



Western Australian Certificate of Education Examination, 2013

Question/Answer Booklet

POLITICS AND LAW Stage 3	F	Please place your student identification label in this box
	n figures	
lr	n words	

Time allowed for this paper

Reading time before commencing work: ten minutes Working time for paper: three hours

Materials required/recommended for this paper

To be provided by the supervisor

This Question/Answer Booklet

Number of additional	
answer booklets used	
(if applicable):	
(if applicable):	

To be provided by the candidate

Standard items: pens (blue/black preferred), pencils (including coloured), sharpener,

correction fluid/tape, eraser, ruler, highlighters

Special items: nil

Important note to candidates

No other items may be taken into the examination room. It is **your** responsibility to ensure that you do not have any unauthorised notes or other items of a non-personal nature in the examination room. If you have any unauthorised material with you, hand it to the supervisor **before** reading any further.

Structure of this paper

Section	Number of questions available	Number of questions to be answered	Suggested working time (minutes)	Marks available	Percentage of exam
Section One: Short response	4	3	45	30	30
Section Two: Source analysis	2	1	35	20	20
Section Three: Extended response Part A: Unit 3A	2	1	50	50	50
Extended response Part B: Unit 3B	2	1	50		
				Total	100

Instructions to candidates

- 1. The rules for the conduct of Western Australian external examinations are detailed in the Year 12 Information Handbook 2013. Sitting this examination implies that you agree to abide by these rules.
- 2. Write your answers in this Question/Answer Booklet.
- 3. You must be careful to confine your responses to the specific questions asked and to follow any instructions that are specific to a particular question.
- 4. Spare pages are included at the end of this booklet. They can be used for planning your responses and/or as additional space if required to continue an answer.
 - Planning: If you use the spare pages for planning, indicate this clearly at the top of the page.
 - Continuing an answer: If you need to use the space to continue an answer, indicate in the original answer space where the answer is continued, i.e. give the page number.
 Fill in the number of the question that you are continuing to answer at the top of the page.

Section One: Short response 30% (30 Marks)

This section has four (4) questions. You must answer three (3) questions.

Part A: Answer **one (1)** question from a choice of **two (2)**. Part B: Answer **one (1)** question from a choice of **two (2)**.

The third response can be chosen from either of the remaining questions in Part A or Part B.

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- Continuing an answer: If you need to use the space to continue an answer, indicate in the original answer space where the answer is continued, i.e. give the page number. Fill in the number of the question that you are continuing to answer at the top of the page.

Suggested working time: 45 minutes.

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Part A: Unit 3A

ion 1					(10 m
What is meant by (Australia)?	a 'referral of powe	ers' under the Co	mmonwealth	Constitution	(2 m
Outline three req Constitution (Aus	uirements of Secti tralia).	on 128 for the all	teration of the	Commonwe	
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;)	Outline one reform proposal to change the Commonwealth Constitution (Austra	alia) and
,	discuss two reasons why such a proposal is considered necessary.	(5 marks)

(c)	Identify and discuss two powers of the judiciary in one non-Westminster politic legal system.	al and (5 marks)

Que	stion 3	(10 marks)
(a)	What is a 'Royal Commission' in Australia?	(2 marks)
(b)	Outline three elements of the principle of 'natural justice'.	(3 marks)

c)	With reference to an individual or group in Australia, discuss two aspects of the	eir
, in the second	experience in the Australian political and legal system.	(5 marks)

(c)	Explain what is meant by a 'common law' right and discuss two rights protected common law in Australia.	l by (5 marks)

End of Section One

Section Two: Source analysis 20% (20 Marks)

This section has **two (2)** questions. You must answer **one (1)** question. Write your answer in the space provided.

Spare pages are included at the end of this booklet. They can be used for planning your responses and/or as additional space if required to continue an answer.

- Planning: If you use the spare pages for planning, indicate this clearly at the top of the page.
- Continuing an answer: If you need to use the space to continue an answer, indicate in the
 original answer space where the answer is continued, i.e. give the page number. Fill in the
 number of the question that you are continuing to answer at the top of the page.

Suggested working time: 35 minutes.

Read the source below and answer all the question parts that follow.

Source 1: Unit 3A

The following is an edited version of an article by Helen Irving, a Senior Lecturer in the Humanities and Social Sciences at the University of Technology, Sydney. The article was written just before Australia's centenary of Federation in 2001.

All nations celebrate their great national milestones ... The celebration of the Centenary of Federation will be a unique moment, in which Australians can learn something about the great achievement that Federation represents and can also look towards the future.

