

Year 11 Legal Studies student work sample – Grade C

Question: How significant are the legal and non-legal responses to mitigating disadvantage of a specific group in Australia?

All disadvantaged groups in society - the great and Torres Strait Islander people, people who have a mental illness and are physically and mentally disadvantaged fall under the category of socio-economically disadvantaged people. These people may suffer from different problems such as low incomes, have little housing and those who may not get the same rights as others. People may only associate poverty with a third world issue that won't happen in places like Australia. This is wrong as 2,265,000 people or 17.8% of all people including 575,000 children (17.3% of all children) live in households below the poverty line.

One non-legal response is non-government organisations such as the Salvation Army, St Vincent de Paul and the Smith Family are all sources of support. These organisations can give different resources to these people which may include things such as food, water, shelter, clothing and money or an education.

Another non-legal response is Centrelink who has a particular responsibility to look after all those people who are entitled to receive benefits while making sure people do not exploit the system. Centrelink was established in 1977 to make all social security payments on behalf of the Department of Family and Community Services. To be eligible for this service you must apply for its benefits as these are generally not automatic. People who do not apply may do so because of pride or the fact that they receive a lot of family support.

A legal response to this issue would be the law or covering the issue international agreements such as the 1948 Universal Declaration of Human Rights (UDHR) attempt to guarantee, as far as possible, the same rights to everyone in the world. Australia is one of the many nations that has signed up to become part of this agreement and therefore we will adopt these rights into our own law system. Compared to many other countries, Australia does provide reasonable assistance for the less fortunate members of society.

An overview defining socioeconomic disadvantage demonstrates sound knowledge. The inclusion of specific, relevant data provides a general context for the response.

An example of a non-legal response to disadvantage is made clear through the topic sentence. The example is supported with relevant discussion.

Centrelink is a second appropriate non-legal example with details provided around establishment date, purpose, specific government department, and issues of eligibility.

The UDHR provides an interesting global context, linking international agreements with state and Commonwealth laws in Australia demonstrating critical thinking and perspective.

The domestic laws that Australia has adopted from the 1948 universal declaration of Human rights could include;

- Anti-Discrimination Act 1977 (NSW)
- Disability Discrimination Act 1992 (Cwth)
- Human rights and Equal opportunity Commission Act 1986 (Cwth)
- Racial discrimination act 1975 (Cwth)
- Superannuation Guarantee charge act 1992 (Cwth)
- Veterans Entitlement act 1986 (Cwth)

Another legal response is legal aid. Legal aid NSW provides legal services to disadvantaged people across NSW in most areas of Criminal, family and civil law. Their services include,

- Free ~~cost~~ confidential face to face legal advice
- legal representation for clients
- family dispute resolution services
- Free workshops about the law
- Free legal information

• Specialised Services for particular groups in the community. Legal aid works with private lawyers who receive payment from legal aid to represent their clients. They also administer funding for community partnership programs. The best thing that legal aid does for ~~these~~ socio-economically disadvantaged is that they find the legal problems that these people are in and fix it in the community so that it will not happen again and so that the problem can get fixed for once and for all. This means that they contribute to law and policy reforms.

Legal Aid is the second legal example. A specific explanation of Legal Aid as a legal response to disadvantage is required

A broad description of the services Legal Aid provides for disadvantaged groups is provided demonstrating sound knowledge

Grade Commentary

Eden's response demonstrates sound knowledge and understanding in the appropriate selection of two legal and two non-legal responses to socioeconomic disadvantage. Conceptual understanding that draws links to pertinent issues of disadvantage needed to be addressed specifically to enhance the explanation of the role of legal and non-legal agents. Examples were relevant, with salient detail provided consistently across the task, demonstrating sound research and analysis in the process of selecting and integrating information.

Eden's response demonstrates characteristics of work typically produced by a student performing at a grade C standard.