



SAMPLE ASSESSMENT TASKS

POLITICS AND LAW
ATAR YEAR 12

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Sample assessment task

Politics and Law – ATAR Year 12

Task 3 – Unit 3

Assessment type: Investigation

Task weighting

5% of the school mark for this pair of units

Conditions

Period allowed for completion of the task: two weeks

Validation essay written in class at the end of the research period

Part A: Research

(25 marks)

Investigate the roles and powers of the Governor-General; the 1975 Constitutional Crisis; and Australia as a republic (constitutional reform).

1. Use the following points to guide your research:

The roles and powers of the Governor-General:

(6 marks)

- constitutional
- according to convention

The 1975 crisis and the Governor-General:

(7 marks)

- in terms of constitutional powers
- in terms of conventions of the constitution

Australia as a republic (constitutional reform):

(7 marks)

- the role and powers of 'the President' including the reserve powers (options/model)
- selection/appointment and removal of 'the President' (options/model).

2. Use an appropriate retrieval and/or note-making chart to take notes, using the points above as a guide: (3 marks)

- the research notes need to be comprehensive and provide sufficient evidence
- the research notes need to reflect diverse and relevant source information
- ensure the sources of information are correctly acknowledged within notes.

3. Construct a bibliography following the school protocols. (2 marks)

The research notes and the bibliography are to be submitted as part of the task.

Conditions

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

Part B:

(25 marks)

In-class validation essay based on the investigation conducted in Part A.

‘The role and powers of the Governor-General are no longer tenable in Australia today and as such, Australia should become a republic.’

Evaluate this claim with specific reference to the 1975 crisis.

Marking key for sample assessment task 3 – Unit 3

Description	Marks
Part A: Research	
Roles and powers of the Governor-General	
Identifies three express and/or reserve constitutional powers	3
Identifies two express and/or reserve constitutional powers	2
Identifies one express or reserve constitutional power	1
Identifies three roles according to convention	3
Identifies two roles according to convention	2
Identifies one role according to convention	1
Subtotal	6
1975 Constitutional Crisis and the Governor-General	
Outlines three ways Constitutional reserve powers were used by the G-G in the crisis	3
Outlines two ways Constitutional reserve powers were used by the G-G in the crisis	2
Outlines one way Constitutional reserve powers were used by the G-G in the crisis	1
Outlines four ways parliamentary conventions were broken in the crisis	4
Outlines three ways parliamentary conventions were broken in the crisis	3
Outlines two ways parliamentary conventions were broken in the crisis	2
Outlines one way parliamentary conventions were broken in the crisis	1
Subtotal	7
Australia as a republic (constitutional reform)	
Identifies four options/models related to Australia as a republic, such as the selection/appointment/removal process, role and powers of 'the President'	6–7
Outlines three options/models related to Australia as a republic, such as the selection/appointment/removal process, role and powers of 'the President'	4–5
Outlines two options/models to related to Australia as a republic, such as the selection/appointment/removal process OR the role OR the powers of 'the President'	1–3
Subtotal	7
Research total	20
Political and legal research skills	
Research notes are comprehensive and provide sufficient evidence	1
Research notes reflect diverse and relevant source information	1
The source of information is acknowledged correctly within notes	1
Provides a bibliography consistent with school protocols	1–2
Skills total	5
Part A total	25

