



Topic Tests

for AS / A Level OCR Law

Paper 2A: Law Making

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Teacher's Introduction

This resource has been created to support the learning and teaching of OCR H018/H418 / 02 AS / A Level Law (Paper 2 – Law Making). It allows the students to put their legal knowledge to the test on every part of this specification unit. As each test progresses, the questions increase in depth and difficulty towards a final essay-style question. All questions come with answers, and the scenario-based and essay questions also benefit from mark schemes.

Remember!

Always check the exam board website for new information, including changes to the specification and sample assessment material.

This resource will prove valuable to a student's revision. Each topic test can be used for in-class activities, as homework or as an extra resource during revision. It allows students to track their progress and identify their strengths, as well as gaps in their knowledge, on the key aspects of the unit.

Each topic test offers a minimum of seven questions that are related to the specification for OCR AS / A Level Law (Paper 2).

Students have plenty of opportunity to practise their knowledge of law, how the law is created and made in different ways, and how procedure rules are followed, and to evaluate aspects of the different areas of the law-making process.

- **Part A** includes shorter-answer questions and will test students' knowledge of the various areas of law making, the relevant rules and procedures.
- **Part B** includes longer-answer questions and will test students' knowledge of the different ways in which law is made, relevant procedures and rules in particular scenarios. These scenarios are for testing the students' knowledge but are not typical of the type of question in the exam.
- **Part C** is an essay-based question and will test students' knowledge of law making and allow students to evaluate the different law-making processes. Some Part C questions cover areas within the OCR specification, but cover them from an evaluation point of view rather than just an AO1 question and answer. These have been included to ensure students know the topic well enough to be able to assess and evaluate relevant AO1 content.

The six subjects covered in this resource are: Parliamentary Law Making, Delegated Legislation, Statutory Interpretation, Judicial Precedent, Law Reform, and European Union Law.

This resource will assist students in understanding law making in the UK, as well as enhance their understanding of the wider picture of law and justice. This will link with other topics in the OCR H418 specification – e.g. the Nature of Law (Papers 3 and 4) covering Justice in the Legal System.

We hope you and your students enjoy this resource and it proves of assistance and support to your students to achieve the results they deserve.

1. Parliamentary Law Making

Topic Test 1.1: Green and White Papers – Differences

SECTION A

1. Complete the following sentence to explain the main differences between the House of Commons and the House of Lords.

Members of the House of Commons (MPs) are _____, whereas

Lords are _____ life peers or are hereditary peers.

2. Name one of the two alternative names for an Act of Parliament.

.....

3. What role does the UK monarch take in the legislative process?

.....

.....

4. What is the difference between a Green Paper and a White Paper?

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5. Briefly explain when Scotland and Wales are allowed to make their own legislation.

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SECTION B

Andrea has been an MP for her constituency for some years. She has always had strong right to protest about an area of UK law or UK society with which that person is dissatisfied. She is personally involved in the creation of a new law to support those rights of protest. Andrea is a Minister of Justice to put forward her suggestions and has received a positive response.

6. a) Give one example of each of the three main types of Bill that have succeeded in the legislative process.



- b) Explain to Andrea which two types of Bill could be appropriate for her proposal.




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SECTION C

7. Explain the differences between Public Bills, Private Bills and Private Members' Bills, the origin of each, and briefly discuss the reasons why there are different types of Bill.



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1. Parliamentary Law Making

Topic Test 1.1: Green and White Papers – Differences

SECTION A

1. Copy and complete the following sentence to explain the main differences between the House of Commons and the House of Lords.

Members of the House of Commons (MPs) are _____, whereas Lords are _____ life peers or are hereditary peers.

2. Name one of the two alternative names for an Act of Parliament.
3. What role does the UK monarch take in the legislative process?
4. What is the difference between a Green Paper and a White Paper?
5. Briefly explain when Scotland and Wales are allowed to make their own legislation.

SECTION B

Andrea has been an MP for her constituency for some years. She has always had strong views on the right to protest about an area of UK law or UK society with which that person is dissatisfied. She has personally involved in the creation of a new law to support the rights of protest. Andrea has written a Bill and asked the Home Secretary to put forward her suggestions and has received a positive response.

6. a) Give one example of each of the three main types of Bill that have succeeded through the legislative process.
b) Explain to Andrea which two types of Bill could be appropriate for her proposal.

SECTION C

7. Explain the differences between Public Bills, Private Bills and Private Members' Bills. Give one example of each, and briefly discuss the reasons why there are different types of Bill.

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Preview of Questions Ends Here

This is a limited inspection copy. Sample of questions ends here to avoid students previewing questions before they are set. See contents page for details of the rest of the resource.

