

**2004 HSC Notes from  
the Marking Centre  
Legal Studies**

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# 2004 HSC NOTES FROM THE MARKING CENTRE

## LEGAL STUDIES

### Introduction

This document has been produced for the teachers and candidates of the Stage 6 Course in Legal Studies. It provides comments with regard to responses to the 2004 Higher School Certificate Examination, indicating the quality of candidate responses and highlighting the relative strengths and weaknesses of the candidature in each question.

It is essential for this document to be read in conjunction with the Legal Studies syllabus, the 2004 Higher School Certificate Examination, the Marking Guidelines and other support documents, such as the 2001 and 2002 Standards Packages that have been developed by the Board of Studies to assist in the teaching and learning of Legal Studies.

### General Comments

In 2004, 8355 candidates attempted the Legal Studies examination, nearly 700 more candidates than in 2003. The most popular Optional Focus Studies were, in order: Family, Consumers, Workplace, World Order, Shelter, and Global Environments. Indigenous Peoples and Technological Change were the Optional Focus Studies that attracted the fewest responses. The six themes (syllabus page 10) need to be emphasised as these are incorporated across all topic areas. The importance of the Glossary of Key Words issued by the Board of Studies, and the rubric in answering Section III questions also needs to be emphasised.

Teachers and candidates are reminded again of a number of important points when answering the Optional Focus Studies. Candidates must clearly identify the alternative (a) or (b) being answered on the front cover of the answer booklet. They should not rewrite the question before attempting the answer; this wastes valuable time. Finally, some candidates' responses have made reference to materials from the old 3 unit topics in the previous syllabus and support documents. The current syllabus must not be confused with the previous syllabus.

In the 2004 examination, each question (a) in the Optional Focus Studies was worded slightly differently, addressing areas that related to the particular study. The (b) questions were uniformly worded except for topic-specific wording. It is quality, not quantity, that is important in all parts of the examination responses. Candidates need to be discouraged from writing prepared answers. Invariably, such responses are omitting important aspects of the question and therefore cannot achieve the highest marks. The Board of Studies is planning to release a sample Answer Book for Legal Studies early in 2005 with candidates' responses to some of the 2004 examination questions.

## Section I – Law and Society

### Part A – Multiple Choice

Question	Correct Response
1	C
2	C
3	A
4	A
5	B
6	D
7	A
8	C

Question	Correct Response
9	D
10	A
11	B
12	B
13	C
14	D
15	B

It is very important that candidates read all alternatives in each multiple-choice question, rather than assuming the first alternative is the correct one. The stem and the alternative answers must be read thoroughly. Many candidates have a clear understanding of the terminology of Legal Studies. Other candidates need to have a much better grasp of this terminology.

### Part B

#### General Comments

Teachers and candidates need to be reminded that Section I – Law and Society is worth 25 marks and this section covers the topics Law and Justice and Human Rights. The examination specifications allow for the multiple-choice and short-answer questions to come from both topics. Question 16 has parts, but the number of parts and marks allocated to parts can vary from year to year. In 2004 the two parts were each worth 5 marks.

#### Specific Comments

#### Question 16 – Law and Society

- (a) Many candidates understood the distinction between the common law system and the civil law system and were able to identify differences between the two: for example, their origins, adversarial versus inquisitorial, and the differing roles of the judiciary. However, it was evident that some candidates did not understand the term ‘system’ and these candidates gave a general discussion of the differences between common law and civil law as practised in Australia.

Candidates need to be fully aware of syllabus terms and utilise these appropriately in their answers.

- (b) Generally candidates dealt with part (b) more competently than part (a). Most candidates could explain the features of a just law and then use this information to explain how institutional inequality has come about in the Australian legal system. Better responses

demonstrated a clear understanding of the term ‘institutional inequality’. They discussed the features of particular groups suffering disadvantage over a period of time and how the inequality was institutionalised in society. Many candidates discussed lack of access to the legal system, which then produces unequal outcomes. Other candidates discussed perceived bias in the judiciary and police force as it related to racial bias and Anglo/Christian/male/class dominance. Better candidates were able to discuss a number of these areas and link them back to the concepts of institutional inequality and the characteristics of a just law.

Some candidates tried to adapt a prepared answer centred on human rights with limited success.

