



B O A R D O F S T U D I E S
NEW SOUTH WALES

2009 HSC Legal Studies Marking Guidelines

Section I — Law and Society

Part A

| Question | Response |
|-----------------|-----------------|
| 1 | D |
| 2 | A |
| 3 | C |
| 4 | C |
| 5 | D |
| 6 | B |
| 7 | A |
| 8 | B |
| 9 | A |
| 10 | D |
| 11 | C |
| 12 | D |
| 13 | B |
| 14 | A |
| 15 | C |

Part B**Question 16 (a)***Outcomes assessed: H2.1***MARKING GUIDELINES**

| Criteria | Marks |
|---|--------------|
| • Demonstrates sound knowledge of the similarities and/or differences between natural justice and ‘natural law’ doctrine. | 3–4 |
| • Identifies some features of natural justice and/or ‘natural law’ doctrine. | 1–2 |

Question 16 (b)*Outcomes assessed: H1.2, H3.1, H3.2, H4.3***MARKING GUIDELINES**

| Criteria | Marks |
|--|--------------|
| • Demonstrates thorough knowledge of how domestic AND/OR international legal measures have been used to respond to a contemporary human rights struggle. • Makes clear reference to one contemporary human rights struggle. | 5–6 |
| • Demonstrates thorough knowledge of how domestic AND/OR international legal measures have been relevant to a contemporary human rights struggle. • Identifies a contemporary human rights struggle | 3–4 |
| • Makes general statements about domestic AND/OR international human rights measures AND/OR mentions a contemporary human rights struggle | 1–2 |

Section II — Focus Study – Crime

Question 17 (a)

Outcomes assessed: H1.1

MARKING GUIDELINES

| Criteria | Marks |
|---|-------|
| • Correctly identifies one partial and one complete defence to murder | 2 |
| • Correctly identifies one partial or one complete defence to murder | 1 |

Question 17 (b)

Outcomes assessed: H1.1, H1.2, H3.1

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| • Demonstrates sound knowledge of the main features of the criminal process from reporting a crime through to sentencing • Some steps may be combined | 5–6 |
| • Provides the main features of the criminal process from reporting a crime through to sentencing | 3–4 |
| • Makes general statements about the criminal process | 1–2 |

Question 17 (c)

Outcomes assessed: H1.1, H1.2, H3.1, H3.2

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| • Demonstrates extensive knowledge of the features of discretion within the criminal justice system • Presents coherent arguments for AND/OR against the need for discretion within the criminal justice system | 6–7 |
| • Identifies some features of discretion within the criminal justice system • Presents points for AND/OR against the need for discretion within the criminal justice system | 3–5 |
| • Makes general statements about discretion within the criminal justice system | 1–2 |

Question 17 (d)*Outcomes assessed: H1.1, H1.2, H3.1, H3.2, H3.4***MARKING GUIDELINES**

| Criteria | Marks |
|--|--------------|
| <ul style="list-style-type: none">• Demonstrates extensive knowledge and understanding of a diversity of community attitudes towards criminal laws• Presents coherent reasons why these varying attitudes exist• Integrates relevant examples | 9–10 |
| <ul style="list-style-type: none">• Demonstrates sound knowledge of a diversity of community attitudes towards criminal laws• Identifies some reasons why these varying attitudes exist• Gives examples | 5–8 |
| <ul style="list-style-type: none">• Offers some reasons why there is a diversity of community attitudes towards criminal laws <p>OR</p> <ul style="list-style-type: none">• Lists some factors why these varying attitudes exist• May give examples | 2–4 |
| <ul style="list-style-type: none">• Makes general statements about commitment to the law. | 1 |

Section III — Additional Focus Studies

Question 18 — Optional Focus Study 1 – Consumers

Question 18 (a)

