

Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black pen
- Write your Centre Number and Student Number at the top of pages 9 and 11

Total marks – 100

Section I Pages 2–7

20 marks

- Attempt Questions 1–20
- Allow about 30 minutes for this section

Section II Pages 9–13

30 marks

This section has two parts, Part A and Part B

- Allow about 1 hour for this section

Part A – 15 marks

- Attempt Questions 21–23

Part B – 15 marks

- Attempt Question 24

Section III Pages 14–15

50 marks

- Attempt TWO questions from Questions 25–31, each from a different Option
- Allow about 1 hour and 30 minutes for this section

Section I

20 marks

Attempt Questions 1–20

Allow about 30 minutes for this section

Use the multiple-choice answer sheet for Questions 1–20.

- 1** Which of the following best explains *state sovereignty*?
- (A) A head of state can make all laws.
 - (B) A head of state can enter into international treaties.
 - (C) Nation states are in control of their own domestic affairs.
 - (D) Nation states can intervene to protect human rights in other nations.
- 2** Which of the following best describes criminal law in NSW?
- (A) Public law that uses the adversary system
 - (B) Public law that uses the inquisitorial system
 - (C) Private law that uses the adversary system
 - (D) Private law that uses the inquisitorial system
- 3** Michael travels by public transport to his office in the city. He has been caught travelling without a valid ticket.
- What types of offences have been committed by Michael?
- (A) Summary and public order
 - (B) Summary and strict liability
 - (C) White collar and public order
 - (D) White collar and strict liability

- 4 Sam helped Chris plan a crime. Chris drove to Sam's house on his way to a bank. Sam gave Chris a weapon. Sam then stayed at home. Chris used the weapon to rob the bank.

What is Sam likely to be charged with?

- (A) Accessory after the fact
- (B) Accessory before the fact
- (C) Principal in the first degree
- (D) Principal in the second degree

- 5 Belinda is on trial for treason.

Who has the role of ensuring that this trial is conducted fairly?

- (A) Jury
- (B) Judge
- (C) Magistrate
- (D) Public defender

- 6 The *International Covenant on Economic, Social and Cultural Rights* is an example of which of the following?

- (A) A statute
- (B) A treaty
- (C) Common law
- (D) Customary law

- 7 Which court has appellate jurisdiction to hear criminal law matters?

- (A) Local Court
- (B) District Court
- (C) Coroner's Court
- (D) Children's Court

8 Which of the following requires a person to attend court?

- (A) Caution
- (B) Arrest
- (C) Summons
- (D) Infringement notice

9 Which of the following is a purpose of punishment?

- (A) Interrogation
- (B) Imprisonment
- (C) Rehabilitation
- (D) Restorative justice

10 Mark is charged with an offence and the matter is brought to court by a police prosecutor. It is his first offence. Mark is found guilty and sentenced.

What type of offence and penalty would most likely apply to Mark?

- (A) A summary offence and a fine
- (B) A summary offence and imprisonment
- (C) An indictable offence and a suspended sentence
- (D) An indictable offence and a good behaviour bond

11 Mary has been charged with manslaughter. Mary has told her lawyer that she was acting in self-defence. Her lawyer gives her the following information:

- Self-defence is a partial defence.
- Her case may be heard in a judge-only trial.

Why is some of this information incorrect?

- (A) The trial must be heard before a jury.
- (B) The trial must be heard before a magistrate.
- (C) Self-defence is a complete defence to manslaughter.
- (D) Self-defence cannot be used as a defence to manslaughter.

- 12** Daniel, a 14-year-old, is convicted of a public order offence. This is his first recorded conviction.

Which of the following is the most likely penalty for Daniel?

- (A) Caution
- (B) Warning
- (C) Probation
- (D) Community service

- 13** Anne is charged with murder. The prosecution and defence enter a charge negotiation and Anne agrees to plead guilty to manslaughter.

What must the judge do?

- (A) Reject the agreement
- (B) Accept the agreement
- (C) Change the agreement
- (D) Consider the agreement

- 14** A well-known public figure has served his full sentence of 20 years for a violent crime. He has been denied release because of aggressive behaviour in prison.

What is this an example of?

- (A) Periodic detention
- (B) Protective custody
- (C) Continued detention
- (D) Security reclassification

- 15** Which of the following involves both a human rights issue and a criminal law issue in Australia?

- (A) A woman demands equal pay.
- (B) A refugee is arrested for assault.
- (C) A child is forced to work in a factory.
- (D) A same-sex couple is denied the right to marry.

