



SAMPLE ASSESSMENT TASKS

POLITICS AND LAW
GENERAL YEAR 11

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Sample assessment task

Politics and Law – General Year 11

Task 6 – Unit 2

Assessment type: Investigation

Conditions

Two weeks allowed for completion of the task

Class time and home work time with research notes submitted at the end of **two (2)** weeks

This investigation will be validated in **Task 7** (Extended answer) along with the associated class work

Task weighting

10% of the school mark for this pair of units

Research the ways human rights are protected in Australia and the USA.

1. Locate sources that will allow you to find evidence.
2. Use a note-taking framework when collecting evidence. Record each source used to include when creating a bibliography. Your research notes should be organised using the headings below and provide information about each item listed under the heading.

Human rights and the Commonwealth Constitution

- particular rights explicitly protected by sections of the Commonwealth Constitution (entrenched rights)
- **one (1)** example of when a particular constitutional right was used to protect an individual (usually a High Court case). You will need to take notes on the background of the case and the decision/outcome

Implicit rights and the Commonwealth Constitution

- *Australian Capital Television v The Commonwealth* (1992)
 - the background to the case
 - the result
 - the right established by this decision
 - associated cases since then (if any)

The right to vote under the Commonwealth Constitution

- S41 of the Commonwealth Constitution – what does it say?
- *R v Pearson* (1983) 152 CLR 254 – the High Court ruling concerning the right to vote
- *Roach v Electoral Commissioner* (2007) 233 CLR 162 – the issue and the High Court decision concerning the right to vote

Human rights and the US Constitution

- particular rights protected under the US Bill of Rights
- the rights protected under the 14th, 15th, 19th and 26th Amendments

- the background of each of the following cases centred on the 1st Amendment right of freedom of speech and the decision: *Hansen v Ann Arbor Public School* (2003) and *Morse v Frederick* (2007)

The US Bill of Rights and human rights in the US

- the case in which the US Supreme Court established a right to privacy and the basis for the decision
- *Roper v Simmons* 543 US 551 (2005) – decision in terms of capital punishment and the basis for the decision

Human rights and statute law in Australia

- **two (2)** rights protected under separate anti-discrimination legislation. Note the name of the Act, when it was passed and what right is protected
 - **three (3)** features of anti-terrorism legislation in Australia in terms of human rights
 - **three (3)** rights protected under either the *Charter of Human Rights and Responsibilities Act* 2006 (Victoria) or the *Human Rights Act* 2004 (Australian Capital Territory)
3. Construct a bibliography following the school's protocols to be submitted with the research notes as part of the task. Ensure that you have each separate source of information in the correct order and fully cited.

Marking key for sample assessment task 6 – Unit 2

Description	Marks
Identifies and describes key features of the political and legal system <ul style="list-style-type: none"> human rights and the Commonwealth Constitution (2) implicit rights and the Commonwealth Constitution (2) human rights and the US Constitution (3) human rights and statute law in Australia (2) 	1–9
Analysis of statute law and legal decisions <ul style="list-style-type: none"> an example of when a constitutional right was used to protect an individual (3) associated cases and implicit constitutional rights (Australia) (3) the right to vote in Australia (3) the US Bill of Rights and its application to protect particular rights (3) 	1–12
Referencing	
Extent to which school protocols are followed in the construction of the bibliography	1–2
Acknowledges sources of information within notes	1
Includes a range of sources/information	1
Total	/25

Sample assessment task

Politics and Law – General Year 11

Task 1 – Unit 1

Assessment type: Explanation (Short answer)

Conditions

Time for the task: 45 minutes
In class under test conditions

Task weighting

15% of the school mark for this pair of units

1. a) Outline how an individual becomes Prime Minister in Australia. (2 marks)

- b) Identify **three (3)** roles of the Prime Minister in the political system. (3 marks)

- c) Discuss the power of the Prime Minister compared to the Cabinet in terms of political decision making. (5 marks)