Outcomes assessed: H1.1, H3.1, H3.4, H4.1, H4.2, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|---|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the methods available for consumer redress • Makes an informed judgement based on criteria (explicit or implicit) on the effectiveness of the methods available for consumer redress • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of the methods available for consumer redress • Makes a sound judgement based on criteria (explicit or implicit) on the effectiveness of the methods available for consumer redress. • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the methods available for consumer redress • Makes some judgement on the effectiveness of the methods available for consumer redress • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Makes general statements about the methods available for consumer redress • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law relating to consumers • May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 18 (b)*Outcomes assessed: H1.1, H2.3, H3.1, H3.2, H3.4, H5.3***MARKING GUIDELINES**

| Criteria | Marks |
|--|--------------|
| <ul style="list-style-type: none">• Demonstrates extensive knowledge of the concept of the consumer in the law• Provides a thorough explanation of how and why the concept of the consumer in the law has changed over time• Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response• Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none">• Demonstrates sound knowledge of the concept of the consumer in the law• Explains how and why the concept of the consumer in the law has changed over time• Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response• Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none">• Demonstrates some knowledge of the concept of the consumer in the law• Indicates how and/or why the concept of the consumer in the law has changed over time• Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response• Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none">• Makes general statements about the concept of the consumer in the law and /or how it has changed over time• Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response• Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none">• Writes in general terms about how consumer law has developed• May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response• Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 19 — Optional Focus Study 2 – Family

Question 19 (a)

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

MARKING GUIDELINES

| Criteria | Marks |
|---|--------------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of issues affecting family members • Makes an informed judgement based on criteria (explicit or implicit) about how effective the court system is in dealing with issues affecting family members • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of issues affecting family members • Makes a sound judgement based on criteria (explicit or implicit) about how effective the court system is in dealing with issues affecting family members • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of issues affecting family members • Makes some judgement about how effective the court system is in dealing with issues affecting family members • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Makes general statements about how the courts deal with issues relating to family members • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law relating to family members • May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 19 (b)
Outcomes assessed: H1.1, H3.1, H3.2, H3.4, H5.3
MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the legal consequences and responsibilities of marriage and ONE alternative family arrangement • Clearly demonstrates the similarities and differences in the legal consequences and responsibilities of marriage with those of ONE alternative family arrangement. • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of legal consequences and responsibilities of marriage and of ONE alternative family arrangement • Demonstrates the similarities and differences in the legal consequences and responsibilities of marriage with those of ONE alternative family arrangement • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the legal consequences and responsibilities of marriage and those of ONE alternative family arrangement • Identifies similarities and/or differences in the legal consequences and responsibilities of marriage with those of ONE alternative family arrangement • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Makes general statements about the similarities and/or differences in the legal consequences and/or responsibilities of marriage with those of ONE alternative family arrangement • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law relating to marriage and/or alternative family arrangements • May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 20 — Optional Focus Study 3 – Global Environment

Question 20 (a)

Outcomes assessed: H1.1, H2.3, H3.4, H4.1, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the types of legal protection for the global environment • Makes an informed judgement based on criteria (explicit or implicit) as to the degree of legal protection for the global environment • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of the types of legal protection for the global environment • Makes a sound judgement based on criteria (explicit or implicit) as to the degree of legal protection for the global environment • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the types of legal protection for the global environment • Makes some judgement about the degree of legal protection for the global environment • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Makes general statement about how the law protects the global environment • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law and the global environment • May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 20 (b)

Outcomes assessed: H1.1, H2.3, H3.4, H4.2, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|---|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the types of legal protection used in protecting the global environment • Presents detailed points for and/or against the effectiveness of the law and how this is limited by the nation-state • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of the types of legal protection used in protecting the global environment • Presents points for and/or against the effectiveness of the law and how this is limited by the nation-state • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of some types of legal protection used in protecting the global environment • Presents some points for and/or against the effectiveness of the law and how this is limited by the nation-state • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Makes general statements about the effectiveness of the law and how it is limited by the nation-state • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the global environment and/or the nation-state • May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 21 — Optional Focus Study 4 – Indigenous Peoples

Question 21 (a)

Outcomes assessed: H1.1, H2.3, H3.2, H3.4, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the global pressures affecting indigenous peoples • Provides a thorough explanation of how the law responds to global pressures in relation to indigenous peoples • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of the global pressures affecting indigenous peoples • Provides an explanation of how the law responds to global pressures in relation to indigenous peoples • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the global pressures affecting indigenous peoples • Indicates how the law responds to global pressures in relation to indigenous peoples • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some of the global pressures affecting indigenous peoples and/or makes some statement about how the law responds to global pressures in relation to indigenous peoples • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law relating to indigenous peoples • May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 21 (b)

