's power to declare incompatibilities helps pressure the executive immensely. It cannot strike down laws but remains an effective check on the exec and is unlikely to be abolished as it would cause public outcry. Therefore it has significant but not excessive influence over the executive as seen in the Rwanda bill which pressured Sunak's hands and made him have to legally make Rwanda a country in order to pass the Safety of Rwanda Act 2024. As an unelected body all of this showcases the ~~many~~ powers it holds.

Examiner Comment

This is a Level 5/Level 4 boundary answer that adopts a very different approach to the answer above. There is a clear question focus and genuine sense of debate created in this answer with quite a good range of examples and some political vocabulary. There are very clear synoptic links.

Question 4(b)

This answer was the more popular of the two questions and candidates adopted a wide range of different approaches to the answer. Nearly all candidates were able to refer to at least two devolved bodies, with many going beyond two although there was still a tendency to focus mostly on Scotland. It was important for candidates to note and follow this instruction and the use of a wide range of evidence really helped to develop more analytical answers.

Generally, candidates were able to include effective synoptic links back in particular to Component 1(synoptic being part of A01).

Timing was all important here; candidates needed to ensure that they gave themselves adequate time to really do justice to the longer essay format.

Structure was also crucial here. The most effective structure started with a short but clear introduction that detailed the nature of the debate, and defined the measures against which devolution could be judged to be a success or not. Next paragraphs were built using an effective pairing of argument – for and against significant control with clear analysis (AO2) – to build mini conclusions (AO3) throughout the answer. These mini conclusions offered steppingstone judgements that took the answer to the conclusion (AO3). The most effective conclusions were the ones that the reader could write for themselves in their own mind from reading the main body of the essay and found it matched the actual conclusion on paper.

Stronger answers used themes to create debate like democratisation, decentralisation of power, modernisation of the UK and desire to keep the United Kingdom united.

There were some issues here with candidates overly focussing on Scotland. In some cases, candidates went devolved body by devolved body which could work well but could sometimes lead to just repeating the same arguments for different devolved areas creating quite a narrow debate.

There was still a tendency to write all the arguments for then all the arguments against more like a list than a real debate, sometimes making it harder to really develop analysis (AO2) and evaluation (AO3).

Chosen question number: Question 4(a) ☒ Question 4(b) ☒

Devolution across the UK has been largely unsuccessful. The aim of creating the devolved bodies was to increase political participation in British politics, to create a ~~new~~ new level of regional government which introduce successful local policies. Also to create an overall benefit to British society by ending conflicts between citizens within the devolved regions by ~~only~~ acting as a compromise. It is ~~very~~ important to judge the criteria for devolution's success based on these three major ~~aspects~~ aims.

~~The~~ One of the core aims for the New Labour government in 1997 was to introduce constitutional reform in order to turn the UK into a more democratic ~~only~~ nation. The beginning of the UK's participation crisis began ~~that~~ ~~the~~ in the late 1990s as the country saw a decreased turnout at elections. Most notably in 2001 when turnout fell below 60% for the first time in the last century. Therefore, it was believed that by giving Scotland, Wales and Northern Ireland their own bodies of representation that turnout would increase in those regions. To help achieve this goal each devolved region was given a ~~new~~ ~~proportional~~ new electoral system which included proportional ~~of~~ representation.

Scotland and Wales were given the additional member system, whilst Northern Ireland has the single transferable vote. However, ~~the~~ despite these advancements in representation, devolution has failed to improve one of its core aims of boosting electoral turnouts in these regions. Wales in particular often only has a turnout of approximately 50%, well below the national average, which was 67% in the 2019 general election. A similar situation is prevalent in Scotland where turnout is around 60%. The reasons for this lower participation may be due to a lack of care for the devolved bodies as ~~the~~ voters feel they make little impact on their lives. Although, Northern Ireland does receive higher turnouts above 70% this is likely due to the more localized nature of Irish politics, with every major party being based in the region. ~~However~~ Some may argue that the single transferable vote is even more proportionally representative than the additional member system, hence higher turnouts. However, this point only reinforces the fact that devolution has failed elsewhere and that politicians ~~just~~ made the wrong decision when they gave the Scottish and Welsh Parliaments a separate electoral system. Therefore, it is clear that devolution has been ~~a~~ unsuccessful in bringing about increased participation in UK politics, making the statement false.

Another of the core aims of devolution was to bring about improved regional policies which better represent ~~the~~ Wales.