## **Section II – Focus Study – Crime**

### **Question 17**

- (a) Candidates needed to identify two sources of law from the stimulus. Descriptions/explanations were not required. However, many candidates misunderstood ‘sources of criminal law’ and rather than identify statute and common law, wrote about types of crime, for example, white-collar crime and crimes against a person.
- (b) Candidates were required to identify and explain two factors that contributed to the criminal behaviour reported in the article. A wide range of factors relevant to the scenario were identified. These included mental illness, socioeconomic and political factors. Better responses provided a sound explanation of each of these factors.
- (c) Better responses provided a reasoned judgement about the role of discretion throughout the criminal process. These candidates covered the role of discretion from reporting, police action, bail, charge negotiation and judicial discretion in sentencing, appeals and post-sentencing issues. Explicit reference was made to George and Fred. However, the majority of responses tended to focus on one aspect of discretion – for example, judicial discretion in sentencing – and did not provide a reasoned assessment of the role/purpose of discretion throughout the process. Some candidates were unclear about the term ‘discretion’ and its role in the criminal process, confusing ‘discretion’ in the legal sense, with being ‘discrete’, eg suppressing surnames.
- (d) Better responses made a sound judgement based on a detailed examination of a range of aspects related to the tension between community interests and individual rights and freedoms. Such responses developed an argument and/or referred to criteria to justify their evaluation of the effectiveness of the criminal legal system such as access, resource efficiency, enforceability and protection of rights. Better candidates referred to the stimulus and integrated examples from case law, media reports and legislative reforms to support their arguments. Some responses focused on the effectiveness of the criminal legal system but did not deal with the tension between community interests and individual rights and freedoms.

### Section III – Additional Focus Studies

#### Question 18 – Optional Focus Study 1 – Consumers

- (a) Of the 40% of candidates who attempted this option, 30% chose this question. Candidates who achieved higher marks showed a sound understanding of the syllabus and the workings of the legal system. The question asked candidates to make an evaluation of the place of the law and its effectiveness in relation to cooperation and conflict – a specific theme from the syllabus. In better responses, candidates used specific criteria on which to base their judgement, rather than listing cases and statutes without relating them to any evaluation. They made good use of relevant cases to address specific issues as well as to address the regulation of marketing and advertising, and consumers. Better responses demonstrated a clear understanding of the terms used in the question and the operation of the legal system in relation to these terms. While most candidates were able to make a range of observations regarding the legal system, better responses were evaluative and analytical rather than descriptive. These responses used up-to-date examples and terminology, for example, referring to the C.T.T.T rather than the Fair Trading Tribunal. A sound understanding of the syllabus content and themes is essential. While the level of factual knowledge was generally satisfactory, the understanding of the terms from the Board of Studies' Glossary of Key Words, particularly 'evaluate', was an area where many candidates need to focus attention.
- (b) Better responses to this question showed a clear understanding of the expression 'legal issues and remedies' and were able to integrate a range of appropriate examples into their responses. Better responses used criteria to make a judgement of the effectiveness of the legal system in providing protection for consumers. These responses made a clear connection between these examples in their evaluation of the effectiveness of the law for all the parties involved, consumers, manufacturers and/or suppliers. Media reports referred to included Pan Pharmaceuticals, Target, Nokia and L.J. Hooker and the better candidates were able to incorporate media reports, cases and legislation to support their evaluations. Many average responses tended to be only descriptive, outlining consumer issues and cases as well as legal responses to these issues, making a range of factual generalisations without making any evaluation.

#### Question 19 – Optional Focus Study 2 – Family

- (a) Family was the most popular Optional Focus Study, attempted by 85% of the candidates. Of those who attempted this option, 46% chose this question. Better candidates demonstrated a sound understanding of the legislation and case law and were able to integrate them into their responses. They were also well versed in contemporary media reports, particularly changes in societal attitudes to developments in family-related technology. Better candidates were able to develop the theme that conflict was an inevitable outcome of many failed relationships, new technological developments, dysfunctional families, dissolution of marriage and other areas of family law. They were successfully able to identify that the development of laws, cases and treaties were designed to lessen that conflict and encourage cooperation. Areas discussed included dissolution of marriage, domestic violence, alternatives to marriage, new family-related technologies, ATSI relationships, same-sex relationships, adoption and the potential sources of conflict arising in each of these areas. Candidates then examined how statute and common law both reduced conflict and encouraged cooperation to varying degrees.



Better responses clearly traced the emphasis on cooperation, particularly in dissolution through the Family Law Act and its amendments, the extensive use of ADR and the creation of the Federal Magistrates Court. Similar developments could be traced through other areas of family law using different cases and laws and highlighting the point that not all areas of family law have similar success. Evaluation was achieved through the use of the effectiveness criteria contained in the syllabus and using current statistics relating to ADR, AVOs and the media. Better responses also discussed conflict and cooperation between individuals and society, and individuals and Australia's international human rights obligations.