Outcomes assessed: H1.1, H2.3, H3.4, H4.1, H4.2, H14.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the issues affecting indigenous peoples as limited by the nation-state • Presents detailed points for and/or against the effectiveness of the law in achieving justice for indigenous peoples and the limitations created by the nation-state • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of the issues affecting indigenous peoples as limited by the nation-state • Presents points for and/or against the effectiveness of the law in achieving justice for indigenous peoples and the limitations created by nation-state • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Identifies some of the issues affecting indigenous peoples as limited by the nation-state • Presents some points for and/or against the effectiveness of the law in achieving justice for indigenous peoples and/or the limitations created by the nation-state • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Makes general points for and/or against the effectiveness of the law in achieving justice for indigenous peoples and/or the limitations created by the nation-state • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law relating to indigenous peoples and/or the nation-state • May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

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

Outcomes assessed: H1.1, H3.1, H3.4, H4.1, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of protection provided by the legal system for those seeking to secure shelter. • Thoroughly inquires into the extent to which the law protects those seeking to secure shelter. • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of protection provided by the legal system for those seeking to secure shelter. • Inquires into the extent to which the law protects those seeking to secure shelter. • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of protection provided by the legal system for those seeking to secure shelter. • Makes some inquiry into the extent to which the law protects those seeking to secure shelter. • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some protections provided by the legal system for those seeking to secure shelter and/or makes some inquiry into the extent to which the law protects those seeking to secure shelter. • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law relating to seeking and/or securing shelter • May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 22 (b)

Outcomes assessed: H1.1, H3.1, H3.2, H3.4, H4.2, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|---|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the types of dispute resolving mechanisms available to those providing shelter and those seeking shelter • Makes an informed judgement based on criteria (explicit or implicit) about how effective the law is in resolving disputes between those providing shelter and those seeking shelter • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of the types of dispute resolving mechanisms available to those providing shelter and those seeking shelter • Makes a sound judgement based on criteria (explicit or implicit) about how effective the law is in resolving disputes between those providing shelter and those seeking shelter • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the types of dispute resolving mechanisms available to those providing shelter and those seeking shelter • Makes a judgement based on criteria (explicit or implicit) about how effective the law is in resolving disputes between those providing shelter and those seeking shelter • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some types of dispute resolving mechanisms available to those providing shelter and/or those seeking shelter • Makes general statements about how effective the law is in resolving disputes between those providing shelter and/or those seeking shelter • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law solving disputes relating to shelter • May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 23 — Optional Focus Study 6 – Technological Change

Question 23 (a)

Outcomes assessed: H1.1, H2.3, H3.3, H3.4, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|--------------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the types of international bodies and international tribunals that respond to technological change • Makes an informed judgement based on criteria (explicit or implicit) about how effective both international bodies and international tribunals are at responding to technological change • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates a sound knowledge of the types of international bodies and international tribunals that respond to technological change • Makes a sound judgement based on criteria (explicit or implicit) about how effective both international bodies and international tribunals are at responding to technological change • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the international bodies and/or the international tribunals that respond to technological change • Makes a judgement about how effective international bodies and/or international tribunals are at responding to technological change • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some international bodies and/or international tribunals that respond to technological change • Makes general statements about how effective international bodies and/or international tribunals are at responding to technological change • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law responding to technological change • May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 23 (b)

Outcomes assessed: H1.1, H2.3, H3.3, H3.4, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|---|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the legal infrastructure relevant to technological change • Presents detailed points for and/or against whether the legal infrastructure can keep pace with technological change • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates a sound knowledge of the legal infrastructure relevant to technological change • Presents points for and/or against whether the legal infrastructure can keep pace with technological change • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the legal infrastructure relevant to technological change • Presents some points for and/or against whether the legal infrastructure can keep pace with technological change • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some legal infrastructure relevant to technological change and/or makes general statements how the legal infrastructure can keep pace with technological change • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the law relating to technological change • May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 24 — Optional Focus Study 7 – Workplace

Question 24 (a)

Outcomes assessed: H1.1, H3.1, H3.3, H3.4, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|--------------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the relevant issues relating to commitment to the law in the workplace • Makes an informed judgement about the extent to which commitment to the law is demonstrated in the workplace • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of the relevant issues relating to commitment to the law in the workplace • Makes a sound judgement about the extent to which commitment to the law is demonstrated in the workplace • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the relevant issues relating to commitment to the law in the workplace • Makes a judgement about how commitment to the law is demonstrated in the workplace • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some of the issues relating to commitment to the law in the workplace makes some statements about how commitment to the law is demonstrated in the workplace • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about commitment to the law in the workplace • May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 24 (b)

