1.3 Rights and Civil Liberties in the UK: Protection and Tensions: 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, using accurate political knowledge and named examples where appropriate. Spend around 10 minutes in total.

1 Name two specific Convention rights contained in the European Convention on Human Rights, as referenced in UK rights law.

(Total for Question 1 is 2 marks)

2 Explain what is meant by common law rights in the UK context and give one example of such a right.

(Total for Question 2 is 3 marks)

3 Explain two ways in which Parliament can limit executive powers that affect civil liberties in the UK, giving an example of recent legislation or parliamentary action for one of the ways.

(Total for Question 3 is 6 marks)

© Revision Library | revisionlibrary.co.uk

Mark scheme · 1.3 Rights and Civil Liberties in the UK: Protection and Tensions: 10-minute Pack

Question 1

one correctly named Convention right, e.g. Article 8 right to respect for private and family life	**B1**
a second correctly named Convention right, e.g. Article 10 freedom of expression or Article 6 right to a fair trial	**B1**

Answer: Any two of: Article 8 right to respect for private and family life; Article 10 freedom of expression; Article 6 right to a fair trial; Article 2 right to life; Article 3 prohibition of torture.

Question 2

identifies that common law rights are protections developed by judges through precedent rather than by statute	**B1**
gives one clear example, e.g. habeas corpus, right to silence in certain contexts, or the right to a fair administrative process	**B1**
brief development showing why common law rights matter, e.g. they can offer protection where Parliament has not legislated	**B1**

Answer: Common law rights are protections created and developed by judges through case law rather than by Parliament; examples include habeas corpus or the judge-developed right to procedural fairness in administrative decisions. They matter because they can protect individuals where statute is silent or ambiguous.

Question 3

identifies one parliamentary mechanism, e.g. passing primary legislation that constrains executive discretion	**B1**
develops that mechanism with an example, e.g. the Investigatory Powers Act 2016 created statutory controls over surveillance powers	**B1**
identifies a second parliamentary mechanism, e.g. parliamentary scrutiny through select committees, debates and votes such as stopping or amending government proposals	**B1**
develops the second mechanism with an explanation of how scrutiny acts as a check	**B1**
explains a linked point, e.g. Parliament can also use secondary legislation control or require sunset clauses and review provisions	**B1**
provides brief evaluation, e.g. noting limits where government has a strong Commons majority or uses delegated powers	**B1**

Answer: Parliament can limit executive powers by passing primary legislation that defines and constrains state powers, for example the Investigatory Powers Act 2016 set statutory frameworks and oversight for surveillance. Parliament also constrains the executive through scrutiny: select committees, urgent questions, debates and votes can expose, amend or block executive proposals. However, these checks can be limited if the governing party has a large majority or uses delegated legislation.

© Revision Library | revisionlibrary.co.uk