Weaker responses usually concentrated on conflict without reference to the law's impact on improving cooperation.

- (b) Better responses covered the full range of different family arrangements and highlight/outline the legal issues as contained in the syllabus. They then discussed the remedies available (both legal and non-legal) for these legal issues. They successfully integrated the effectiveness criteria with respect to the legal issues and remedies for the full range of family arrangements.

Weaker responses raised some legal issues with respect to a limited range of family arrangements and wrote generally, that is, without reference to legislation/cases/media reports. A number of responses ignored the 'evaluate the effectiveness' part of the question and were only descriptive answers. Some candidates discussed issues but ignored remedies.

There were a number of exceptional scripts for both questions (a) and (b) where candidates more than satisfied the criteria for each question.

### **Question 20 – Optional Focus Study 3 – Global Environment**

- (a) Of the 8% who attempted this option, 24% chose this question. Better responses integrated an extensive range of legislation and/or documents and/or treaties and made sound judgements. The theme, conflict and cooperation, was discussed, as were the problems that international law has in dealing with these issues. Better responses were able to provide a discussion of the process of implementation of global environment protection initiatives into domestic law.

It is important that candidates try to capitalise on information that they provide in their answers by linking it to the key words in the question. There is a growing tendency for candidates to provide a 'shopping list' of treaties and legislation and then pay lip service to the notion of effectiveness. Better responses go beyond this approach and provide an integrated evaluation throughout their response.

- (b) Better responses to this question were able to make extensive reference to legal issues and remedies pertinent to the protection of the global environment. Issues such as state sovereignty, enforceability and remedies were discussed in relation to the way that they impact on the effectiveness of legal measures in protecting the global environment. Better responses evaluated the effectiveness of the law using criteria, explicit or implicit, and integrated this evaluation throughout the response.

Candidates need to be aware of the importance of addressing all elements of the question. Many candidates provided an extensive range of legislation and treaties but failed to develop their responses into an evaluation. Quality rather than quantity should be emphasised. Two or three eight-page booklets are not necessarily inherently better than one booklet. Consistent

demonstration of judgement and analysis, supported by legislation, cases and/or media reports, are awarded the highest marks.

### **Question 21 – Optional Focus Study 4 – Indigenous Peoples**

- (a) Of the 5 % of candidates who attempted this option, 15% chose this question. Better responses recognised the syllabus theme of conflict and cooperation and tried to address this throughout. Weaker responses used these terms without demonstrating a clear understanding. Implementation of international agreements tended to cover conventions such as Civil and Political Rights, Economic, Social and Cultural Rights, as well as CROC and CERD. Organisations such as UNPO, UNDHR and the ILO were mentioned. The Draft Declaration and the Cobo Report were also occasionally mentioned, with better responses stating their limitations. Better responses recognised the problem of lack of enforceability of international agreements as an impediment to the effectiveness of the law, with some responses suggesting the role of NGOs and the media as catalysts for action. Better responses also included discussion of issues of sovereignty and political will as a potential limitation, and used case studies such as the Indigenous peoples of Myanmar, Botswana and Australia. Some contrasted this to the position of the Inuits of Canada where political will has been present in order to create the province of Nunavet. Some candidates recognised the frameworks of cultural integrity and self-identification, self-determination and sovereignty as criteria for effectiveness. Candidates need to be reminded of the international nature of this topic. The question cannot be successfully answered from a purely Australian domestic perspective.
- (b) The majority of candidates attempted this question. Again, candidates need to be reminded that this topic is international in nature and a knowledge of the domestic situation for ATSI peoples within Australia alone is not sufficient or in keeping with the syllabus. Candidates need to be reminded that this topic is not the same as the Year 11 Focus Study. Legal issues for Indigenous Peoples are many and varied, and can include the frameworks of the rights to cultural integrity and self-identification, self-determination and sovereignty, as well as problems concerning human rights, past colonial practices and globalisation. Remedies provided by better responses included reference to treaties such as ICESCR, ICCPR, CERD, CROC and mechanisms such as the ILO and UNDHR. Better responses recognised the problems with lack of accessibility, lack of enforceability, issues of sovereignty and political will as potential impediments to achieving justice. Some candidates discussed the slow progress of the Draft Declaration on the Rights of Indigenous Peoples. The better responses incorporated examples, such as the Inuits of Canada, throughout their response in order to support their evaluation of effectiveness. ATSI was a frequently used example and was handled well, especially when comparisons were provided. When ATSI was used exclusively, it limited the capacity of the candidate to evaluate effectiveness. A few candidates mentioned the role of regional government organisations such as the EU, the African Union and ASEAN in relation to protecting the rights of indigenous peoples.