Description	Marks
Part B: In-class validation essay	
<p>Outlines the role and powers of the Governor-General Role: constitutional and statutory and ceremonial Powers: express and reserve</p> <ul style="list-style-type: none"> Express: exercised on behalf of Parliament/PM (in Council), which include: Royal Assent to Bills; appointment of Federal justices including High Court justices; issuing writs for elections to the House Reserve (prerogative): exercised without or in spite of advice, which include those powers associated with ss. 28; 57 and 64 of the Commonwealth Constitution <p>Discusses that the role of the Governor-General is no longer tenable: Agree:</p> <ul style="list-style-type: none"> It is an unelected and unaccountable role with real power and hence untenable. <p>Disagree:</p> <ul style="list-style-type: none"> Actual role is still tenable and it would be similar/same in a republic An independent party within the executive allows for continuity Causes a pause in the processes and allows a non-partisan person to query and question <p>Discusses the premise that the powers of the Governor-General are no longer tenable in Australia today: Agree:</p> <ul style="list-style-type: none"> the powers that a Governor-General has at his/her disposal are out of keeping with a modern liberal democracy make reference to the constitution and conventions surrounding the 1975 crisis (an unelected person (G-G) can dismiss an elected PM who retained control of the House) a foreign monarch/power has ultimate control over the executive in Australia <p>Disagree:</p> <ul style="list-style-type: none"> that the position of Governor-General has for over a century served Australia well that the powers of the Governor-General cause a PM to discuss and justify a situation with an independent non-partisan party the Governor-General's role and powers were used to resolve the crisis when a PM failed to follow convention and resign when unable to secure Supply <p>Discusses that Australia should become a republic which could include:</p> <ul style="list-style-type: none"> Replace the Governor-General with a President Appointment/selection process is with the people/Parliament – a more open process than at present but it may politicise the Office Limit the powers of the President in terms of the current reserve powers to ensure greater accountability within democratic Australia but then Australia would be left with the situation of how to resolve a crisis when conventions are not followed OR transfer the current powers to the President: this would not alter the potential for another 1975 crisis <p>Presents a conclusion regarding whether or not the role and powers of the Governor-General have become untenable in Australia today, having made reference to the 1975 crisis and that Australia should become a republic Presents a reasoned, balanced and coherent evaluation of the claim, not necessarily agreeing with it, using relevant political and legal terminology</p>	21–25

Description	Marks
Part B: In-class validation essay	
<p>Outlines the role and powers of the Governor-General</p> <p>Discusses that the role of the Governor-General is no longer tenable</p> <p>Discusses the premise that the powers of the Governor-General are no longer tenable in Australia today</p> <p>Agree/disagree making reference to the 1975 crisis</p> <p>Australia should become a republic?</p> <ul style="list-style-type: none"> • presents arguments with at least one option concerning the position/powers of a President <p>Presents a conclusion regarding whether or not the role and powers of the Governor-General have become untenable in Australia today, having made reference to the 1975 crisis, and that Australia should become a republic</p> <p>Presents a reasoned balanced and coherent discussion, with little if any evaluation of the claim, using relevant political and legal terminology</p>	16–20
<p>Outlines the role and powers of the Governor-General</p> <p>Discusses that the role of the Governor-general is no longer tenable</p> <p>Discusses the premise that the powers of the Governor-General are no longer tenable in Australia today with some reference to the 1975 crisis</p> <p>Australia should become a republic?</p> <ul style="list-style-type: none"> • presents some discussion with some reference to the position/powers of the President <p>Presents discussion regarding the claim, with some reason, balance and coherence, using some relevant political and legal terminology</p>	11–15
<p>Outlines the role and powers of the Governor-General</p> <p>Makes statements concerning the role of the Governor-General being no longer tenable</p> <p>Makes statements concerning the powers of the Governor-General being no longer tenable</p> <p>Makes limited, if any, reference to the 1975 crisis</p> <p>Presents statements concerning whether or not Australia should become a republic</p> <p>Presents statements concerning the claim with some reason, balance and coherence, using limited relevant political and legal terminology</p>	6–10
<p>Demonstrates little or no understanding of the roles and powers of the Governor-General; the 1975 crisis; and the concept of Australia as a republic</p> <p>Presents minimal statements and no discussion with little or no political and legal terminology</p>	1–5
Part B total	25
Final total	50

Sample assessment task
Politics and Law – ATAR Year 12
Task 6 – Unit 4

Assessment type: Short answer

Conditions

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

Task weighting

8% of the school mark for this pair of units **(30 marks)**

Question 1 **(10 marks)**

(a) Outline **two** elements associated with the Commonwealth Parliament. (2 marks)

(b) Explain **two** ways elections to the House of Representatives help to keep it accountable. (3 marks)

- (b) Explain how party discipline can erode the integrity of the committee system’s role in the legislative process of the Commonwealth Parliament. (3 marks)

- (c) With reference to an example, explain the role of the judiciary in terms of parliamentary accountability. (5 marks)

Question 3**(10 marks)**

(a) Identify **two** elements associated with legislation.

