



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

**2011**

**HIGHER SCHOOL CERTIFICATE  
EXAMINATION**

# 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 60 minutes for this section

Part A – 15 marks

- Attempt Questions 21–24

Part B – 15 marks

- Attempt Question 25

**Section III** Pages 14–15

**50 marks**

- Attempt TWO questions from Questions 26–32,  
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.

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- 1 What is the use of surveillance cameras in public places an example of?
  - (A) Retribution
  - (B) Restorative justice
  - (C) Social crime prevention
  - (D) Situational crime prevention
  
- 2 Who decides a question of law in a criminal case in the NSW Supreme Court?
  - (A) The jury
  - (B) The judge
  - (C) The defence
  - (D) The prosecutor
  
- 3 A national government bans all forms of public protest by an environmental group.  
What is being denied by the government?
  - (A) Civil and political rights
  - (B) The right to self-determination
  - (C) Environmental and peace rights
  - (D) Economic, social and cultural rights
  
- 4 What is the aim of a diversionary program?
  - (A) Imprisonment
  - (B) Incapacitation
  - (C) Rehabilitation
  - (D) Retribution

Use the following information to answer Questions 5–8.

18-year-old Alex and 19-year-old Dale planned to rob a bank. The next day Alex drove the car and waited for Dale to rob the bank. Dale robbed the bank and they both drove away. 12-year-old Shane was waiting at their house to assist them.

- 5** What best describes the role played by Shane?
- (A) Accessory after the fact
  - (B) Accessory before the fact
  - (C) Principal in the first degree
  - (D) Principal in the second degree
- 6** What category of crime has Alex committed?
- (A) Driving
  - (B) Property
  - (C) Public order
  - (D) White collar
- 7** Which of the following best describes what Dale committed?
- (A) Both attempted robbery and robbery
  - (B) Both conspiracy to rob and robbery
  - (C) Conspiracy to rob
  - (D) Robbery
- 8** What is the most likely manner in which Alex’s and Shane’s cases will be dealt with in the criminal justice system?
- (A) They will be heard together.
  - (B) They will be heard in open court.
  - (C) They will be heard in different courts.
  - (D) They will be heard by a judge and jury.

- 9** Which of the following human rights is expressly recognised in the Australian Constitution?
- (A) Freedom of religion
  - (B) Freedom of assembly
  - (C) The right to marry
  - (D) The right to education
- 10** What is the first step in a criminal trial process for murder?
- (A) A jury is empanelled.
  - (B) An arrest warrant is issued.
  - (C) A committal hearing is held.
  - (D) The offender is charged by police.
- 11** Which of the following is NOT a feature of human rights?
- (A) They are inherent.
  - (B) They are universal.
  - (C) They are enforceable.
  - (D) They are inalienable.
- 12** A police officer issues a caution instead of an on-the-spot fine to a person whose car is illegally parked.
- What is the police officer's action an example of?
- (A) Discretion
  - (B) Corruption
  - (C) A breach of criminal law
  - (D) A breach of the rule of law
- 13** Which of the following may be an aggravating factor when sentencing in a criminal trial?
- (A) The offender not being aware of the consequences of their actions
  - (B) The offender not planning the crime
  - (C) The age of the offender
  - (D) The age of the victim

**14** Which of the following is a feature of victim impact statements in NSW?

- (A) They are required by the court.
- (B) They are presented at sentencing.
- (C) They are used in determining guilt.
- (D) They are part of the prosecution case.

**15** The Australian Government has ratified an international human rights treaty.

What is the practical effect of this?

- (A) It grants human rights to Australian citizens.
- (B) It makes breaches of human rights punishable in Australia.
- (C) It enables the Australian Government to enact human rights legislation.
- (D) It makes breaches of human rights punishable by international tribunals.

**16** Which of the following is best characterised as transnational crime?

- (A) Murder
- (B) Torture
- (C) Sexual assault
- (D) People smuggling

**17** Police allege a driver was speeding in a school zone.

What do the police have to prove if the matter goes to court?

- (A) The driver was speeding.
- (B) The driver intended to speed.
- (C) The driver knew it was a school zone.
- (D) The driver knew the school zone speed limit.

- 18** An Australian citizen has been charged under laws enacted by the *Crimes (Child Sex Tourism) Amendment Act 1994* (Cth). The alleged events occurred when he was on holidays in Indonesia.

This is an example of the operation of which type of law?

- (A) International law
  - (B) Transnational law
  - (C) Australian domestic law
  - (D) Indonesian domestic law
- 19** Lou is suspected by the police of having stolen a car.
- Which of the following is a legal power that the police have when they approach Lou?
- (A) To arrest Lou
  - (B) To fingerprint Lou
  - (C) To require Lou to answer questions
  - (D) To require Lou to go to the police station
- 20** Which of the following has the jurisdiction to prosecute genocide?
- (A) The Human Rights Council
  - (B) The International Criminal Court
  - (C) The International Court of Justice
  - (D) The United Nations Security Council

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# Legal Studies

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Centre Number

## Section II

30 marks

Allow about 60 minutes for this section

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Student Number

### Part A – Human Rights

15 marks

Attempt Questions 21–24

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

#### Question 21 (2 marks)

Identify TWO non-government organisations that promote human rights.

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#### Question 22 (2 marks)

Define the *right to self-determination*.

2

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## Legal Studies

### Section II (continued)

#### Part B – Crime

15 marks

#### Attempt Question 25

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

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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 25 (15 marks)

Explain the tension between community interests and individual rights and freedoms within the criminal justice system. **15**

## Section III — Options

**50 marks**

**Attempt TWO questions from Questions 26–32, 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.

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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
- 

### **Question 26 — Consumers (25 marks)**

- (a) How effective is government regulation in achieving justice for consumers? **25**

**OR**

- (b) Why has justice for consumers been hard to achieve? **25**

### **Question 27 — Global Environmental Protection (25 marks)**

- (a) Why is there a need for an international legal response to global environmental protection? **25**

**OR**

- (b) How effective is the law in responding to conflict between the demand for resources and global environmental protection? **25**

### **Question 28 — Family (25 marks)**

- (a) To what extent have changing values in the community improved the legal rights of parents and children? **25**

**OR**

- (b) Evaluate the effectiveness of the law in achieving justice for parties involved in relationship breakdown. **25**

**Question 29 — Indigenous Peoples (25 marks)**

- (a) To what extent have changes in values and ethical standards improved the legal rights of indigenous peoples? **25**

**OR**

- (b) Explain the difficulties faced by indigenous peoples in determining their own future. **25**

**Question 30 — Shelter (25 marks)**

- (a) To what extent is the law effective in achieving just outcomes in regard to the provision of shelter? **25**

**OR**

- (b) How effective are legal measures in resolving conflicts in regard to shelter? **25**

**Question 31 — Workplace (25 marks)**

- (a) Explain the role of legal measures in balancing the rights and responsibilities of employees and employers. **25**

**OR**

- (b) How effective has law reform been in dealing with contemporary issues in the workplace? **25**

**Question 32 — World Order (25 marks)**

- (a) Explain the role of nation states in achieving world order. **25**

**OR**

- (b) How effective is global cooperation in responding to challenges to world order? **25**

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