



SECTION ONE Short Answers (40 marks)

Question 1a

What is a representative democracy?

	Description	Marks
•	Explains the term clearly.	2
•	Might use a relevant example to achieve clarity.	2
•	Attempts to explain the term clearly.	1
•	Might use an example in the attempt.	'

Question 1b

Outline three key features of the Westminster system.

Description	Marks
Outline three key features of the Westminster system	3
Outline two key features of the Westminster system	2
Outline one key feature of the Westminster system	1
List three features of the Westminster system	1

Question 1c

Briefly explain two constitutional differences between the Senate and the House of Representatives.

Description	Marks
Makes a reasoned explanation of two constitutional differences between the Senate and the House of Representatives.	
Demonstrates a clear understanding of two constitutional differences between the Senate and the House of Representatives	5
Integrates a relevant example for each difference in the answer.	
 Attempts a reasoned explanation of two constitutional differences between the Senate and the House of Representatives. Demonstrates some understanding of two constitutional differences between the Senate and the House of Representatives. Uses a relevant example for each difference. 	3–4
 Makes a general statement about the constitutional roles of the Senate and the House of Representatives. Demonstrates minimal understanding of the constitutional roles of the Senate and the House of Representatives. Might use an example of a role in the answer. 	1–2

Question 2a

What is meant by a 'Superior Court'?

Description	Marks
Explains the term clearly.	2
 Might use a relevant example to achieve clarity. 	2
Attempts to explain the term clearly.	1
Might use an example in the attempt.	'

Question 2b

Outline three differences between common law and statute law.

Description	Marks
Outline three differences between common law and statute law.	3
Outline two differences between common law and statute law.	2
Outline one difference between common law and statute law.	1
List three differences between common law and statute law.	1

Question 2c

Briefly explain the extent to which judges are bound by precedent

Description	Marks
 Makes a reasoned judgment of the extent to which judges are bound by precedent. Demonstrates a clear understanding of how judges are bound by precedent. Integrates a relevant example in the answer. 	5
 Attempts a reasoned judgement of the extent to which judges are bound by precedent. Demonstrates some understanding of how judges are bound by precedent. Uses a relevant example in the answer. 	3–4
 Makes general statements about how judges are bound by precedent. Demonstrates minimal understanding of how judges are bound by precedent. Might use an example in the answer. 	1–2

Question 3a

What is a citizen?

Description	Marks
Explains the term clearly.	2
• Might use a relevant example to achieve clarity.	2
Attempts to explain the term clearly.	1
 Might use an example in the attempt. 	

Question 3b

Briefly explain a key external influence on the Australian political and legal system.

Description	Marks
Makes a reasoned and logical explanation of a key external influence on the	3
Australian political and legal system.	
Attempts a reasoned and logical explanation of a key external influence on the	2
Australian political and legal system.	2
Makes general statements about a key external influence on the Australian	1
political and legal system.	

Question 3c

Assess the impact on a group or individual of a decision by an Australian court or a law made by an Australian parliament.

Description	Marks
 Makes a reasoned judgement of the impact on a group or individual of a decision by an Australian court or a law made by an Australian parliament. Demonstrates a clear understanding of a decision by an Australian court or a law made by an Australian parliament. Integrates a relevant example of a decision by an Australian court or a law made by an Australian parliament. 	5
 Attempts a reasoned judgement of the impact on a group or individual of a decision by an Australian court or a law made by an Australian parliament. Demonstrates some understanding of a decision by an Australian court or a law made by an Australian parliament. Uses a relevant example of a decision by an Australian court or a law made by an Australian parliament. 	3–4
 Makes general statements about the impact on a group or individual of a decision by an Australian court or a law made by an Australian parliament. Demonstrates minimal understanding of a decision by an Australian court or a law made by an Australian parliament. Might use an example of a decision by an Australian court or a law made by an Australian parliament. 	1–2

Question 4a

What is a constitution?

	Description	Marks
•	Explains the term clearly.	2
•	Might use a relevant example to achieve clarity.	2
•	Attempts to explain the term clearly.	1
•	Might use an example in the attempt.	ı ı

Question 4b

Outline the three arms (branches) of government.