- 2. a) Outline **two (2)** features of representative government. (2 marks)

- b) Explain the role of the government compared to the role of the opposition in the Commonwealth Parliament. (3 marks)

- c) Discuss the role of Cabinet compared to the Parliament in terms of making political decisions in Australia today. (5 marks)

3. a) Outline **two (2)** examples of political freedom. (2 marks)

b) Explain the difference between majority rule and plurality. (3 marks)

c) Outline what a referendum is and discuss how referendums have been used to make political decisions in either Australia or Western Australia. (5 marks)

Total = 30 marks

Marking key for sample assessment task 1 – Unit 1

1. a) Outline how an individual becomes Prime Minister in Australia.

Description	Marks
Outlines how an individual becomes Prime Minister in Australia which includes specific information and/or an example of the process	2
Makes a general statement concerning how an individual becomes Prime Minister	1
Answer	
Requirements for an individual to become Prime Minister include: <ul style="list-style-type: none"> • is an elected member of Parliament usually the House of Representatives • is elected as leader by members of the parliamentary political party OR is elected as leader by all members of the political party • is leader of the political party with the most seats and/or majority in the House of Representatives. 	

b) Identify **three (3)** roles of the Prime Minister in the political system.

Description	Marks
Identifies three roles of the Prime Minister OR Uses appropriate examples which demonstrate the roles of the Prime Minister in the political system	3
Identifies two roles of the Prime Minister	2
Makes a general statement concerning the role of the Prime Minister in the political system	1
Answer	
The role of the Prime Minister could include: <ul style="list-style-type: none"> • being the leader of the government of the day • being the leader of the Cabinet • announcing key policies of the government • deciding on the election day for the House of Representatives 	

c) Discuss the power of the Prime Minister compared to the Cabinet in terms of political decision making.

Description	Marks
Identifies two separate comparisons concerning the power of the Prime Minister and the power of the Cabinet in terms of political decision making Discusses each of the comparisons identified AND/OR Uses two valid examples which show the power of the Prime Minister compared to the power of Cabinet	5
Identifies two separate comparisons concerning the power of the Prime Minister and the power of the Cabinet in terms of political decision making Discusses at least one of the comparisons identified AND/OR Outlines two of the comparisons identified AND/OR Uses at least one valid example which shows the power of the Prime Minister compared to the power of Cabinet	3–4
Makes a general statement concerning the power of the PRIME MINISTER compared to the power of Cabinet AND/OR Uses an example which shows the power of the Prime Minister compared to the power of Cabinet	1–2

Answer
Power of the Prime Minister compared to Cabinet could include: <ul style="list-style-type: none"> • that the Prime Minister is the leader of the Cabinet • that the Prime Minister sets the agenda for Cabinet • that the Prime Minister can announce a policy without necessarily passing it through Cabinet • that the Cabinet as a group can challenge a decision of the Prime Minister • without the support of the Cabinet, a Prime Minister's power is compromised

2. a) Outline **two (2)** features of representative government.

Description	Marks
Outlines two features of representative government	2
Outlines one feature of representative government OR Makes a general statement concerning representative government	1
Answer	
Features of representative government include: <ul style="list-style-type: none"> • a government which has a majority in the Parliament • those elected meet to discuss and make laws • a Parliament where the views of the majority are heard • members of Parliament are elected on a regular basis 	

b) Explain the role of the government compared to the role of the opposition in the Commonwealth Parliament.

Description	Marks
Explains one point of comparison between the role of the government and the role of the opposition	3
Outlines the role of the government and the role of the opposition with no attempt to compare their role in the Australian Parliament	2
Makes a general statement about the government OR the opposition	1
Specific content	
The role of the government and the role of the opposition: <ul style="list-style-type: none"> • that the government has a majority/commands a majority in the House of Representatives whereas the opposition is the next largest political party/group • that the government introduces most legislation and the opposition forces the government to explain and justify the legislation 	

c) Discuss the role of Cabinet compared to the Parliament in terms of making political decisions in Australia today.