### **Question 22 – Optional Focus Study 5 – Shelter**

- (a) Of the 9% of candidates who answered this option, 53% answered this question. Markers noted a continued improvement in the quality of responses to the questions in this option. Most candidates addressed specific issues and the mechanisms available for conflict resolution. Reference to ‘encouraging cooperation’ was implied or mentioned briefly. Some candidates confined their responses to the rights and obligations of landlords and tenants, and except for those responses that were very detailed, a reference to other issues would have been

more rewarding. Candidates used legislation effectively, for example, Strata Title Act, Residential Tenancy Act and appropriate references to cases and media reports were common.

- (b) Candidates addressed the issue of dispute resolution well, referring to the major issues and, at the very least, evaluating the mechanisms which provided remedies: for example, police, local councils, Rental Bond Board, Community Justice Centres, Strata Schemes Board. There was comprehensive use of legislation, cases and media reports. Most candidates addressed the issue of effectiveness and cited examples of where legal remedies either worked or did not work.

### **Question 23 – Optional Focus Study 6 – Technological Change**

- (a) Three percent of candidates attempted this Option. Question (a) was clearly the less popular choice with only 12% of the responses. The emphasis on one of the themes may have discouraged candidates from attempting this question. Many candidates simply wrote everything they knew about technology rather than making reference to conflict and encouraging cooperation.

There were some outstanding responses. Issues discussed included society's rights versus individual rights, a nation's sovereign powers, values of different states, and developed countries versus developing countries. In relation to cooperation, candidates discussed international agreements, treaties, uniform laws between states, for example in relation to cloning and the role of the UN. The better responses understood the term 'evaluate' but many responses demonstrated a lack of understanding of this important directional word.

- (b) The majority of candidates were able to discuss a variety of legal issues: privacy, biotechnology, federalism, DNA testing, e-commerce, the internet, sovereignty, lack of international tribunals. Many candidates mentioned remedies very briefly, such as statute law and common law, but gave very little specific detail by actually mentioning the legislation. The better responses gave details of international tribunals as well as discussing the concept of sovereignty. Candidates need to clearly understand the direction 'evaluate'.

Better responses discussed the need for a global response, the fact that laws were reactive rather than proactive, and how Australia had dealt with technological issues. The better responses also looked at the effectiveness of the law concerning individuals, using criteria of equality, accessibility, enforceability and protection of human rights, with reference to society. Discussion related to law as a reflection of community standards and expectations, and the rights of the community versus those of the individual. Some responses included discussion of the inequality between nation states.

### **Question 24 – Optional Focus Study 7 – Workplace**

- (a) This option was attempted by 28% of candidates. The split was 50% for each question. Again the theme 'conflict and cooperation' was handled well by some candidates and ignored by others. Issues raised included OH&S, discrimination, dispute resolution, the negotiation process and wage justice. Many responses dealt with conflict but were not able to offer examples of the legal system resolving conflict and achieving cooperation.
- (b) This question attracted many highly sophisticated responses. Responses often extended to sound judgements based on a range of issues and remedies. Better responses also explored the

issue of change by evaluating the changing needs of employers and employees. Issues raised included job security, casualisation of the work force, redundancies, entitlements, discrimination and OH&S. Candidates discussed the statutory framework well. Weaker responses listed legislation but did not evaluate.

### **Question 25 – Optional Focus Study 8 – World Order**

- (a) This option was attempted by 20% of candidates with 38% attempting this question. Better responses demonstrated a strong grasp of the place of the law in resolving conflict and encouraging cooperation, utilising a variety of cases, treaties and media reports to support their evaluations. Examples such as the Solomon Islands, East Timor, Iraq, the former Yugoslavia, Afghanistan, the Congo and Sudan were very well integrated into the responses. Discussion of the implementation of international agreements included analysis of the role of the UN, the importance of political will, sovereignty, the non-binding nature of international law, the difficulties with enforcement and the problems associated with enacting international agreements into domestic law. It was good to see that teachers and candidates had acted upon previous Notes from the Marking Centre and very few candidates referred to human rights issues such as the Tampa incident and asylum seekers. Some candidates are still confusing the International Criminal Court and the International Court of Justice.

Weaker responses neglected to include reference to or discussion of the implementation of international agreements, or inappropriately referred to human rights agreements such as CROC.

- (b) Candidates answered this question very well, evaluating the effectiveness of the legal measures and referring to a range of issues and remedies. Better responses demonstrated a clear understanding of the legal measures, highlighting the fact that sometimes, non-legal measures can be more effective. They also included analysis of the effectiveness and ineffectiveness of the legal measures, making sound judgements in the process. Better responses were well structured, integrating cases, treaties and media reports.