Description	Marks
Outline three arms (branches) of government.	3
Outline two arms (branches) of government.	2
Outline one arm (branch) of government.	1
List three arms (branches) of government	1

Question 4c

Briefly explain the extent to which the Australian judicial system reflects the rule of law.

Description	Marks
Makes a reasoned judgement of the extent to which the Australian judicial system reflects the rule of law	
Demonstrates a clear understanding of how Australia's judicial system reflects the rule of law	5
 Integrates a relevant example in the answer. 	
Attempts a reasoned judgement of the extent to which the Australian judicial system reflects the rule of law	
Demonstrates some understanding of how Australia's judicial system reflects the rule of law	3–4
Uses a relevant example in the answer.	
Makes a general statement about the Australian judicial system and the rule of	
law.	1–2
Demonstrates minimal understanding of the rule of law.	1-2
Might use an example in the answer.	

Question 5a

What is a 'minor party'?

	Description	Marks
•	Explains the term clearly.	2
•	Might use a relevant example to achieve clarity.	2
•	Attempts to explain the term clearly.	1
•	Might use an example in the attempt.	l

Question 5b

Outline three strategies used by a minor party to achieve its aims.

Description	Marks
Outlines three strategies used by a minor party to achieve its aims.	3
Outlines two strategies used by a minor party to achieve its aims.	2
Outlines one strategy used by a minor party to achieve its aims.	1
List three strategies used by a minor party to achieve its aims.	1

Question 5c

Briefly explain the extent to which a minor party has limited influence in the Australian political and legal system.

Description	Marks
 Makes a reasoned judgement of the extent to which a minor party has limited influence in the Australian political and legal system. Demonstrates a clear understanding of a minor party's influence in the Australian political and legal system. Integrates a relevant example. 	5
 Attempts a reasoned judgement of the extent to which a minor party has limited influence in the Australian political and legal system. Demonstrates some understanding of a minor party's influence in the Australian political and legal system. Uses a relevant example. 	3–4
 Makes general statements about a minor party's influence in the Australian political and legal system. Demonstrates minimal understanding of a minor party's influence in the Australian political and legal system. Might use an example. 	1–2

Question 6a

What is meant by 'natural justice'?

	Description	Marks
•	Explains the term clearly.	2
•	Might use a relevant example to achieve clarity.	2
•	Attempts to explain the term clearly.	1
•	Might use an example in the attempt.	I

Question 6b

Outline three reasons why there are alternative political and legal systems.

Description	Marks
Outlines three reasons why there are alternative political and legal systems.	3
Outlines two reasons why there are alternative political and legal systems.	2
Outlines one reason why there are alternative political and legal systems.	1
List three reasons why there are alternative political and legal systems.	1

Question 6c

Assess one strength or one weakness of Western Australia's justice system.

Description	Marks
 Makes reasoned judgement of one strength or one weakness of Western Australia's justice system. Demonstrates a clear understanding of one strength or one weakness of Western Australia's justice system. Integrates a relevant example. 	5
 Attempts a reasoned judgement of one strength or one weakness of Western Australia's justice system. Demonstrates some understanding of one strength or one weakness of Western Australia's justice system. Uses a relevant example. 	3–4
 Makes general statements about one strength or one weakness of Western Australia's justice system. Demonstrates minimal understanding of one strength or one weakness of Western Australia's justice system. Might use an example. 	1–2

SECTION TWO Source Analysis (40 marks)

Question 7a

What was Carr charged with and what was the main evidence against him?

	Description	Marks
•	States clearly what Carr charged with and what was the main evidence against him.	2
•	Attempts to state clearly what Carr charged with or what was the main evidence against him.	1

Question 7b

Explain the term 'miscarriage of justice'.

Description	A	Marks
Explains the term clearly.		2
 Might use a relevant example to achieve clarity. 		2
Attempts to explain the term clearly.		1
 Might use an example in the attempt. 		ı

Question 7c

What was the role of the judge in this case?

Description	Marks
Makes an accurate explanation of the role of the judge in this case.	2
Attempts an accurate explanation of the role of the judge in this case.	1

Question 7d

Describe the type of evidence brought against Carr.