Mark Scheme

Section B: 10-mark scenario-based questions

| Knowledge (4) and application (6) | | |
|--|---------|---|
| NOTE: * This mark scheme is ONLY for the purposes of this topic test and does not constitute a mark scheme for the exam paper. It is showing credit for relevant points which will add up to the total mark of a student. | | |
| | 0 marks | No relevant answer given. |
| Level 1 | 1–2 | Limited application of legal rules to a given scenario. Limited argument which has minimal detail and is unstructured. Minimal legal terminology is used. |
| Level 2 | 3–5 | Basic application of legal rules to a given scenario. Basic argument which may lack detail in places and is partially structured. Some legal terminology is used. |
| Level 3 | 6–7 | Good application of legal rules to a given scenario. Good argument which is detailed but not fully developed in places. Some legal terminology is used. |
| Level 4 | 8–10 | Excellent application of legal rules to a given scenario. Excellent argument which is accurate, fully developed and detailed. Good legal terminology is used. |

Section C: 10-mark essay questions

| Application and analysis (10) | | |
|--|---------|---|
| NOTE: Please read the comment for the mark scheme for Part B questions at *a. In addition, the assessment of this question by the teacher/student would show whether the points are present/missing. This is to allow the student to see what could be improved for the next assessment. It is not to be a good AO3 essay without the knowledge of AO1 and AO2. | | |
| | 0 marks | No relevant answer given. |
| Level 1 | 1–2 | <ul style="list-style-type: none"> Limited analysis of legal concepts and/or issues. The response has limited focus on the question. Discussion of any key points is minimal. |
| Level 2 | 3–5 | <ul style="list-style-type: none"> Basic analysis and evaluation of legal concepts and/or issues. The response is partially focused on the question. Some of the key points are discussed and partially developed. |
| Level 3 | 6–7 | <ul style="list-style-type: none"> Good analysis and evaluation of a range of legal concepts and/or issues. The response has a mainly consistent focus on the question. Most of the key points are discussed well and developed. |
| Level 4 | 8–10 | <ul style="list-style-type: none"> Excellent analysis and evaluation of a wide range of legal concepts and/or issues. The response is wide-ranging and has a well-sustained focus on the question. The key points are fully discussed and fully developed. |

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Topic Test 1.2

Section A

1. The first reading is a formal procedure when the name and main aims of the Bill are discussed or voted on. The second reading is the main debate of the whole Bill, usually for the whole House rather than smaller details. The Speaker calls on MPs to make their contributions. The Bill then progresses to the third reading.
2. The third reading is when there is a final vote on the Bill. This is a formality as the Bill has already been debated in detail. The Bill then passes to the House of Lords.
3. The House of Lords process is similar to that of the House of Commons. The government usually introduces a Bill in the House of Commons. The whole House considers the Bill at the committee stage and then at the third reading. Amendments raised earlier in the Lord's process may be voted on at the third reading in the House of Commons for consideration.
4. The 1911 and 1949 Acts limit the power of the House of Lords to reject a Bill. If rejected by the House of Commons and will become law if completing the Commons procedure.
5. Finance Bills must always commence in the House of Commons.

Section B

6. a) At the committee stage, the chosen MPs carry out a detailed examination of each clause of the Bill. A Committee comprises between 16 and 50 MPs. A Committee is often chosen to examine a Bill. The Committee usually has a majority to represent the government. Minority parties are represented proportionately to the number of seats they have. Members nominated for each Standing Committee are usually those who have expertise in the knowledge of the topic(s) covered by the Bill.
- b) At the committee stage, amendments to clauses of the Bill will have been voted on. The committee then reports back to the House of Commons on these amendments. If there were amendments, the Bill goes back to the committee stage. If there were no amendments, the Bill goes straight to the third reading in the House of Commons. The Bill is debated and voted on in the House and either accepted or rejected. Additional amendments made as the House of Commons may disagree with the Committee's suggestion. The Bill then goes to the House of Lords.

Section C

7. Law is being made by elected representatives, which is the basis of democracy. A general election at least every five years, allowing the public to vote for the laws they want. It is more democratic as the Lords are not elected, and MPs sometimes have to vote for a Bill that is against the government, which uses the government 'whip' to ensure the vote is successful.

Green Papers allow interested and expert parts of society to comment on, and possibly influence, a government minister introducing a law will have the full support of their department. However, the government does not always have the time or inclination to consider all suggestions. For example, areas which are not 'vote-catchers', such as contract law and non-fatal offences, are often overlooked.

Presuming the Bill is to proceed, the lengthy and detailed process of the readings and committee stage means the Bill is thoroughly debated. Parliament may also use reports and draft Bills prepared by experts in particular areas of law, ensuring the proper law is required and is justified. On the other hand, the parliamentary process may take months or even years – to become law. An example is the Assisted Dying Bill, which took 14 months from the first reading to the Royal Assent.

Finally, in times of emergency, laws can be debated and enacted quickly. An example is the Coronavirus Act 2020, which gave Parliament emergency powers to deal with the pandemic. From its introduction, it was debated for seven days. However, as seen above, a problem with the process is that there is very little time for public consultation. For example, the Assisted Dying Bill was debated at second reading in the House of Commons, but the committee stage has yet to be arranged – showing the slowness of the process for a matter as serious as euthanasia.

Overall, however, the legislative process is justifiable as the depth of study and debate is the most important factor in the making of a new law as it deals, in detail, with the intentions of the government.

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Preview of Answers Ends Here

This is a limited inspection copy. Sample of answers ends here to stop students looking up answers to their assessments. See contents page for details of the rest of the resource.