

Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black or blue pen
Black pen is preferred
- Write your Centre Number and
Student Number at the top of
page 9

Total marks – 100

Section I Pages 2–6

20 marks

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

Section II Pages 9–13

30 marks

This section has two parts, Part A and Part B

- Allow about 1 hour for this section

Part A – 15 marks

- Attempt Questions 21–23

Part B – 15 marks

- Attempt Question 24

Section III Pages 14–15

50 marks

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

Section I

20 marks

Attempt Questions 1–20

Allow about 30 minutes for this section

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

- 1** What is self-determination?
- (A) The right to vote
 - (B) The right to a jury trial
 - (C) The right to legal representation
 - (D) The right of a group to make decisions for itself
- 2** Which court would hear the offence of speeding in a school zone when it first becomes a court matter?
- (A) Drug Court
 - (B) Local Court
 - (C) District Court
 - (D) Supreme Court

Use the following information to answer Questions 3 and 4.

Andrew illegally downloaded music from the internet.
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- 3** What role did Andrew play in committing this offence?
- (A) Accessory after the fact
 - (B) Accessory before the fact
 - (C) Principal in the first degree
 - (D) Principal in the second degree
- 4** Which category of crime does Andrew's behaviour fall under?
- (A) Conspiracy
 - (B) Preliminary crime
 - (C) Economic offence
 - (D) Offence against the person

- 5 Which of the following can be a member of the United Nations?
- (A) A head of state
 - (B) A sovereign state
 - (C) A state government
 - (D) A minister for foreign affairs
- 6 Who determines if the standard of proof has been met in a criminal case?
- (A) The jury
 - (B) The police
 - (C) The defendant
 - (D) The prosecution
- 7 Which of the following is an example of an intergovernmental organisation?
- (A) Federal Parliament
 - (B) Amnesty International
 - (C) Commonwealth of Nations
 - (D) Australian Human Rights Commission
- 8 The Supreme Court is hearing a criminal case. At the conclusion of the third day, two jurors visit the crime scene. They discuss the defendant's evidence and then encourage other jurors to find the defendant guilty.
- What is this an example of?
- (A) A role of the jury
 - (B) A denial of justice
 - (C) An aggravating factor
 - (D) A peremptory challenge

- 9** A magistrate orders an offender to serve six months in gaol, to be served only if the offender is not of good behaviour during this time.

This is an example of

- (A) probation.
 - (B) imprisonment.
 - (C) a suspended sentence.
 - (D) a diversionary program.
- 10** Peter, while under the influence of drugs, has caused the death of another person. He is charged with murder.

Which court will be the first to hear the charge against Peter?

- (A) Drug Court
 - (B) Local Court
 - (C) Supreme Court
 - (D) Coroner's Court
- 11** How are international human rights protected under Australian law?
- (A) Treaties are enacted by a federal statute.
 - (B) Covenants are ratified by the Governor-General.
 - (C) Declarations are incorporated into the Australian Constitution.
 - (D) Conventions are enforced by the Australian Human Rights Commission.

- 12** How is the right to legal representation best described?

- (A) It is a right limited under common law.
- (B) It is a right protected under the Australian Constitution.
- (C) It is a right to free legal aid provided in most criminal cases.
- (D) It is a right protected under the Universal Declaration of Human Rights.

- 13** The purpose of specific deterrence in sentencing is to
- (A) direct the offender to undertake education and training.
 - (B) direct the offender to complete a community service order.
 - (C) discourage the offender from committing the offence again.
 - (D) discourage others who may consider committing a similar offence.
- 14** The police hold Susan in custody because they believe she may commit a serious crime.
- What is this an example of?
- (A) Remand
 - (B) Recidivism
 - (C) Protective custody
 - (D) Preventative detention
- 15** Which of the following is a feature of statutory protection of human rights in Australia?
- (A) Parliament cannot change human rights legislation.
 - (B) Judges interpret and apply human rights legislation.
 - (C) A referendum is required to amend human rights legislation.
 - (D) Human rights treaties are enshrined in the Australian Constitution.
- 16** Which of the following is true of the International Criminal Court?
- (A) It is an ad hoc tribunal.
 - (B) It is established by a treaty.
 - (C) It deals with transnational crimes.
 - (D) It is the judicial arm of the United Nations.
- 17** Which of the following is true of a victim impact statement?
- (A) It allows a victim to recommend a punishment.
 - (B) It provides evidence for the prosecution in the trial.
 - (C) It must be given by a person against whom the offence was committed.
 - (D) It must be received by the court in writing after the conviction of the defendant.