Description	Marks
Identifies the role of the Cabinet in terms of making political decisions Identifies the role of Parliament in terms of making political decisions Discusses the role identified and makes a comparison between Cabinet and Parliament OR Discusses an example which shows the role of each	5
Identifies the role of Cabinet and the role of Parliament in terms of making political decisions Outlines at least one of the roles OR Outlines an example to show the role of each	3–4
Makes a general statement concerning the role of the Cabinet AND/OR the role of the Parliament in terms of making political decisions	1–2

Answer
<p>The role of the Cabinet in terms of making political decisions could include:</p> <ul style="list-style-type: none"> deciding which legislation to present to Parliament formulating the Budget formulating government policy <p>The role of Parliament in terms of making political decisions could include:</p> <ul style="list-style-type: none"> deciding whether legislation passes or not passes after introduction by the Cabinet moving amendments in terms of legislation introduced

3. a) Outline **two (2)** examples of political freedom.

Description	Marks
Outlines two examples of political freedom	2
Identifies one example of political freedom OR Makes a general statement concerning political freedom	1
Answer	
<p>Political freedoms include:</p> <ul style="list-style-type: none"> freedom of speech the right to form associations, including political parties the right of opposition to exist and criticise those in power the right to run for office the right to vote without intimidation 	

b) Explain the difference between majority rule and plurality.

Description	Marks
Identifies what is meant by each term Explains one point of difference between majority rule and plurality	3
Identifies what is meant by each term but makes no attempt to explain a difference	2
Identifies what is meant by majority rule OR plurality	1
Specific content	
<ul style="list-style-type: none"> Majority rule is where an absolute majority is needed to make a decision whilst plurality is where a decision is decided by the most votes Majority rule is connected to the preferential system of voting whereas plurality is connected to the first past the post system of voting 	

c) Outline what a referendum is and discuss how referendums have been used to make political decisions in either Australia or Western Australia.

Description	Marks
Outlines what a referendum is Refers to at least one referendum put to the people in either Australia or Western Australia Discusses the political decision based on the referendum	5
Outlines what a referendum is Outlines a political decision based on a particular referendum	3–4
Identifies what a referendum is AND/OR identifies a particular referendum held in Australia/Western Australia	1–2
Specific content	
<p>A referendum is a vote of the people to decide an issue put by the government/parliament. Examples include:</p> <ul style="list-style-type: none"> the Republic Referendum (1999) the Daylight Saving Referendum (2009) 	

Sample assessment task

Politics and Law – General Year 11

Task 5 – Unit 2

Assessment type: Source analysis

Conditions

Time for the task: 45 minutes
In class under test conditions

Task weighting

10% of the school mark for this pair of units

Read the source below and answer the questions that follow.

It is the defining quality of the adversary system that the proceedings are in the hands of the parties. The parties decide the evidence and arguments to be put before the court and witnesses will be called. Therefore, if unchecked, the parties control the length and complexity of the proceedings. In any criminal trial, but particularly in complex fraud trials, this control over the proceedings can be used tactically to lengthen the trial and confuse the issue before the jury.

1. In the source, identify who is being referred to as ‘the parties’ in ‘the proceedings are in the hands of the parties’. (2 marks)

2. With reference to the source, identify **three (3)** issues the parties decide concerning the proceedings in the adversary trial system. (3 marks)

Issue 1:

Issue 2:

Issue 3:

3. Explain what is meant by the rules of evidence in the adversarial system and outline **two (2)** specific rules of evidence. (4 marks)

4. Explain what a jury is in the adversarial system of trial and outline **three (3)** roles of the jury in a criminal trial in Western Australia. (5 marks)

5. Identify an alternative to the adversarial legal system and explain **three (3)** features of that system. (6 marks)

Total = 20 marks

ACKNOWLEDGEMENTS

Martin, B. (1997). *The adversarial model in the criminal justice system: What change is happening?*
Retrieved June, 2014, from www.cdpp.gov.au/news/the-adversarial-model-in-the-criminal-justice-system-what
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Marking key for sample assessment task 5 – Unit 2

1. In the source identify who is being referred to as ‘the parties’ in ‘the proceedings are in the hands of the parties’.