Weaker responses did not come to terms with the role of legal measures in the peaceful settlement of disputes and tended to give statements rather than making any judgement. Some candidates gave prepared answers. Although far fewer candidates were referring to human rights issues, such as asylum seekers and the rights of the child, there were still some centres not focusing on World Order issues.

# Legal Studies

## 2004 HSC Examination Mapping Grid

Question	Marks	Content	Syllabus outcomes
<b>Section I — Law and Society</b>			
<b>Part A</b>			
1	1	Law and Justice	Questions 1–15 (multiple choice) as a group cover H1.2, H2.1, H2.2, H3.1, H3.2, H5.1
2	1	Law and Justice	
3	1	Human Rights	
4	1	Human Rights	
5	1	Human Rights	
6	1	Human Rights	
7	1	Human Rights	
8	1	Human Rights	
9	1	Human Rights	
10	1	Human Rights	
11	1	Human Rights	
12	1	Law and Justice	
13	1	Law and Justice	
14	1	Law and Justice	
15	1	Human Rights	
<b>Section I — Law and Society</b>			
<b>Part B</b>			
16 (a)	5	Law and Society	H2.1, H2.2
16 (b)	5	Law and Society	H3.1, H3.2
<b>Section II — Focus Study – Crime</b>			
17 (a)	2	Crime	H1.1, H2.2
17 (b)	4	Crime	H3.1, H5.1
17 (c)	7	Crime	H3.2, H3.3
17 (d)	12	Crime	H3.2, H5.3

Question	Marks	Content	Syllabus outcomes
<b>Section III — Additional Focus Studies</b>			
18 (a)	25	Consumers	H1.1, H3.1, H3.4, H5.2, H5.3
18 (b)	25	Consumers	H1.1, H3.1, H3.4, H5.2, H5.3
19 (a)	25	Family	H1.1, H3.1, H3.4, H5.2, H5.3
19 (b)	25	Family	H1.1, H3.1, H3.4, H5.2, H5.3
20 (a)	25	Global Environment	H1.1, H3.1, H3.4, H5.2, H5.3
20 (b)	25	Global Environment	H1.1, H3.1, H3.4, H5.2, H5.3
21 (a)	25	Indigenous Peoples	H1.1, H3.1, H3.4, H5.2, H5.3
21 (b)	25	Indigenous Peoples	H1.1, H3.1, H3.4, H5.2, H5.3
22 (a)	25	Shelter	H1.1, H3.1, H3.4, H5.2, H5.3
22 (b)	25	Shelter	H1.1, H3.1, H3.4, H5.2, H5.3
23 (a)	25	Technological Change	H1.1, H3.1, H3.4, H5.2, H5.3
23 (b)	25	Technological Change	H1.1, H3.1, H3.4, H5.2, H5.3
24 (a)	25	Workplace	H1.1, H3.1, H3.4, H5.2, H5.3
24 (b)	25	Workplace	H1.1, H3.1, H3.4, H5.2, H5.3
25 (a)	25	World Order	H1.1, H3.1, H3.4, H5.2, H5.3
25 (b)	25	World Order	H1.1, H3.1, H3.4, H5.2, H5.3

## 2004 HSC Legal Studies Marking Guidelines

### Section I — Law and Society Part B

#### Question 16 (a)

*Outcomes assessed: H2.1, H2.2*

#### MARKING GUIDELINES

Criteria	Marks
<ul style="list-style-type: none"> <li>Clearly outlines the differences between the common law system and the civil law system with reference to the main differentiating features of inquisitorial and adversarial systems</li> </ul>	4–5
<ul style="list-style-type: none"> <li>Outlines some differences between the common law system and the civil law system</li> </ul>	2–3
<ul style="list-style-type: none"> <li>Makes a general statement(s) about the common law system OR the civil law system</li> </ul>	1

#### Question 16 (b)

*Outcomes assessed: H3.1, H3.2*

#### MARKING GUIDELINES

Criteria	Marks
<ul style="list-style-type: none"> <li>Provides reasons for the existence of institutionalised inequality in the Australian legal system with reference to the characteristics of a just law</li> <li>Demonstrates an understanding of what is meant by institutionalised inequality</li> </ul>	4–5
<ul style="list-style-type: none"> <li>Demonstrates some understanding of what is meant by institutionalised inequality</li> <li>Makes reference to the characteristics of a just law</li> </ul>	2–3
<ul style="list-style-type: none"> <li>Makes a relevant statement(s) about what makes a law just</li> </ul>	1