(2 marks)

(b) Outline the role of the Federation Chamber (Main Committee) of the Commonwealth Parliament and explain how its existence helps to promote the accountability of Parliament.

(3 marks)

(c) Define the gag and the guillotine and discuss how their use during the legislative process may compromise parliamentary accountability.

(5 marks)

Marking key for sample assessment task 6 – Unit 4

Question 1

- (a) Outline **two** elements associated with the Commonwealth Parliament.

Description	Marks
Outlines two elements associated with the Commonwealth Parliament	2
Outlines one element associated with the Commonwealth Parliament OR makes a general statement concerning the Commonwealth Parliament	1
Answer could include but is not limited to:	
The Commonwealth Parliament: <ul style="list-style-type: none"> • supreme legislative body • bicameral legislature • a lower house known as the House of Representatives • an upper house known as the Senate 	

- (b) Explain **two** ways elections for the House of Representatives help to keep it accountable.

Description	Marks
Explains two ways elections help to keep the House of Representatives accountable	3
Explains one way elections help to keep the House of Representatives accountable OR lists two ways elections help to keep the House of Representatives accountable	2
Lists one way elections help to keep the House of Representatives accountable OR makes a general statement concerning elections and parliamentary accountability	1
Answer could include, but is not limited to:	
Ways elections help to keep the House of Representatives accountable: <ul style="list-style-type: none"> • voters can evaluate the performance of individual MHRs • voters can evaluate the performance of government and/or opposition • voters can support a particular candidate or alternative party because of an action/policy of an MP/party Note: Examples could be used instead of explanations.	

- (c) Discuss **one** argument for and **one** argument against the proposition: ‘elections for the Senate play no role in the accountability of parliament’.

Description	Marks
Identifies one argument in support of the proposition Identifies one argument against the proposition Discusses each of the arguments identified Cites at least one relevant example in the discussion	5
Identifies one argument in support of the proposition Identifies one argument against the proposition Discusses each of the arguments identified	3–4
Identifies one argument in support of the proposition AND/OR identifies one argument against the proposition OR makes a general statement concerning elections and Senate accountability	1–2
Answer could include, but is not limited to:	
Arguments in support of the proposition include: <ul style="list-style-type: none"> • government is formed in the House of Representatives not the Senate Arguments against the proposition include: <ul style="list-style-type: none"> • a certain percentage of electors deliberately vote differently for each House • a certain percentage of electors vote to promote a balance of power situation, so that the House of Representatives becomes more accountable. 	

Question 2

- (a) Outline **two** elements associated with the House of Representatives Privileges Committee in the Commonwealth Parliament.

Description	Marks
Outlines two elements associated with the House Privileges Committee OR outlines an example that explains its role and/or powers	2
Outlines one element associated with the House Privileges Committee OR cites an example associated with parliamentary privilege	1
Answer could include, but is not limited to:	
House Privileges Committee: <ul style="list-style-type: none"> can inquire into and report on complaints of breach of parliamentary privilege has the power to deal with offences which include reprimand, imprisonment, impose fines parliamentary privilege grants particular rights and immunities to MPs. 	

- (b) Explain how party discipline can erode the integrity of the committee system's role in the legislative process of the Commonwealth Parliament.