Description	Mark
Identifies two separate and opposing parties	2
Makes a general statement concerning ‘the parties’ in a trial/ proceedings	1
Answer	
‘The parties’ refers to: <ul style="list-style-type: none"> the prosecution or plaintiff the accused or defence and/or their legal representatives 	

2. With reference to the source, identify **three (3)** issues the parties decide concerning the proceedings in the adversary trial system.

Description	Mark
From the source, identifies three issues the parties decide	3
From the source, identifies two issues the parties decide	2
From the source, identifies one issue the parties decide	1
Answer	
From the source, issues that the parties decide include: <ul style="list-style-type: none"> what evidence to put before the court the arguments to put before the court which witnesses will be called before the court 	

3. Explain what is meant by the rules of evidence in the adversarial system and outline **two (2)** specific rules of evidence.

Description	Mark
Explains what is meant by the rules of evidence AND Outlines two specific rules of evidence	4
Outlines what is meant by the rules of evidence OR Makes a general statement concerning rules of evidence AND outlines one or two specific rules of evidence	2–3
Makes a general statement concerning rules of evidence OR Outlines one specific rule of evidence	1
Specific content	
The rules of evidence are the rules governing what is admissible or inadmissible as evidence in a trial. Specific rules of evidence include: <ul style="list-style-type: none"> all evidence must be relevant hearsay evidence is generally excluded opinion evidence can only be led by an expert evidence relating to past record or prior convictions of the accused is inadmissible 	

4. Explain what a jury is in the adversarial system of trial and outline **three (3)** roles of the jury in a criminal trial in Western Australia.

Description	Mark
Explains what a jury is AND Outlines three roles of a jury in a criminal trial in Western Australia	5
Outlines at least one point about a jury AND Outlines two or three roles of a jury in a criminal trial OR outlines three roles of a jury in a criminal	3–4
Outlines one point about a jury AND/OR outlines one or two roles of a jury in a criminal trial	1–2
Answer	
<p>A jury:</p> <ul style="list-style-type: none"> • consists of 12 citizens but may be up to 18 in a long trial • is chosen at random from a pool • acts as an independent decision maker <p>Roles of a jury in a criminal trial could include:</p> <ul style="list-style-type: none"> • listening to the evidence • understanding the points of law as explained by the judge • taking part in deliberations in the jury room • making a decision based on the facts of the case 	

5. Identify an alternative to the adversarial legal system and explain **three (3)** features of that system.

Description	Mark
Identifies an alternative to the adversarial legal system AND Explains three features of that system	5–6
Identifies an alternative to the adversarial legal system AND Outlines two features of that system	3–4
Identifies an alternative to the adversarial legal system AND Outlines one feature of that system OR makes a general statement concerning an alternative to the adversarial legal system	1–2
Answer	
<p>An alternative is the inquisitorial legal system. Features could include:</p> <ul style="list-style-type: none"> • an impartial judge presides over all aspects of the case • no pleas of guilty • the role of legal representatives is to assist the judge in determining the evidence for investigation • may allow for adjournments for further investigations by the court 	

Sample assessment task

Politics and Law – General Year 11

Task 8 – Unit 2

Assessment type: Test

Conditions

Time for the task: 45 minutes

Task weighting

15% of the school mark for this pair of units

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1. Outline **three (3)** Articles in the English Bill of Rights which were important in the development of rights for the people of England. (3 marks)

Article:

Article:

Article:

2. The American and French Revolutions were very concerned with the issues of liberty and freedom from oppression. Outline **three (3)** rights gained by the people as a result of these revolutions. (3 marks)

Right:

Right:

Right:

3. Article 20 of the Universal Declaration of Human Rights (1948) states: everyone has a right to freedom of peaceful assembly and association. No one may be compelled to belong to an association.