## Section II — Focus Study – Crime

### Question 17 (a)

*Outcomes assessed: H1.1, H2.2*

#### MARKING GUIDELINES

Criteria	Marks
• Recognises/names both common law and statute law as sources of law	2
• Recognises/names one of either common law or statute law as a source of law	1

### Question 17 (b)

*Outcomes assessed: H3.1, H5.1*

#### MARKING GUIDELINES

Criteria	Marks
• Provides why and/or how two factors may have contributed to the criminal behaviour reported in the article • Recognises/names two factors that may have contributed to the criminal behaviour reported in the article	4
• Provides why and/or how at least one factor may have contributed to the criminal behaviour reported in the article • Recognises/names at least one factor that may have contributed to the criminal behaviour reported in the article	2–3
• Recognises/names one factor that may have contributed to the criminal behaviour reported	1

NOTE: For 3 marks, candidates would need to identify 2 factors and explain 1.

### Question 17 (c)

*Outcomes assessed: H3.2, H3.3*

#### MARKING GUIDELINES

Criteria	Marks
• Makes a reasoned judgement about the role of discretion throughout the criminal processes faced by Fred AND George	6–7
• Makes some judgement about the role of discretion throughout the criminal processes faced by Fred and/or George	3–5
• Makes a general statement(s) about the role of discretion and/or the criminal processes	1–3



**Question 17 (d)***Outcomes assessed: H3.2, H5.3***MARKING GUIDELINES**

<b>Criteria</b>	<b>Marks</b>
<ul style="list-style-type: none"><li>• Makes a sound judgement with reference to criteria/argument/justification as to the way that criminal legal system deals with the tension between community interest and individual rights and freedoms</li><li>• Makes detailed examination of the way the criminal legal system deals with these tensions</li><li>• Identifies both community interests and individual rights and freedoms demonstrating the tension that may arise between these elements</li></ul>	10–12
<ul style="list-style-type: none"><li>• Makes some judgement with reference to criteria/argument/justification as to the way that criminal legal system deals with the tension between community interest and individual rights and freedoms</li><li>• Makes some examination of the way the criminal legal system deals with these tensions</li><li>• Identifies both community interests and individual rights and freedoms demonstrating the tension that may arise between these elements</li></ul>	7–9
<ul style="list-style-type: none"><li>• Describes how the criminal system deals with community interests and individual rights and freedoms</li><li>• Demonstrates some understanding of the tensions between community interests and individual rights and freedoms</li><li>• Identifies both community interests and individual rights and freedoms</li></ul>	4–6
<ul style="list-style-type: none"><li>• Identifies some community interests and/or individual rights and freedoms</li><li>• Makes general statement(s) about the criminal legal system</li></ul>	1–3

### Section III — Additional Focus Studies

#### Question 18 — Optional Focus Study 1 – Consumers

##### Question 18 (a)

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

#### MARKING GUIDELINES

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to consumers</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to consumers</li> <li>• Identifies issues associated with the regulation of marketing and advertising, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to consumers</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to consumers</li> <li>• Identifies issues associated with the regulation of marketing and advertising which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or cases and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to consumers</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to consumers</li> <li>• Identifies some issues associated with the regulation of marketing and advertising</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples/issues about conflict and/or cooperation in relation to consumer law</li> <li>• Makes limited reference to the regulation of marketing and advertising</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to consumers</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 18 (b)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the effectiveness of the law in protecting consumers and/or manufacturers/suppliers</li> <li>• Integrates references to relevant legal issues and remedies into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of the law in protecting consumers and/or manufacturers/suppliers</li> <li>• Makes references to relevant legal issues and remedies, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the way in which the law protects consumers and/or manufacturers/suppliers</li> <li>• Makes some reference to relevant legal issues and remedies</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples of how the law protects any of the following: consumers, manufacturers, suppliers</li> <li>• Makes limited reference to relevant legal issues and remedies</li> <li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to consumers</li> <li>• May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may not be correct/appropriate</li> </ul>	1–5

