

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?

Racial Discrimination Act 1975 covers discrimination against race, colour, descent or national or ethnic origin and also Racial Hatred. The act was amended in 1995 and is to ensure that everyone has equal opportunities in regards to employment, provision of goods & services, right to join trade unions, access to places and facilities, land, housing and accommodation. The act helps those who are disadvantaged by:

- * Religious Intolerance: where those of another religion are looked upon as 'lesser' than those of a common Australian religion. The right to express religious faith, including by dress, is protected by anti discrimination.

Fair Work Act 2009 was created to ensure that there is a balance and also equal opportunities within the workplace regardless of race of the employee. This protects those who suffer disadvantages of:

- * Racial Vilification: where hatred is incited due to the race of a person
- * Social Isolation: If the person is having troubles communicating with others and being a part of social groups. The act of legislation ensures fair opportunities.

The Racial Discrimination Act is a relevant example of a legal response to the disadvantaged migrant groups. Recognising the 1975 Act and 1995 amendments demonstrates sound research and knowledge

The relevance of including the Fair Work Act is questionable as it is a broad general law

Ending the Pacific Solution. The Pacific solution was a campaign where asylum seekers were all sent to ~~the~~ islands in the Pacific to detention centres. The people had no access to legal help. By ending the 'Pacific solution' this has helped those disadvantaged by racial vilification because they were sent to Australia for processing where they can be treated fairly. ~~It~~ Also social isolation as they ~~were~~ ^{are} now given the opportunity to communicate with others within the Australian community.

The Pacific Solution is a valid example of a non-legal response. Discussion is general with broad links made to racial vilification and social isolation.

The Immigration Advice And Application Scheme provides free, independent, professional migration advice and also assistance to those applying for a visa to Australia. Helps those who are in detention centres and also helps a lot to those with language barriers and also those disadvantaged by not being aware of accessible ~~res~~ resources, those suffering financial hardship, being young, being hindered by cultural issues such as gender, or ~~the~~ those who are illiterate.

The Immigration Advice and Application Scheme is a second valid example with the express purpose of mitigating disadvantage for migrants.

Grade Commentary

Some knowledge and understanding are demonstrated in the appropriate selection of one legal and two non-legal responses. Most examples were relevant demonstrating a relevant research process. More explicit discussion around how they respond to migrant disadvantage was required to develop conceptual depth and complexity in the explanation. The response was structured into clear paragraphs. Communication tended to be descriptive rather than succinct, factual detail and dates were provided inconsistently across the task leading to a simple, sound explanation overall. Reference to the Fair Work Act was not as appropriate as other examples.

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