Identify **three (3)** ways Article 20 influences people in Australia today. (3 marks)

Influence 1:

Influence 2:

Influence 3:

4. Explain **three (3)** separate ways individuals exercise civil and political rights in Australia to express dissatisfaction with political and legal decisions. (6 marks)

Method 1:

Method 2:

Method 3:

5. With reference to **one (1)** example, explain a change that has been brought about as a result of people expressing their dissatisfaction with a political or legal decision. (5 marks)

Total = 20 marks

Marking key for sample assessment task 8 – Unit 2

1. Outline **three (3)** Articles in the English Bill of Rights which were important in the development of rights for the people of England.

Description	Mark
Outlines three Articles	3
Outlines two Articles	2
Outlines one Article OR Makes a general statement concerning rights in the English Bill of Rights	1
Specific content	
Articles could include:	
<ul style="list-style-type: none"> election of members of Parliament ought to be free members of Parliament should be able to speak and act freely in Parliament no taxes should be levied without the authority of Parliament that excessive bail not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted grants, promises of fines and forfeitures of particular persons before conviction are illegal and void 	

2. The American and French Revolutions were very concerned with the issues of liberty and freedom from oppression. Outline **three (3)** rights gained by the people as a result of these revolutions.

Description	Mark
Outlines three rights gained by the people as a result of these revolutions which could include any three rights from the US Bill of Rights and/or the French Declaration of the Rights of Man and of the Citizen	3
Outlines two rights gained by the people as a result of these revolutions	2
Outlines one right gained by the people as a result of these revolutions OR Makes a general statement concerning rights and the American and French Revolutions	1

3. Article 20 of the Universal Declaration of Human Rights (1948) states: everyone has a right to freedom of peaceful assembly and association. No one may be compelled to belong to an association. Identify **three (3)** ways Article 20 influences people living in Australia today.

Description	Mark
Identifies three ways Article 20 influences people in Australia today	3
Identifies two ways Article 20 influences people in Australia today	2
Identifies one way Article 20 influences people in Australia today OR Makes a general statement concerning right of association and/or assembly	1
Specific content	
Ways Article 20 influences people in Australia today could include:	
<ul style="list-style-type: none"> people have the right to meet together peacefully and protest people have a right to join a group such as a political party, pressure group, trade union no person can be forced to join an association such as a union or professional association 	

4. Explain **three (3)** separate ways individuals exercise civil and political rights in Australia to express dissatisfaction with political and legal decisions.

Description	Mark
Explains three separate ways individuals exercise civil and political rights in Australia to express dissatisfaction with political and legal decisions	5–6
Identifies two separate ways individuals exercise civil and political rights Outlines at least one of the ways identified.	3–4
Identifies and/or outlines one way individuals exercise civil and political rights OR Lists two separate ways individuals exercise civil and political rights	1–2
Specific content	
Ways individuals exercise civil and political rights in Australia to express dissatisfaction with political and legal decisions could include: <ul style="list-style-type: none"> forming a pressure group or micro party concerned with the issue petitioning Parliament on the issue lobbying individual MPs joining public rallies organising a media campaign lodging an appeal, if an interested party in a legal decision 	

5. With reference to **one (1)** example, explain a change that has been brought about as a result of people expressing their dissatisfaction with a political or legal decision.

Description	Mark
Outlines the political or legal decision Outlines how individuals in Australia expressed their dissatisfaction with the decision AND makes reference to specific actions by individuals (the example) Outlines the change as a result of the expression of dissatisfaction	5
Outlines the political or legal decision Outlines how individuals in Australia expressed their dissatisfaction with the decision (the example) Outlines the change as a result of the expression of dissatisfaction	3–4
Outlines in general how individuals in Australia express dissatisfaction with political and legal decisions OR Identifies/outlines an example of individuals expressing dissatisfaction with a political or legal decision OR Identifies a change to a political or legal decision as a result of actions by individuals	1–2