Scotland, Northern Ireland as well as devolved English areas ~~represented~~ such as ~~local authorities~~ those with a local mayor. There are several arguments to say that this has been achieved. One such case is in Scotland where university tuition fees are free for Scottish students, whereas those in other parts of the country must pay £9250. Therefore, the ~~the~~ devolution has allowed Scotland to bring about its own unique policies which ~~these~~ ~~are~~ are chosen by Scottish voters. Similarly, the Mayor of London, Sadiq Khan has recently introduced an 'ultra-low emission zone' in the city centre. This has helped to improve air quality for ~~the~~ ~~the~~ residents of the city. These policies wouldn't have likely been brought about by the central government as they're less knowledgeable about the wants and needs of people in local areas, unlike regional representatives. However, ~~this~~ whilst devolution has helped to improve local policies, they've also brought about a sense of unfairness. In particular this is due to the asymmetrical nature of devolution in the UK. This is where each devolved body has a different level of power to another. For example, the Scottish Parliament has ~~complete~~ complete powers over taxes set in the country, whereas the Welsh Parliament has reduced powers to only alter tax rates by 10%. ~~Additionally~~ Additionally, there is a ~~serious~~ lack of co-ordination between the devolved bodies. This was seen in action during the coronavirus pandemic where Wales, England, ~~the~~ Scotland and Northern Ireland regularly had

differing restrictions ~~on~~ on the movement of people. This made policy less effective across the UK, potentially even helping the spread of the virus. It is easy to see how these differences in policy may ~~have led to~~ cause a less successful economic outlook for the UK as a whole as a result of a lack of co-operation. Therefore, whilst the devolved bodies have been somewhat successful in making popular regional policies, devolution has ultimately led to a more divided political system with the potential for policy failing to negatively impact the country.

The third major aim of devolution was to create less conflict among citizens across the devolved regions. It's important to acknowledge the highly successful impact devolution ~~has~~ has made in Northern Ireland with the 'Good Friday Agreement' which brought an end to 'the Troubles'. Since in Northern Ireland no longer has to fear violent armed conflict as both sides of the religious divide now co-operate through power sharing in the Northern Irish Assembly. However, devolution has failed to end calls for further autonomy in other UK regions. Particularly in Scotland, which had an independence referendum in 2014, despite 16 years of devolution. Some people have even argued that devolution in Scotland and Wales has given a platform to political parties seeking independence to spread their message. Whilst it may be said that this is actually a benefit of devolution,

as a wider range of views enter the public debate. It must be remembered that this was not the aim of the New Labour government when devolution was begun in 1998, which is how the criteria of its success is being judged. It is highly likely that devolution was an attempt to appease nationalist sentiment in the devolved regions, however, this has not occurred. In particular Scotland has been governed by the Scottish Nationalist Party for over a decade, ~~despite~~ which is the largest pro-independence ~~Scottish~~ party in Scotland. Therefore, it is the case that devolution has failed in its aim to end ~~a~~ societal conflicts in the devolved regions, it is possible that devolution has brought the UK closer to dividing into separate countries.

To conclude, UK devolution has largely been unsuccessful. When it comes to increasing participation there has been no significant rise in voter turnout in any of the three devolved ~~as the~~ regional bodies, despite efforts to create a more proportional voting system. ~~However, this is not the case~~ In fact turnout ~~is~~ is actually ~~lower~~ lower in Scotland and Wales ~~if~~ compared to general elections. Moreover, the situation is much the same in devolved English localities. Recent police and crime commissioner elections failed to garner even 30% turnout. ~~Additionally~~ Additionally, policy making across Britain has become less co-ordinated which ~~has~~ has led to situations where policy becomes less effective such as during ~~the~~ the coronavirus ~~and~~ pandemic. Although, there is

an argument to say that the devolved regions have introduced some ~~an~~ successful local policies, it is difficult to argue these outweigh the policy failures on a national level. Finally, devolution has ~~been~~ been unsuccessful to a large extent in ~~an~~ ending conflict within devolved political debates, as is shown by the growth in support for the SNP in Scotland and Plaid Cymru in Wales, which desire independence from the UK, making devolution highly unsuccessful.

Examiner's Comment

This is a Level 5 answer that is a good example of a thematic approach, that judges success against the aims of devolution covering a broad range of devolved areas with some good examples. There is a clear line of argument, a good question focus and a good use of key political terminology. The answer contains a range of synoptic links too.

Paper Summary

The following key points should be taken away from this exam series:

- Candidates and centres should be congratulated for the readiness for this exam series and the improved source skills.
- The importance of exam timing. Enough time needs to be factored in to handle the essay question.
- In Describe questions, the importance of focussing on the question and exemplifying the points made.
- On Explain questions, using the source as a springboard to answer the question.
- On Assess questions, comparing the sources, showing similarities and differences to build clear analysis and evaluation in answering the question. Conclusions must be reached.
- The need to plan essay answers so that responses have a clear structure that focusses on the demands of the question.
- The essay questions are on the big debates in politics, so answers should read like a debate where competing views are considered to reach judgements throughout that naturally build to a clear conclusion.
- The use of contemporary examples can really strengthen analysis in answers to the questions.
- The effective use of key terms from the specification helps lift the quality of responses.
- The importance of introductions and conclusions in essay questions.
- Introductions should include definitions where needed, set up the debate and give a clear direction of travel.

