Legal Studies

Total marks – 100

Section I  Pages 2–10
25 marks
This section has two parts, Part A and Part B
• Allow about 45 minutes for this section

Part A – 15 marks
• Attempt Questions 1–15

Part B – 10 marks
• Attempt Question 16

Section II  Page 11
25 marks
• Attempt Question 17
• Allow about 45 minutes for this section

Section III  Pages 12–14
50 marks
• Attempt TWO questions from Questions 18–25, each from a different Focus Study
• Allow about 1 hour and 30 minutes for this section
Section I — Law and Society
25 marks
Allow about 45 minutes for this section

Part A – 15 marks
Attempt Questions 1–15

Use the multiple-choice answer sheet for Questions 1–15.

1. What is tort law primarily concerned with?
   (A) Public rights and obligations
   (B) Crimes and their punishment
   (C) Civil injuries and their remedies
   (D) International rights and obligations

2. What is universal suffrage?
   (A) The right to vote
   (B) The right to education
   (C) The right to join a trade union
   (D) The right to legal representation

3. The High Court decision in *Mabo* is an example of which type of law?
   (A) Statute law
   (B) Common law
   (C) Customary law
   (D) International law

4. A judge hears a case involving her brother’s business.
   What is this an example of?
   (A) Actual bias
   (B) Apparent bias
   (C) Procedural fairness
   (D) ‘Natural law’ doctrine
5 Which right is NOT entrenched within the Australian Constitution?
   (A) The right to vote
   (B) The right to property
   (C) The right to education
   (D) The right to a jury trial

6 Historically, in which court were the principles of equity developed?
   (A) King’s Court
   (B) Admiralty Court
   (C) Chancellor’s Court
   (D) Ecclesiastical Court

7 A permit to conduct a protest march has been refused by the police.
   Which type of right has been denied?
   (A) A legal right
   (B) A collective right
   (C) An economic right
   (D) A civil and political right

8 Jack slipped on the floor at a shopping centre and broke his laptop computer.
   Which type of law would Jack use to sue the shopping centre?
   (A) Contract
   (B) Criminal
   (C) Property
   (D) Tort

9 Juan, a recent migrant, and John both applied for the same job. John gained the position
   based on his greater experience.
   What is this an example of?
   (A) Racial discrimination
   (B) Equality of opportunity
   (C) Equality before the law
   (D) Affirmative Action in the workplace
10 What is NOT an essential feature of a just law?

(A) It provides an effective remedy.
(B) It is widely known by the community.
(C) It applies equally to all members of the community.
(D) It is passed by a democratically elected parliament.

11 Which of the following is an outcome of the application of the rule of law?

(A) Certainty
(B) Equity
(C) Fairness
(D) Justice

12 What is the most common feature of the adversarial system?

(A) The rules of evidence do not apply.
(B) Judges determine which cases will be heard.
(C) Hearings are based on the parties’ oral argument.
(D) Judges determine the guilt or innocence of the parties.

13 Which of the following best illustrates the operation of Aboriginal and Torres Strait Islander customary law in Australia?

(A) The High Court’s *Mabo* decision
(B) Traditional practices regulating a group of Indigenous people
(C) The recognition of traditional tribal punishments by Australian courts
(D) The rejection of the doctrine of *terra nullius* by the Australian parliament
A government has decided to confiscate land belonging to farmers even though the High Court has determined that this action is illegal.

What does the government’s action demonstrate?

(A) A violation of the rule of law
(B) An exercise of executive privilege
(C) An application of the ‘natural law’ doctrine
(D) A violation of the doctrine of the separation of powers

A local newspaper is threatening to print an article defaming a well known resident.

What is the most appropriate option for the resident?

(A) Applying for an injunction
(B) Contacting the NSW police
(C) Contacting the NSW Ombudsman
(D) Applying for an Apprehended Violence Order (AVO)
Question 16 (10 marks)

(a) Define self-determination.

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(b) Outline the ‘natural law’ doctrine.

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Question 16 continues on page 10
Question 16 (continued)

Mark

(c) Outline arguments for and arguments against a Bill of Rights for Australia. 6

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End of Question 16
### Question 17 (25 marks)

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(a) Give an example of a summary crime.  

(b) Give an example of an indictable crime.  

(c) Outline the features of legal aid.  

(d) Compare ONE type of crime from list A with ONE type of crime from list B. 

<table>
<thead>
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<tr>
<td>• Public order offences</td>
<td>• Drug offences</td>
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<tr>
<td>• Offences against persons</td>
<td>• Economic offences</td>
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<tr>
<td>• Offences against the State</td>
<td>• ‘Victimless’ crimes</td>
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(e) How effective are the types of penalties available in Australia in achieving justice for individuals and society?
Section III — Additional Focus Studies

50 marks
Attempt TWO questions from Questions 18–25, each from a different Focus Study
Allow about 1 hour and 30 minutes for this section

Answer each question in a SEPARATE writing booklet. Extra writing booklets are available.

In your answer you will be assessed on how well you:
■ demonstrate an understanding of relevant legal information and issues
■ illustrate your answer with examples from one or more of the following:
  legislation, documents, treaties, cases, media reports
■ communicate using legal terminology and concepts relevant to domestic or international law
■ present a sustained, logical and well-structured answer to the question

Question 18 — Optional Focus Study 1 – Consumers (25 marks)

(a) Discuss the role and effectiveness of legal institutions in protecting consumers. 25

OR

(b) To what extent does the law reflect moral and ethical standards of Australian society in relation to consumers? 25

Question 19 — Optional Focus Study 2 – Family (25 marks)

(a) Discuss the role and effectiveness of legal institutions in protecting family members. 25

OR

(b) To what extent does the law reflect moral and ethical standards of Australian society in relation to family members? 25
Question 20 — Optional Focus Study 3 – Global Environment (25 marks)

(a) Assess international and domestic efforts to protect the global environment. 25

OR

(b) How effective have international conferences and international instruments been in protecting the global environment? 25

Question 21 — Optional Focus Study 4 – Indigenous Peoples (25 marks)

(a) Evaluate the role and effectiveness of the law in achieving justice for Indigenous peoples. 25

OR

(b) To what extent does the law as it relates to Indigenous peoples reflect moral and ethical standards? 25

Question 22 — Optional Focus Study 5 – Shelter (25 marks)

(a) How effective is the law in balancing the rights of those seeking shelter with the rights of those providing shelter? 25

OR

(b) Explain how and why some types of shelter require a person to give up individual rights. 25

Question 23 — Optional Focus Study 6 – Technological Change (25 marks)

(a) How effective is the law in balancing the rights of the users of technology with those of the creators of technology? 25

OR

(b) Evaluate the role and effectiveness of the law in regulating technological change. 25

Please turn over
Question 24 — Optional Focus Study 7 – Workplace (25 marks)

(a) Assess the role of the statutory framework in the workplace.  

OR

(b) How effective is the law in achieving justice in the workplace?

Question 25 — Optional Focus Study 8 – World Order (25 marks)

(a) Discuss the statement: ‘Without law there can be no world order.’

OR

(b) Evaluate methods of achieving world order that do not involve the use of force.

End of paper