Description	Marks
 Presents an accurate description of the type of evidence brought against Carr. Demonstrates a clear understanding of the evidence brought against Carr. Integrates relevant evidence from the source in the answer. 	4
 Attempts an accurate description of the type of evidence brought against Carr. Demonstrates some understanding of the evidence brought against Carr. Uses relevant evidence from the source in the answer. 	2–3
 Makes general statements about the evidence brought against Carr. Demonstrates minimal understanding of the evidence brought against Carr. Might use evidence from the source in the answer 	1

Question 7e

What was the basis of the appeal to the High Court by Carr?

Description	Marks
Presents an accurate explanation of the basis of the appeal to the High Court by Carr.	2
Attempts an accurate explanation of the basis of the appeal to the High Court by Carr.	1

Question 7f

What was the outcome of the appeal and why?

Description	Marks
 Presents an accurate explanation of the outcome of the appeal. Presents an accurate explanation of the reasons for the outcome of the appeal. 	3
 Integrates relevant evidence from the source in the answer. 	
 Attempts an accurate explanation of the outcome of the appeal. Attempts an accurate explanation of the reasons for the outcome of the appeal. Uses relevant evidence from the source in the answer. 	2
 Makes general statements about outcome of the appeal and/ or reasons for the outcome of the appeal. Demonstrates minimal understanding of the outcome of the appeal. Might use evidence from the source in the answer. 	1

Question 7g

To what extent was justice achieved for Carr in this case?

Description	Marks
Makes a reasoned judgement of the extent that justice was achieved for Carr in this case.	
Demonstrates a clear understanding of the degree of success of Carr in this	5
case.Integrates relevant evidence from the source in the answer.	
Attempts a reasoned judgement of the extent that justice was achieved for Carr in this case.	
Demonstrates some understanding of the degree of success of Carr in this case in this case.	3–4
Uses relevant evidence from the source in the answer.	
Makes general statements about justice being achieved for Carr in this case.	
Demonstrates minimal understanding of the principles of justice in this case.	1–2
Might use evidence from the source in the answer.	

Question 8a

In Source 1, what election outcome is suggested by Newspoll?

Description	Marks
Makes an accurate explanation of what election outcome is suggested by Newspoll.	2
Attempts an accurate explanation of what election outcome is suggested by Newspoll.	1

Question 8b

With reference to Source 2, describe the actual election results.

Description	Marks
Makes an accurate description of the actual election results.	
Demonstrates a clear understanding of the actual election results.	3
Integrates relevant evidence from the source in the answer.	
Attempts an accurate description of the actual election results.	
Demonstrates some understanding of the actual election results.	2
Uses relevant evidence from the source in the answer.	
Makes general statements about the actual election results	
Demonstrates minimal understanding of the actual election results	1
Might use evidence from the source in the answer.	

Question 8c

To what extent is Newspoll's prediction in Source 1 reflected in the election result in Source 2.

Description	Marks
 Makes an accurate judgement of the extent Newspoll's prediction is reflected in the election result. Demonstrates a clear understanding of Newspoll's prediction and the election 	4
result.	
 Integrates relevant evidence from the sources in the answer. 	
 Attempts an accurate judgement of the extent Newspoll's prediction is reflected in the election result. 	
Demonstrates some understanding of Newspoll's prediction and the election result.	2–3
Uses relevant evidence from the sources in the answer.	
Makes general statements about Newspoll's prediction and the election.	
Demonstrates minimal understanding of Newspoll's prediction and the election result.	1
Might use evidence from the sources in the answer.	

Question 8d

Refer to source 3 and analyse the voting and the result in Dubbo.

Description	Marks
Presents an accurate analyse of the voting and the result in Dubbo.	
Demonstrates a clear understanding of the result in Dubbo.	5
Integrates relevant evidence from the source in the answer.	
Attempts an accurate analyse of the voting and the result in Dubbo.	
Demonstrates some understanding of the voting and the result in Dubbo.	3–4
Uses relevant evidence from the source in the answer.	
Makes general statements about the voting and the result in Dubbo.	
Demonstrates minimal understanding the voting and the result in Dubbo.	1–2
Might use evidence from the source in the answer.	