**Question 19 — Optional Focus Study 2 – Family**
**Question 19 (a)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to the family</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to the family</li> <li>• Identifies issues associated with the dissolution of marriage, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to the family</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to the family</li> <li>• Identifies issues associated with the dissolution of marriage, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to the family</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to the family</li> <li>• Identifies some issues associated with the dissolution of marriage</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes references to examples/issues about conflict and/or cooperation in relation to the family</li> <li>• Makes limited reference to the dissolution of marriage</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to the family</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 19 (b)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the effectiveness of the law in responding to different family arrangements</li> <li>• Integrates references to relevant legal issues and remedies into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of the law in responding to different family arrangements</li> <li>• Makes reference to relevant legal issues and remedies, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the way the law responds to different family arrangements</li> <li>• Makes some reference to relevant legal issues and remedies</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples of how the law responds to different family arrangements</li> <li>• Makes limited reference to relevant legal issues and remedies</li> <li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to the family</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 20 — Optional Focus Study 3 – Global Environment**
**Question 20 (a)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to the global environment</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to the global environment</li> <li>• Identifies issues associated with the implementation of international agreements, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to the global environment</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to the global environment</li> <li>• Identifies issues associated with the implementation of international agreements, and integrates these into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to the global environment</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to the global environment</li> <li>• Identifies some issues associated with the implementation of international agreements</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples/issues about conflict and/or cooperation in relation to the global environment</li> <li>• Makes limited reference to the implementation of international agreements</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to the global environment</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 20 (b)**

*Outcomes assessed: H.1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the effectiveness of legal measures in protecting the global environment</li> <li>• Integrates references to relevant legal issues and remedies into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of legal measures in protecting the global environment</li> <li>• Makes reference to relevant legal issues and remedies, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the way in which legal measures protect the global environment</li> <li>• Makes some reference to relevant legal issues and remedies</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples of how legal measures protect the global environment</li> <li>• Makes limited reference to relevant legal issues and remedies</li> <li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about legal measures relating to the environment</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

## Question 21 — Optional Focus Study 4 – Indigenous Peoples

### Question 21 (a)

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

#### MARKING GUIDELINES

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to indigenous peoples</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to indigenous peoples</li> <li>• Identifies issues associated with the implementation of international agreements, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to indigenous peoples</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to indigenous peoples</li> <li>• Identifies issues associated with the implementation of international agreements, and integrates these into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to indigenous peoples</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to indigenous peoples</li> <li>• Identifies some issues associated with the implementation of international agreements</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples/issues about conflict and/or cooperation in relation to indigenous peoples</li> <li>• Makes limited reference to the implementation of international agreements</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to indigenous peoples</li> <li>• May make limited reference to legislation and or documents and /or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5



**Question 21 (b)**
*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*
**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the effectiveness of legal measures in protecting the rights of indigenous peoples</li> <li>• Integrates references to relevant legal issues and remedies into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of legal measures in protecting the rights of indigenous peoples</li> <li>• Makes reference to relevant legal issues and remedies, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the way in which legal measures protect the rights of indigenous peoples</li> <li>• Makes some reference to relevant legal issues and remedies</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples of how legal measures protect the rights of indigenous peoples</li> <li>• Makes limited reference to relevant legal issues and remedies</li> <li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about legal measures relating to indigenous peoples</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 22 — Optional Focus Study 5 – Shelter**
**Question 22 (a)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to shelter</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to shelter</li> <li>• Identifies issues associated with the rights and obligations of landlords and tenants, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to shelter</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to shelter</li> <li>• Identifies issues associated with the rights and obligations of landlords and tenants, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to shelter</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to shelter</li> <li>• Identifies some issues associated with the rights and obligations of landlords and tenants</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples/issues about conflict and/or cooperation in relation to shelter</li> <li>• Makes limited reference to the rights and obligations of landlords and tenants</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to shelter</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 22 (b)***Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3***MARKING GUIDELINES**

<b>Criteria</b>	<b>Marks</b>
<ul style="list-style-type: none"><li>• Makes a sound judgement based on criteria (explicit or implicit) about the effectiveness of the law in resolving disputes relating to housing</li><li>• Integrates references to relevant legal issues and remedies into the response</li><li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li><li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li></ul>	21–25
<ul style="list-style-type: none"><li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of the law in resolving disputes relating to housing</li><li>• Makes reference to relevant legal issues and remedies, which may or may not be integrated into the response</li><li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li><li>• Presents a structured answer using relevant legal terminology</li></ul>	16–20
<ul style="list-style-type: none"><li>• Makes statements about the way the law resolves disputes relating to housing</li><li>• Makes some reference to relevant legal issues and remedies</li><li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li><li>• Presents a structured answer using relevant legal terminology</li></ul>	11–15
<ul style="list-style-type: none"><li>• Makes reference to examples of how the law resolves disputes relating to housing</li><li>• Makes limited reference to relevant legal issues and remedies</li><li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li><li>• Uses some appropriate legal information with limited examples</li></ul>	6–10
<ul style="list-style-type: none"><li>• Makes a general statement about the law relating to housing</li><li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li><li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li></ul>	1–5