Description	Marks
The meaning of party discipline is apparent Explains a link between party discipline and the erosion of integrity of the committee system's role in the legislative process, which could be an example	3
Outlines information that shows a link between party discipline and the erosion of integrity of the committee system's role in the legislative process	2
Makes a statement concerning party discipline OR the role of the committee system's in the legislative process	1
Answer could include, but is not limited to:	
Party discipline: <ul style="list-style-type: none"> the expectation that MPs publicly support the party that MPs vote with their party on all occasions except when a conscience vote is allowed Legislative committee reports too often split along party lines rather than deliver an objective assessment of the legislation.	

- (c) With reference to an example, explain the role of the judiciary in terms of parliamentary accountability.

Description	Marks
Makes the role of the judiciary apparent in terms of judicial review Defines judicial review Uses a relevant example in the explanation regarding judicial review and parliamentary accountability	5
Makes the role of the judiciary apparent in terms of judicial review Uses a relevant example is used in the explanation regarding judicial review and parliamentary accountability	3-4
Refers to judicial review AND/OR cites a relevant example related to judicial review and parliamentary accountability	1-2
Answer could include, but is not limited to:	
Judicial review: the process by which the High Court can review Commonwealth legislation in terms of its constitutionality, i.e. it is within the powers of the Commonwealth Parliament to legislate Examples include: <ul style="list-style-type: none"> <i>Williams vs Commonwealth #2 2014</i> 	

- *BATA & ORS vs Commonwealth (Tobacco Plain Packaging) 2012.*

Question 3

- (a) Outline **two** elements associated with legislation.

Description	Marks
Outlines two elements associated with legislation	2
Outlines one element associated with legislation	1
Answer could include, but is not limited to:	
Legislation: <ul style="list-style-type: none"> • a proposed bill • a bill that has passed through various stages in each house of parliament • an Act that has been passed /enacted by parliament. 	

- (b) Outline the role of the Federation Chamber (Main Committee) of the Commonwealth Parliament and explain how its existence helps to promote the accountability of Parliament.

Description	Marks
Outlines the role of the Federation Chamber Explains the link between the Federation Chamber and parliamentary accountability	3
Outlines the role of the Federation Chamber Attempts to link the Federation Chamber and parliamentary accountability	2
Outlines the role of the Federation Chamber OR makes a statement concerning the Federation Chamber and parliamentary accountability	1
Answer could include, but is not limited to:	
Federation Chamber of the Parliament (1994 Main Committee/name change 2012): <ul style="list-style-type: none"> • considers legislation on reference from the House of Representatives • debates legislation which includes making amendments • provides additional opportunities for MPs to speak on matters of own choosing How it helps to promote parliamentary accountability: <ul style="list-style-type: none"> • more MPs can speak on bills/reports of a non-controversial nature, hence more legislation is being debated/considered • it allows more time in the House of Representatives for debate on other matters, hence more accountability • it allows for a more effective use of legislative time and hence accountability. 	

- (c) Define the gag and the guillotine and discuss how their use during the legislative process may compromise parliamentary accountability.

Description	Marks
Defines the gag Defines the guillotine Discusses their use in the legislative process Makes links to parliamentary accountability An example could be used to discuss their use and parliamentary accountability	5
Defines the gag Defines the guillotine Discusses their use in the legislative process AND/OR attempts to make a link to parliamentary accountability	3-4
Defines the gag AND/OR defines the guillotine AND/OR discusses their use in the legislative process OR makes a general statement concerning the gag and/or guillotine and parliamentary accountability	1-2
Answer could include, but is not limited to:	
Gag: a parliamentary device/tactic used by the government to end a debate (so that the member no longer be heard) Guillotine: a parliamentary device/tactic used by the government to impose a time limit (usually two hours) on debate. It is usually announced in advance by the government Bills and the use of the gag and guillotine: <ul style="list-style-type: none"> • <i>Financial Framework Legislation Amendment Bill (no3) 2012</i> (Bill in response to <i>Williams vs Commonwealth 2012 HCA 23</i>) • <i>Media legislation 2013 (Conroy)</i> • <i>Howard Anti-Terror legislation 2005.</i> 	

Sample assessment task

Politics and Law – ATAR Year 12

Task 9 – Unit 4

Assessment type: Essay

Conditions

Time for the task: 50 minutes

In class under test conditions

Task weighting

8% of the school mark for this pair of units

(25 marks)

‘Groups within Australia have not always experienced full political and legal rights.’