Question 8e

With reference to the sources and your own knowledge of elections, comment on the ways that citizens can participate in electoral processes in Australia.

Description	Marks
 Presents a reasoned judgement on the ways that citizens can participate in electoral processes in Australia. Demonstrates a clear understanding of the ways that citizens can participate in electoral processes in Australia. Integrates relevant evidence from the sources in the answer. 	6
 Attempts a reasoned judgement on the ways that citizens can participate in electoral processes in Australia. Demonstrates some understanding of the ways that citizens can participate in electoral processes in Australia. Uses relevant evidence from the sources in the answer. 	3–5
 Makes general statements about elections and participation in Australia. Demonstrates minimal understanding of the ways that citizens can participate in electoral processes in Australia. Might use evidence from the source in the answer. 	1–2

SECTION THREE Essays (20 marks)

Question 9

Discuss the development of the franchise in Australia since Federation and how it currently reflects democratic principles.

Description	Marks
 Presents a sound discussion based on criteria about the development of the franchise in Australia since Federation and how it currently reflects democratic principles. Uses relevant descriptions of the franchise in Australia since Federation and democratic principles. Integrates relevant examples. Presents a sustained and well-structured argument using relevant legal terminology. 	18–20
 Presents a discussion based on some criteria about the development of the franchise in Australia since Federation and how it currently reflects democratic principles. Uses some relevant descriptions of the franchise in Australia since Federation and democratic principles. Uses relevant examples. Presents a well-structured argument using relevant legal terminology. 	15–17
 Makes statements about the development of the franchise in Australia since Federation and how it currently reflects democratic principles. Makes general statements about the franchise in Australia since Federation and how it currently reflects democratic principles. Uses some relevant examples. Presents a structured argument using relevant political and legal terminology. 	10–14
 Makes references to the development of the franchise in Australia since Federation and how it currently reflects democratic principles. Makes some references to the franchise in Australia since Federation and democratic principles. Makes limited use of relevant examples. Uses some appropriate political and legal terminology. 	6–9
 Might make some statement about the development of the franchise in Australia since Federation and how it currently reflects democratic principles. Might make minimal references to the franchise in Australia since Federation and democratic principles. Might use examples. Makes minimal use of political and legal terminology. 	1–5

Question 10

"In the Australian legal system parliaments are the primary law makers, but the courts also have a law making role." Discuss the validity of this claim.

Description	Marks
 Makes a sound judgement based on criteria about the validity of the claim. Uses relevant descriptions of the lawmaking roles of parliaments and the courts in the Australian legal system. Integrates relevant examples. Presents a sustained and well-structured argument using relevant legal terminology. 	18–20
 Makes a judgement based on some criteria about the validity of the claim. Uses some relevant descriptions of the lawmaking roles of parliaments and the courts in the Australian legal system. Uses relevant examples. Presents a well-structured argument using relevant legal terminology. 	15–17
 Makes statements about the validity of the claim Uses general descriptions of the lawmaking roles of parliaments and the courts in the Australian legal system. Uses some relevant examples. Presents a structured argument using relevant legal terminology. 	10–14
 Makes references to the validity of the claim Makes some references to the lawmaking roles of parliaments and the courts in the Australian legal system. Makes limited use of relevant examples. Uses some appropriate political and legal terminology. 	6–9
 Might make some statement about the validity of the claim. Might make minimal references to the lawmaking roles of parliaments and the courts in the Australian legal system. Might use examples. Makes minimal use of legal terminology. 	1–5

Question 11

With reference to electing members to the Commonwealth parliament, discuss the advantages and disadvantages of Australia's voting systems.