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

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the changes in Australian society that are reflected in the law in the workplace • Provides a thorough explanation of how the changes in Australian society are reflected in the law in the workplace • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates a sound knowledge of the changes in Australian society that are reflected in the law in the workplace • Provides an explanation of how the changes in Australian society are reflected in the law in the workplace • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of some changes in Australian society that have been reflected in some changes in the law in the workplace • Indicates how the changes in Australian society are reflected in the law in the workplace • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some changes in Australian society that have been reflected in the law in the workplace and/or makes some statement about how the changes in Australian society are reflected in the law in the workplace • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about the changing law and the workplace • May make limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 25 — Optional Focus Study 8 – World Order

Question 25 (a)

Outcomes assessed: H1.1, H2.3, H3.4, H4.2, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of the legal and non-legal ways of working for world order • Makes an informed judgement based on criteria (explicit or implicit) about how effective are the main ways of working for world order • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates a sound knowledge of the legal and non-legal ways of working for world order • Makes a sound judgement based on criteria (explicit or implicit) about how effective are the main ways of working for world order • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of the legal and non-legal ways of working for world order • Makes judgements about how effective are the main ways of working for world order • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some of the ways of working for world order and/or makes statements about how effective are some of the ways of working for world order • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about working for world order • May make limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Question 25 (b)

Outcomes assessed: H1.1, H2.3, H3.2, H3.4, H4.2, H4.3, H5.3

MARKING GUIDELINES

| Criteria | Marks |
|--|-------|
| <ul style="list-style-type: none"> • Demonstrates extensive knowledge of issues affecting the achievement of world order as limited by the nation-state • Presents detailed points for and/or against the effectiveness of the law in achieving world order as limited by the nation-state • Integrates relevant legislation and/or documents and/or treaties and/or cases and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology and concepts | 21–25 |
| <ul style="list-style-type: none"> • Demonstrates sound knowledge of issues affecting the achievement of world order as limited by the nation-state • Presents points for and/ or against the effectiveness of the law in achieving world order as limited by the nation-state • Uses relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology and concepts | 16–20 |
| <ul style="list-style-type: none"> • Demonstrates some knowledge of issues affecting the achievement of world order as limited by the nation-state • Presents some points for and/ or against the effectiveness of the law in achieving world order as limited by the nation-state • Makes some reference to relevant legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Presents a structured answer using relevant legal terminology and concepts | 11–15 |
| <ul style="list-style-type: none"> • Identifies some issues affecting the achievement of world order as limited by the nation state and /or presents general points for and/ or against the effectiveness of the law in achieving world order as limited by the nation-state • Makes limited reference to legislation and/or documents and/or treaties and/or cases and/or media reports in the response • Uses some appropriate legal terminology and/or concepts | 6–10 |
| <ul style="list-style-type: none"> • Writes in general terms about how world order is limited by the nation-state • Makes limited reference to legislation and/or documents and/or cases and/or treaties and/or media reports in the response • Makes limited reference to legal information/terms, which may or may not be correct/appropriate | 1–5 |

Legal Studies

2009 HSC Examination Mapping Grid

| Question | Marks | Content | Syllabus outcomes |
|---|-------|--|------------------------------|
| Section I — Law and Society | | | |
| Part A | | | |
| 1 | 1 | Law & Justice | H2.2 |
| 2 | 1 | Law & Justice | H3.1 |
| 3 | 1 | Human Rights | H2.1 |
| 4 | 1 | Law & Justice | H3.1 |
| 5 | 1 | Human Rights | H2.1 |
| 6 | 1 | Human Rights | H3.1 |
| 7 | 1 | Law & Justice | H2.2 |
| 8 | 1 | Law & Justice | H2.2 |
| 9 | 1 | Law & Justice | H3.1 |
| 10 | 1 | Law & Justice | H3.2 |
| 11 | 1 | Law & Justice | H2.1 |
| 12 | 1 | Law & Justice | H2.2 |
| 13 | 1 | Law & Justice | H2.1 |
| 14 | 1 | Human Rights | H1.2 |
| 15 | 1 | Law & Justice | H2.1 |
| Section I — Law and Society | | | |
| Part B | | | |
| 16 (a) | 4 | Law and Justice & Human Rights | H2.1 |
| 16 (b) | 6 | Human Rights | H1.2, H3.1, H3.2, H4.3 |
| Section II — Focus Study – Crime | | | |
| 17 (a) | 2 | Key legal concepts and features of the legal system | H1.1 |
| 17 (b) | 6 | Key legal concepts and features of the legal system | H1.1, H1.2, H3.1 |
| 17 (c) | 7 | Key legal concepts and features of the legal system. Effectiveness of the law. | H1.1, H1.2, H3.1, H3.2 |
| 17 (d) | 10 | Morality, ethics and commitment to the law. Effectiveness of the law. | H1.1, H1.2, H3.1, H3.2, H3.4 |