Evaluate this claim with respect to women in Australia.

Marking key for sample assessment task 9 – Unit 4

‘Groups within Australia have not always experienced full political and legal rights.’
Evaluate this claim with respect to women in Australia.

Description	Marks
<p>Discusses women and political rights in Australia over time, perhaps differentiating between Indigenous and non-Indigenous women:</p> <ul style="list-style-type: none"> the franchise: various States and the Commonwealth right to stand as a candidate for election to Parliaments: States and Commonwealth examples of when women were actually elected compared to when eligible to be elected <p>Discusses women and legal rights in Australia over time which could include:</p> <ul style="list-style-type: none"> women on juries in various States women within marriage <ul style="list-style-type: none"> property rights (<i>Yerkey vs Jones (1939) 63 CLR 649; Garcia vs National Australia Bank (1998) 194 CLR 395</i>) rape employment law and women: <ul style="list-style-type: none"> wage rates marriage and continued employment superannuation domestic violence, women and the law <i>Sex Discrimination Act (1984)</i> and earlier State legislation <p>Cites particular court decisions and legislation in the discussion</p> <p>Presents a conclusion based on the evidence on whether or not women have always experienced full political and legal rights in Australia</p> <p>Presents a reasoned, balanced and coherent evaluation of the claim that women in Australia have not always experienced full political and legal rights, perhaps making reference to the differences between the law and the practice and different groups of women, using relevant political and legal terminology</p>	21–25
<p>Discusses women and political rights in Australia over time, perhaps differentiating between Indigenous and non-Indigenous women</p> <p>Discusses women and legal rights in Australia over time</p> <p>Makes reference to some court decisions and legislation in the discussion</p> <p>Presents a conclusion based on the evidence on whether or not women have always experienced full political and legal rights in Australia</p> <p>Presents a mostly reasoned, balanced and coherent but limited evaluation of the claim that women in Australia have not always experienced full political and legal rights, perhaps making reference to the differences between the law and the practice and different groups of women, using relevant political and legal terminology</p>	16–20
<p>Discusses to some extent women and political rights in Australia over time</p> <p>Discusses to some extent women and legal rights in Australia over time</p> <p>Makes limited reference to court decisions and legislation</p> <p>Presents a conclusion that addresses the claim to a limited extent</p> <p>Presents a discussion rather than an evaluation with some reason, balance and coherence, using some relevant political and legal terminology</p>	11–15
<p>Presents statements concerning women and political rights in Australia</p> <p>Presents statements concerning women and legal rights in Australia</p> <p>Presents a concluding statement concerning the claim</p> <p>Uses little relevant political and legal terminology</p>	6–10
<p>Makes minimal statements concerning the political and legal rights of women in Australia</p> <p>Uses little if any political and legal terminology</p>	1–5
Total	25

Sample assessment task

Politics and Law – ATAR Year 12

Task 2 – Unit 3

Assessment type: Source analysis

Conditions

Time for the task: 50 minutes

In class under test conditions

Task weighting

10% of the school mark for this pair of units

(20 marks)

Read the source and answer the questions that follow.

The extract is from a research paper, *The impact of minority government on executive dominance and legal scrutiny in the 43rd Parliament*, produced in 2012.

While the number of amendments moved by private members in the House of Representatives increased in the 43rd Parliament, so too did the number of private members' bills. ... Up until 30 June 2012, forty-four private members' bills were introduced into the House of Representatives, the highest number since Federation in 1901. Four have become law. By comparison, during the previous two-year period, 10 private members' bills were presented to the House and none received assent. In fact, between 1901 and 2010 only 19 non-government bills passed into law.