- 16** International human rights are best protected in NSW by
- (A) common law.
 - (B) international law.
 - (C) the NSW Constitution.
 - (D) the Australian Constitution.
- 17** A government prevents women from voting in an election. This action violates the state's own domestic legislation.
- Which of the following does this action demonstrate?
- (A) Non-compliance
 - (B) Changing values
 - (C) Universal suffrage
 - (D) A non-legal measure
- 18** A community centre provides activities to improve the behaviour of local teenagers.
- What is this an example of?
- (A) General deterrence
 - (B) Specific deterrence
 - (C) Diversionary program
 - (D) Social crime prevention
- 19** A person has been found guilty of aggravated assault. The judge has heard from the victim as well as referring to similar court cases prior to sentencing.
- Why has the judge referred to similar cases?
- (A) To follow judicial guidelines
 - (B) To follow statutory guidelines
 - (C) To ensure community expectations are met
 - (D) To ensure the sentence reflects the victim impact statement

- 20** Legislation has been changed to require mandatory imprisonment for a particular offence. Ken commits this offence and it is recorded on CCTV. This is his first offence. Ken is convicted and is awaiting sentencing. A community group expresses concern about this law.

What action should the community group take to best help Ken?

- (A) Argue the law is unconstitutional
- (B) Provide references for Ken's good character
- (C) Lobby parliament to repeal this law
- (D) Advise Ken to deny the *actus reus* and *mens rea* of the offence

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Centre Number

Section II

30 marks

Allow about 1 hour for this section

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Student Number

Part A – Human Rights

15 marks

Attempt Questions 21–23

Answer the questions in the spaces provided. These spaces provide guidance for the expected length of response.

Question 21 (3 marks)

Explain how the Australian Human Rights Commission OR another independent statutory authority promotes human rights. 3

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Section II – Part A (continued)

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Student Number

Question 23 (7 marks)

Please turn over

Legal Studies

Section II (continued)

Part B – Crime

15 marks

Attempt Question 24

Answer the question in a writing booklet. Extra writing booklets are available.

Your answer will be assessed on how well you:

- demonstrate knowledge and understanding of legal issues relevant to the question
 - communicate using relevant legal terminology and concepts
 - refer to relevant examples such as legislation, cases, media, international instruments and documents
 - present a sustained, logical and cohesive response
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Question 24 (15 marks)

How effective are domestic and international measures in dealing with transnational crime?

Please turn over

Section III — Options

50 marks

Attempt TWO questions from Questions 25–31, each from a different Option

Allow about 1 hour and 30 minutes for this section

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

Your answers will be assessed on how well you:

- demonstrate knowledge and understanding of legal issues relevant to the question
 - communicate using relevant legal terminology and concepts
 - refer to relevant examples such as legislation, cases, media, international instruments and documents
 - present a sustained, logical and cohesive response
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Question 25 — Consumers (25 marks)

- (a) To what extent do non-government organisations and the media promote awareness of consumer law issues? **25**

OR

- (b) Assess the effectiveness of the regulation of marketing and advertising in achieving consumer protection. **25**

Question 26 — Global Environmental Protection (25 marks)

- (a) To what extent have law reform measures assisted in protecting the global environment? **25**

OR

- (b) Assess the effectiveness of the United Nations in promoting and achieving global environmental protection. **25**

Question 27 — Family (25 marks)

- (a) To what extent is law reform regarding alternative family relationships a reflection of changing values? **25**

OR

- (b) Assess the effectiveness of legal and non-legal responses in dealing with domestic violence. **25**

Question 28 — Indigenous Peoples (25 marks)

- (a) To what extent has state sovereignty assisted in recognising the rights of indigenous peoples? **25**

OR

- (b) To what extent does the law relating to indigenous peoples reflect changing values and ethical standards? **25**

Question 29 — Shelter (25 marks)

- (a) To what extent have dispute resolution mechanisms been effective in resolving conflict with regard to shelter? **25**

OR

- (b) To what extent does the law provide justice for those purchasing and selling shelter? **25**

Question 30 — Workplace (25 marks)

- (a) To what extent has law reform been effective in dealing with discrimination in the workplace? **25**

OR

- (b) Assess the effectiveness of trade unions in protecting workplace rights. **25**

Question 31 — World Order (25 marks)

- (a) To what extent has the use of political negotiation and force been effective in achieving world order? **25**

OR

- (b) Assess the effectiveness of the United Nations in promoting and maintaining world order. **25**

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