## Question 23 — Optional Focus Study 6 – Technological Change

### Question 23 (a)

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

#### MARKING GUIDELINES

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to technological change</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to technological change</li> <li>• Identifies issues associated with the implementation of international agreements, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to technological change</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to technological change</li> <li>• Identifies issues associated with the implementation of international agreements which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to technological change</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to technological change</li> <li>• Identifies some issues associated with the implementation of international agreements</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples/issues about conflict and/or cooperation in relation to technological change</li> <li>• Makes limited reference to the implementation of international agreements</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to technological change</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 23 (b)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the effectiveness of the law in keeping pace with technological change</li> <li>• Integrates references to relevant legal issues and remedies into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of the law in keeping pace with technological change</li> <li>• Makes reference to relevant legal issues and remedies, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the way the law keeps pace with technological change</li> <li>• Makes some reference to relevant legal issues and remedies</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples of how the law keeps pace with technological change</li> <li>• Makes limited reference to relevant legal issues and remedies</li> <li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to technological change</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 24 — Optional Focus Study 7 – Workplace**
**Question 24 (a)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to employers and employees</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to employers and employees</li> <li>• Identifies issues associated with negotiations between employers and employees, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to employers and employees</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to employers and employees</li> <li>• Identifies issues associated with negotiations between employers and employees, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to employers and employees</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to employers and employees</li> <li>• Identifies some issues associated with negotiations between employers and employees</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples/issues about conflict and/or cooperation in relation to employers and employees</li> <li>• Makes limited reference to negotiations between employers and employees</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to employers and employees</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

**Question 24 (b)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes sound a judgement based on criteria (explicit or implicit) about the effectiveness of the law in responding to the changing needs of employers and employees</li> <li>• Integrates references to relevant legal issues and remedies into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of the law in responding to the changing needs of employers and employees</li> <li>• Makes reference to relevant legal issues and remedies, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the way the law responds to the changing needs of employers and employees</li> <li>• Makes some reference to relevant legal issues and remedies</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples of how the law responds to the changing needs of employers and employees</li> <li>• Makes limited reference to relevant legal issues and remedies</li> <li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relative to the workplace</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5

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

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in resolving conflict in relation to world order</li> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to world order</li> <li>• Identifies issues associated with the implementation of international agreements, and integrates these into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in resolving conflict in relation to world order</li> <li>• Makes a judgement using some criteria (explicit or implicit) about the place of law in encouraging cooperation in relation to world order</li> <li>• Identifies issues associated with the implementation of international agreements, which may or not may be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the place of law in resolving conflict in relation to world order</li> <li>• Makes statements about the place of law in encouraging cooperation in relation to world order</li> <li>• Identifies some issues associated with the implementation of international agreements</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples/issues about conflict and/or cooperation in relation to world order</li> <li>• Makes limited reference to the implementation of international agreements</li> <li>• Makes limited reference to legislation and/or treaties and/or documents and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to world order</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5



**Question 25 (b)**

*Outcomes assessed: H1.1, H3.1, H3.4, H5.2, H5.3*

**MARKING GUIDELINES**

Criteria	Marks
<ul style="list-style-type: none"> <li>• Makes a sound judgement based on criteria (explicit or implicit) about the effectiveness of legal measures for the peaceful settlement of international disputes</li> <li>• Integrates references to relevant legal issues and remedies into the response</li> <li>• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response</li> <li>• Presents a sustained, logical and well-structured answer using relevant legal terminology</li> </ul>	21–25
<ul style="list-style-type: none"> <li>• Makes a judgement using some criteria (explicit or implicit) about the effectiveness of legal measures for the peaceful settlement of international disputes</li> <li>• Makes reference to relevant legal issues and remedies, which may or may not be integrated into the response</li> <li>• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a logical and well-structured answer using relevant legal terminology</li> </ul>	16–20
<ul style="list-style-type: none"> <li>• Makes statements about the way in which legal measures provide for the peaceful settlement of international disputes</li> <li>• Makes some reference to relevant legal issues and remedies</li> <li>• Cites some relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response</li> <li>• Presents a structured answer using relevant legal terminology</li> </ul>	11–15
<ul style="list-style-type: none"> <li>• Makes reference to examples of how legal measures provide for the peaceful settlement of international disputes</li> <li>• Makes limited reference to relevant legal issues and remedies</li> <li>• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Uses some appropriate legal information with limited examples</li> </ul>	6–10
<ul style="list-style-type: none"> <li>• Makes a general statement about the law relating to world order</li> <li>• May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports</li> <li>• Makes limited reference to legal information/terms, which may or may not be correct/appropriate</li> </ul>	1–5