Description	Marks
 Presents a sound discussion based on criteria about electing members to the Commonwealth parliament and the advantages and disadvantages of Australia's voting systems. Uses relevant descriptions of the advantages and disadvantages of Australia's voting systems. Integrates relevant examples. Presents a sustained and well-structured argument using relevant political and legal terminology. 	18–20
 Presents a sound discussion based on some criteria about electing members to the Commonwealth parliament and the advantages and disadvantages of Australia's voting systems. Uses descriptions of the advantages and disadvantages of Australia's voting systems. Uses relevant examples. Presents a well-structured argument using relevant political and legal terminology. 	15–17
 Makes statements about electing members to the Commonwealth parliament and the advantages and disadvantages of Australia's voting systems. Uses general descriptions about the advantages and disadvantages of Australia's voting systems. Uses some relevant examples. Presents a structured argument using relevant political and legal terminology. 	10–14
 Makes references to electing members to the Commonwealth parliament and the advantages and disadvantages of Australia's voting systems. Makes limited use of relevant examples. Uses some appropriate political and legal terminology 	6–9
 Makes general statements about electing members to the Commonwealth parliament and the advantages and disadvantages of Australia's voting systems. Might make minimal references to the advantages and disadvantages of Australia's voting systems. Might use examples. Makes limited use of political and legal terminology. 	1–5

Question 12

Describe how, and discuss the extent to which, members of parliament in Australia effectively represent their constituents.

Description	Marks
 Presents a sound discussion based on criteria about the extent to which, members of parliament in Australia effectively represent their constituents. Uses relevant descriptions of how members of parliament in Australia represent their constituents. Integrates relevant examples of how members of parliament in Australia represent their constituents. Presents a sustained and well-structured argument using relevant political and legal terminology. 	18–20
 Presents a discussion based on some criteria about the extent to which, members of parliament in Australia effectively represent their constituents. Uses some descriptions of how members of parliament in Australia represent their constituents. Uses relevant examples of how members of parliament in Australia represent their constituents. Presents a well-structured argument using relevant political and legal terminology. Makes statements about the extent to which, members of parliament in Australia effectively represent their constituents. Uses general descriptions of how members of parliament in Australia represent their constituents. Uses some relevant examples of how members of parliament in Australia represent their constituents. Presents a structured argument using relevant political and legal 	15–17
 Makes references to the extent to which, members of parliament in Australia effectively represent their constituents. Makes some references to how members of parliament in Australia represent their constituents. Makes limited use of examples of how members of parliament in Australia represent their constituents. Uses some appropriate political and legal terminology. 	6–9
 Might make some statement the extent to which, members of parliament in Australia effectively represent their constituents. Might make minimal references to how members of parliament in Australia represent their constituents. Makes minimal use of to political and legal terminology. 	1–5

Politics and law sample exam map stage 2

		Section one: Short answer questions																	
2A	unit content	1a	1b	1c	2a	2b	2c	3a	3b	3c	4a	4b	4c	5a	5b	5c	6a	6b	6c
•	principles of: democracy, rule of law, separation of powers, sovereignty of parliament, division of powers, representative government, responsible government, constitutionalism, federalism and citizenship		10		24	20	20		30	30	√ √	40	√ √	34	30	30	, da	00	00
•	the roles of the legislative, executive and judicial arms of government											7							
•	structures of political and legal systems including at least one democratic and one non democratic system																	1	
•	the structure of Australia's political and legal system			~															
•	the key internal and external influences on the structure of Australia's political and legal system; nationalism, defence, economic, immigration the Westminster system of government, English common law and the American, Canadian and Swiss federal systems		7						\				•						
•	types of laws made by parliaments, courts and subordinate authorities					1													
•	legislative processes at state and national levels																		
•	the court hierarchy, rules of statutory interpretation and the doctrine of precedent				1		1												
•	key processes of civil and criminal trials in Western Australia																		
•	key processes of at least one non common law system.																		

•	at least one contemporary issue involving the legislative process												
•	at least one contemporary issue involving the judicial process												
2B	unit content												
•	the principles of fair elections and natural justice							V				1	
•	theory and practice of political representation: delegate, partisan, representative and mirror representation												
•	the Western Australian and Commonwealth electoral and voting systems since Federation												
•	the advantages and disadvantages Australia's electoral and voting systems												
•	at least one electoral system of another country												
•	ways individuals and political parties and pressure groups can participate in Australia's electoral processes							•	\checkmark	$\sqrt{}$	\checkmark		
•	strengths and weaknesses of Western Australia's civil and criminal law processes	•						V					V
•	the role of mediation in the judicial process in theory and in practice												
•	strengths and weaknesses of at least one non common law system's processes and procedures												
•	at least one contemporary issue centering on representation												
•	at least one contemporary issue centering on justice					√							
•	at least one proposal to reform Australia's electoral and voting systems												
•	at least one proposal to reform Western Australia's civil and or criminal law process												

