2.8 Judicial Review and the Judiciary's Power Over Government: 10-minute Pack

EDEXCEL 9PL0 · about 10 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. For levels-marked questions write well-structured, developed responses in full sentences and use accurate political knowledge.

1 Explain, in the context of UK judicial review, the requirement of standing or locus standi and why it matters.

(Total for Question 1 is 3 marks)

2 State five remedies a UK court can grant after a successful judicial review claim.

(Total for Question 2 is 5 marks)

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Mark scheme · 2.8 Judicial Review and the Judiciary's Power Over Government: 10-minute Pack

Question 1

identifies that standing means the applicant must have a sufficient interest in the matter	**B1**
explains that not everyone can bring JR; the court screens claims to avoid being overwhelmed by purely academic challenges	**B1**
gives a brief consequence, e.g. public interest groups may be granted standing in some cases but the court retains discretion	**B1**

Answer: Standing means the applicant must show a sufficient interest in the issue; this prevents frivolous or purely academic claims and focuses judicial resources on parties genuinely affected. Courts may grant standing to public interest groups in appropriate cases but retain discretion to refuse unsuitable challengers.

Question 2

one remedy, e.g. quashing order	**B1**
second remedy, e.g. mandatory order	**B1**
third remedy, e.g. prohibiting order	**B1**
fourth remedy, e.g. declaration of rights	**B1**
fifth remedy, e.g. damages or a remedy linked to the Human Rights Act where appropriate	**B1**

Answer: Any five of: quashing order (voiding the decision); mandatory order (ordering the public body to take a specific action); prohibiting order (preventing an action); declaration (a statement of the parties rights); damages in appropriate HRA cases or another remedy linked to the Human Rights Act.

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