The rise in private members' bills is due in part to procedural changes introduced under the *Agreement for a Better Parliament: Parliamentary Reform*, which increased opportunities for private members to participate in the work of the Parliament. This included setting aside time during the government business in the chamber for private members' bills to be voted on ... While procedural changes have had an effect ..., clearly a minority government, reliant on the support of the crossbench to get its legislation through the Parliament, is much more likely to consider and even pass bills proposed by private members than a government with a comfortable majority.

1. Explain what a 'private member' is within the Commonwealth Parliament. (2 marks)

2. With reference to the source, explain **two** reasons for the rise in private members' bills in the Commonwealth Parliament. (4 marks)

3. Making reference to particular legislation, discuss the influence of non-governmental parties on legislation in the Commonwealth Parliament. (6 marks)

Marking key for sample assessment task 2 – Unit 3

1. Explain what a ‘private member’ is within the Commonwealth Parliament.

Description	Marks
Explains what a private member is, which may include an example	2
Makes a general statement concerning a private member OR gives an example of a private member	1
Answer could include, but is not limited to:	
<ul style="list-style-type: none"> is an elected member of the Commonwealth Parliament is not a minister/does not sit on the front bench of the Commonwealth Parliament. 	

2. With reference to the source, explain **two** reasons for the rise in private members’ bills in the Commonwealth Parliament

Description	Marks
From the source identifies two reasons for the rise in private members’ bills Explains one/two of the reasons identified	3–4
From the source identifies two reasons for the rise in private members’ bills OR identifies and explains one reason	2
From the source identifies one reason for the rise in private members’ bills	1
Answer could include, but is not limited to:	
From the source reasons for the rise in private members’ bills include: <ul style="list-style-type: none"> procedural changes introduced under the ‘<i>Agreement for a Better Parliament: Parliamentary Reform</i>’ minority government and its reliance on the crossbench. 	

3. Making reference to particular legislation, discuss the influence of non-governmental parties on legislation in the Commonwealth Parliament.

Description	Marks
Makes reference to particular legislation Cites specific actions of non-governmental parties in the legislative process Discusses the influence (outcome) of the actions on the legislation	5–6
Makes reference to legislation Makes general reference to actions of non-governmental parties in the legislative process Outlines the influence (outcome) of the actions on legislation	3–4
Makes reference to legislation AND/OR outlines the influence (outcome) of non-governmental parties on legislation	1–2
Answer could include, but is not limited to:	
Legislation and influence could include any bill that non-governmental parties have introduced, amended, forced to committee or rejected (balance of power) in either House of the Commonwealth Parliament.	

4. With reference to at least **one** pressure group, evaluate the influence of pressure groups in the legislative process of the Commonwealth Parliament.

Description	Marks
Makes specific reference to at least one pressure group Discusses the actions taken by pressure group in the legislative process Makes an evaluation of the influence of pressure groups in the legislative process, based on the evidence provided	7–8
Makes specific reference to at least one pressure group Discusses the actions taken by pressure group in the legislative process Makes a statement, rather than an evaluation, of the influence of pressure groups in the legislative process	5–6
Makes general reference to at least one pressure group Discusses, in general, actions taken by pressure group(s) in the legislative process Makes a statement concerning the influence of pressure groups in the legislative process	3–4
Makes a general statement concerning the actions taken by pressure groups in the legislative process AND/OR makes a general statement concerning the influence of pressure groups in the legislative process	1–2
Answer could include, but is not limited to:	
Pressure group which has been involved in the legislative process of the Commonwealth Parliament which include: Electronics Frontier Australia; Australian Lawyers for Human Rights, ACOSS, ACTU Actions by pressure groups could include: <ul style="list-style-type: none"> • making submissions to a legislative/standing committee concerning particular legislation in terms of amendment, support or repeal of legislation • direct action or submissions on issues papers that may lead to legislation or the repeal of legislation in the Commonwealth Parliament. 	