The Australian Constitution was written as the legal foundation for this arrangement (of Federation) and it became operative with the inauguration of the Commonwealth on 1 January, 1901.

The Constitution's application has changed and evolved in two important ways. The Commonwealth now has a much greater share of revenue collecting than the States ... The Commonwealth can then re-distribute this revenue in the form of grants to the States, sometimes attaching terms and conditions to the grants and thereby venturing into areas of law that the States previously controlled.

In 1946, the voters approved an alteration to the Constitution giving the Commonwealth Parliament power to legislate in a wide range of welfare matters ... hence the national Medicare scheme could later be established. In 1967, a successful referendum gave power to the Commonwealth to make special laws for the Aboriginal people. Previously ... Aboriginal policy and services had been the sphere of the State governments alone.

Question 5 (20 marks) (a) Explain what is meant by 'Federation' in **Source 1**. (2 marks) With reference to **Source 1**, identify and explain **two** ways in which the Commonwealth (b) Constitution (Australia) has changed and evolved since 1901. (4 marks)

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Question 5 (continued)

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0	dentify and evaluate two ways in which States continue to influence the federal of power.	balance (8 marks)
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Read the source below and answer all the question parts that follow.

Source 2: Unit 3B

The following is an edited version of an article, 'Executive Accountability to Parliament-Reality or Rhetoric?, by Peter Loney, Adjunct Professor and Executive Director, Public Sector Governance and Accountability Research Centre, La Trobe University, Victoria. It was published in the Australasian Parliamentary Review, Spring 2008, Vol.23 (2), 157–65.

Executive accountability is at the heart of our system of government. The Westminster model is built on a foundation of three massive planks. These are the separation of powers, Parliamentary scrutiny of executive actions, and ministerial responsibility.

Most governments, while they accept scrutiny, do not welcome it. If they are allowed to get away with not providing information to the parliament then it is unlikely that they will volunteer to do so. So how is the parliament and, through it the public, to access information that it requires to make informed judgements about government performance?

The daily question time process ... has seen its value in terms of holding the executive to account diminished over time. While it is still capable of being an effective accountability mechanism, and was used as a tool to force ministerial resignations during the Howard government, question time often does not serve its primary purpose ... Typical of the Opposition approach are questions which focus on trivia or scandal and (contrary to accepted procedures) incorporate their own view or answer. Conversely questions by Government party members ... often ... invite broad rather than specific responses, and often are little more than a vehicle to attack the Opposition.

POLITICS AND LAW

Question 6 (continued)

Identify and discuss two ways, other than Question Time, by which the Parliament can scrutinise Executive actions and policies.	(6 ma

20 years.	by referring to t	t wo examples	s involving C	ommonweaiti	i wiiiisteis iii	the las

End of Section Two

Section Three: Extended response

50% (50 Marks)

This section has **four (4)** questions. Answer **one (1)** question from Part A: Unit 3A and answer **one (1)** question from Part B: Unit 3B. Write your answers in the spaces provided following Question 10.

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- Planning: If you use the spare pages for planning, indicate this clearly at the top of the page.
- Continuing an answer: If you need to use the space to continue an answer, indicate in the original answer space where the answer is continued, i.e. give the page number. Fill in the number of the question that you are continuing to answer at the top of the page.

Suggested working time: 100 minutes.

Part A: Unit 3A

Answer one (1) question from a choice of two (2).

Question 7 (25 marks)

'The provisions of the Commonwealth Constitution (Australia) do not accurately describe the reality of executive and legislative power in Australia today.'

Evaluate the validity of this claim.

or

Question 8 (25 marks)

'Recent Commonwealth Parliaments have confirmed that the ability of governments to implement their mandates is more a function of the will of the Parliament than the will of the people.'

Evaluate the validity of this claim.

Part B: Unit 3B

Answer one (1) question from a choice of two (2).

Question 9 (25 marks)

Explain how and evaluate the extent to which elections, the judicial system and the processes of parliament hold the Commonwealth Parliament accountable.

or

Question 10 (25 marks)

Explain how and evaluate the extent to which the rule of law and popular participation are upheld in Australia and **one** other country.

End of questions

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ACKNOWLEDGEMENTS

Section Two

Source 1 Adapted extract from: Irving, H. (n.d.). Australian federation. Retrieved

February 15, 2013, from

www.civicsandcitizenship.edu.au/cce/helen_irving,9981.html Used under a Creative Commons Attribution-Share Alike (CC BY-SA) 3.0

Australia licence.

Source 2 Adapted extract from: Loney, P. (2008, Spring). Executive

accountability to Parliament - Reality or rhetoric? Australasian

Parliamentary Review, 23(2), pp. 157-165.

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