18 Kim is 12 years old. She has been accused of shoplifting from a major retail store. The matter has proceeded to court.

Which of the following applies to Kim?

- (A) She will have a criminal record.
- (B) Her case will be heard in the Local Court.
- (C) She is presumed to be incapable of committing the offence.
- (D) She is below the age of criminal responsibility and will be acquitted.

Use the following information to answer Questions 19 and 20.

Judy was charged with murder. Her defence of substantial impairment by abnormality of the mind was accepted. Judy was then convicted of manslaughter in a judge-only trial. She had prior serious criminal convictions and was sentenced to three years imprisonment.

19 For Judy's defence, it was necessary for her to show evidence of

- (A) provocation.
- (B) remorse for her actions.
- (C) her innocence beyond reasonable doubt.
- (D) her limited ability to understand events.

20 In this case an appeal is most likely to be made by

- (A) Judy, against her conviction for manslaughter.
- (B) Judy, as the sentencing judge did not consider aggravating factors.
- (C) the Director of Public Prosecutions, as the sentence was inadequate.
- (D) the Director of Public Prosecutions, as the case was not heard by a jury.

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2014 HIGHER SCHOOL CERTIFICATE EXAMINATION

Legal Studies

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Centre Number

Section II

30 marks

Allow about 1 hour for this section

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Student Number

Part A – Human Rights

15 marks

Attempt Questions 21–23

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

Question 21 (3 marks)

Outline how ONE international human rights document contributes to the development of human rights. 3

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Question 22 (5 marks)

How are human rights protected by the Australian Constitution?

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Question 23 (7 marks)

Compare the roles of international and domestic courts in protecting human rights.

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Legal Studies

Section II (continued)

Part B – Crime

15 marks

Attempt Question 24


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

In your answer you will be assessed on how well you:

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

Awaiting copyright



THE HONOURABLE ROBERT DEBUS, ATTORNEY-GENERAL,
Second Reading Speech
Law Enforcement (Powers and Responsibilities) Bill 2002 (NSW)
17 September 2002

To what extent does the criminal investigation process balance the rights of victims, suspects and society?

In your answer, refer to the above statement.

Section III — Options

50 marks

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

Allow about 1 hour and 30 minutes for this section

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

In your answers you will be assessed on how well you:

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

- (a) To what extent does consumer law reflect changes in values and ethical standards? **25**

OR

- (b) Assess the roles of organisations, tribunals and courts in resolving consumer law issues. **25**

Question 26 — Global Environmental Protection (25 marks)

- (a) Compare the effectiveness of legal and non-legal responses in addressing global environmental issues. **25**

OR

- (b) Discuss the role of state sovereignty in promoting and achieving global environmental protection. **25**

Question 27 — Family (25 marks)

- (a) To what extent has law reform achieved just outcomes for those in same sex relationships? **25**

OR

- (b) Evaluate the roles of the law and the media in responding to issues affecting family members. **25**

Question 28 — Indigenous Peoples (25 marks)

- (a) Explain why the right to self-determination is important in achieving justice for indigenous peoples. **25**

OR

- (b) Compare the effectiveness of legal and non-legal measures in achieving recognition of land rights for indigenous peoples. **25**

Question 29 — Shelter (25 marks)

- (a) Compare the effectiveness of legal and non-legal measures in responding to homelessness and issues of discrimination relating to shelter. **25**

OR

- (b) Discuss how compliance with the law promotes justice both for those seeking and those providing shelter. **25**

Question 30 — Workplace (25 marks)

- (a) To what extent have dispute resolution mechanisms been effective in achieving justice in the workplace? **25**

OR

- (b) Assess the role of law reform in balancing the rights and responsibilities of employers and employees in the workplace. **25**

Question 31 — World Order (25 marks)

- (a) Evaluate the effectiveness of legal and non-legal measures in encouraging cooperation between nation states to achieve world order. **25**

OR

- (b) Discuss how state sovereignty can assist or impede the resolution of world order issues. **25**

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