| Section III — Additional Focus Studies | | | |
|---|----|--|--|
| 18 (a) | 25 | Theme: Justice law and society. Legal processes and institutions. Effectiveness of the legal system. Conflict and cooperation. | H1.1, H3.1, H3.4, H4.1, H4.2, H5.3 |
| 18 (b) | 25 | Theme: Continuity and change and legal processes and institutions. Culture, values and ethics Key legal concepts and features of the legal system. | H1.1, H2.3, H3.1, H3.2, H3.4, H5.3 |
| 19 (a) | 25 | Theme: Legal issues and remedies Effectiveness of the law Justice law and society. Legal processes and institutions. Effectiveness of the legal system. Conflict and cooperation. | H1.1, H3.1, H3.2, H3.4, H4.1, H5.3 |
| 19 (b) | 25 | Theme: Justice law and society, Culture, Values and ethics Key legal concepts and features of the legal system. Legal processes and institutions. | H1.1, H3.1, H3.2, H3.4, H5.3 |
| 20 (a) | 25 | Theme: Legal processes and institutions Morality, ethics and commitment Effectiveness of the law Legal issues and remedies Key legal concepts and features of the legal system | H1.1, H2.3, H3.4, H4.1, H4.3, H5.3 |
| 20 (b) | 25 | Theme: Effectiveness of the legal system Morality, ethics and commitment Key legal concepts and features of the legal system | H1.1, H2.3, H3.4, H4.2, H4.3, H5.3 |
| 21 (a) | 25 | Theme: Justice, law and society Law reform Morality, ethics and commitment Effectiveness of the law Legal issues and remedies Key legal concepts and features of the legal system | H1.1, H2.3, H3.2, H3.4, H4.3, H5.3 |
| 21 (b) | 25 | Theme: Culture, values and ethics. Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system Legal issues and remedies | H1.1, H2.3, H3.4, H5.3, H4.1, H4.2, H4.3 |
| 22 (a) | 25 | Theme: Effectiveness of the legal system Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system Legal issues and remedies | H1.1, H3.1, H3.4, H4.1, H4.3, H5.3, |

| | | | |
|--------|----|---|--|
| 22 (b) | 25 | Theme: Conflict and cooperation Justice Law and Society Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system Legal issues and remedies | H1.1, H3.1, H3.2, H3.4, H4.2, H5.3 |
| 23 (a) | 25 | Theme: Effectiveness of the legal system Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system Legal issues and remedies | H1.1, H2.3, H3.3, H3.4, H4.3, H5.3 |
| 23 (b) | 25 | Theme: Continuity and change Law reform Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system | H1.1, H2.3, H3.3, H3.4, H4.3, H5.3 |
| 24 (a) | 25 | Theme: Legal processes and institutions Morality, ethics and commitment Effectiveness of the law Key legal concepts and features of the legal system Legal issues and remedies | H1.1, H3.1, H3.3, H3.4, H4.3, H5.3 |
| 24 (b) | 25 | Theme: Culture, values and ethics Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system | H1.1, H3.1, H3.2, H3.3, H3.4, H5.3 |
| 25 (a) | 25 | Theme: Effectiveness of legal system Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system Legal issues and remedies | H1.1, H2.3, H3.4, H4.2, H4.3, H5.3 |
| 25 (b) | 25 | Theme: Continuity and change Law reform Effectiveness of the law Morality, ethics and commitment Key legal concepts and features of the legal system Culture, values and ethics | H1.1, H2.3, H3.2, H3.4, H4.2, H4.3, H5.3 |