2.4	unit content	Section two: Source analysis questions											
ZA	unit content	7a	7b	7c	7d	7e	7f	7g	8a	8b	8c	8d	8e
•	principles of: democracy, rule of law, separation of powers, sovereignty of parliament, division of powers, representative government, responsible government, constitutionalism, federalism and citizenship							V					
•	the roles of the legislative, executive and judicial arms of government		√										
•	structures of political and legal systems including at least one democratic and one non democratic system												
•	the structure of Australia's political and legal system												
•	the key internal and external influences on the structure of Australia's political and legal system; nationalism, defence, economic, immigration the Westminster system of government, English common law and the American, Canadian and Swiss federal systems												
•	types of laws made by parliaments, courts and subordinate authorities												
•	legislative processes at state and national levels												
•	the court hierarchy, rules of statutory interpretation and the doctrine of precedent					1							
•	key processes of civil and criminal trials in Western Australia		√	V	1	1	1						
•	key processes of at least one non common law system.												
•	at least one contemporary issue involving the legislative process												
•	at least one contemporary issue involving the judicial process												
2B	unit content												
•	the principles of fair elections and natural justice		$\sqrt{}$	7				$\sqrt{}$					
•	theory and practice of political representation: delegate, partisan, representative and mirror representation												
•	the Western Australian and Commonwealth electoral and voting systems since Federation								√	√	√	√	
•	the advantages and disadvantages Australia's electoral and voting systems												
•	at least one electoral system of another country												
•	ways individuals and political parties and pressure groups can participate in Australia's electoral processes												V
•	strengths and weaknesses of Western Australia's civil and criminal law processes		V										
•	the role of mediation in the judicial process in theory and in practice												
•	strengths and weaknesses of at least one non common law system's processes and procedures												
•	at least one contemporary issue centering on representation												
•	at least one contemporary issue centering on justice												
•	at least one proposal to reform Australia's electoral and voting systems												
•	at least one proposal to reform Western Australia's civil and or criminal law process												

	2A unit content	Section three: Essay questions					
			10	11c	12		
•	principles of: democracy, rule of law, separation of powers, sovereignty of parliament, division of powers, representative government, responsible government, constitutionalism, federalism and citizenship	1					
•	the roles of the legislative, executive and judicial arms of government						
•	structures of political and legal systems including at least one democratic and one non democratic system						
•	the structure of Australia's political and legal system						

•	the key internal and external influences on the structure of Australia's political and legal system; nationalism, defence, economic, immigration the Westminster system of government, English common law and the American, Canadian and Swiss federal systems			
•	types of laws made by parliaments, courts and subordinate authorities			
•	legislative processes at state and national levels			
•	the court hierarchy, rules of statutory interpretation and the doctrine of precedent			
•	key processes of civil and criminal trials in Western Australia			
•	key processes of at least one non common law system.			
•	at least one contemporary issue involving the legislative process			
•	at least one contemporary issue involving the judicial process			
2B	unit content			
•	the principles of fair elections and natural justice			
•	theory and practice of political representation: delegate, partisan, representative and mirror representation		1	V
•	the Western Australian and Commonwealth electoral and voting systems since Federation	\checkmark		
•	the advantages and disadvantages Australia's electoral and voting systems	~		
•	at least one electoral system of another country			
•	ways individuals and political parties and pressure groups can participate in Australia's electoral processes		1	V
•	strengths and weaknesses of Western Australia's civil and criminal law processes			
•	the role of mediation in the judicial process in theory and in practice			
•	strengths and weaknesses of at least one non common law system's processes and procedures			
•	at least one contemporary issue centering on representation			
•	at least one contemporary issue centering on justice			
•	at least one proposal to reform Australia's electoral and voting systems			
•	at least one proposal to reform Western Australia's civil and or criminal law process			