
Student Number

Barker College

Legal Studies

2019

TRIAL HIGHER SCHOOL CERTIFICATE EXAMINATION

ANSWER SHEET

Staff Involved:

- AES
- AJW
- KAK
- SCM*

PM THURSDAY 8th AUGUST

85 copies

Section I – Multiple Choice

Choose the best response and fill in the response oval completely

Start Here →

1	A ○	B ○	C ○	D ○	11	A ○	B ○	C ○	D ○
2	A ○	B ○	C ○	D ○	12	A ○	B ○	C ○	D ○
3	A ○	B ○	C ○	D ○	13	A ○	B ○	C ○	D ○
4	A ○	B ○	C ○	D ○	14	A ○	B ○	C ○	D ○
5	A ○	B ○	C ○	D ○	15	A ○	B ○	C ○	D ○
6	A ○	B ○	C ○	D ○	16	A ○	B ○	C ○	D ○
7	A ○	B ○	C ○	D ○	17	A ○	B ○	C ○	D ○
8	A ○	B ○	C ○	D ○	18	A ○	B ○	C ○	D ○
9	A ○	B ○	C ○	D ○	19	A ○	B ○	C ○	D ○
10	A ○	B ○	C ○	D ○	20	A ○	B ○	C ○	D ○

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General Instructions:

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black pen

Total marks: 100

Section I – 20 marks (pages 2 - 6)

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

Section II – 30 marks (pages 8 - 16)

This section has two parts, Part A and Part B

Allow about 1 hour for this section

Part A – 15 marks

- Attempt Questions 21 – 24

Part B – 15 marks

- Attempt Question 25

Section III – 50 marks (pages 17 - 18)

- Attempt TWO Questions from Questions 26 – 32, each from a different Option
- Allow about 1 hour and 30 minutes for this section

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Section I

20 marks
Attempt Questions 1 – 20
Allow 30 minutes for this section

Use the multiple-choice answer sheet for Questions 1 – 20
Select the alternative A, B, C or D that best answers the question. Fill in the response oval completely.

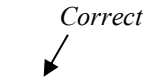
Sample 2 + 4 = A 2 B 6 C 8 D 9

A ○ B ○ C ○ D ○

If you think you have made a mistake, put a cross through the incorrect answer and fill in the new answer.

A ● B ⊗ C ○ D ○

If you change your mind and have crossed out what you consider to be the correct answer, then indicate this by writing the word *correct* and drawing an arrow as follows.



A ● B ⊗ C ○ D ○

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1. The media promotes human rights by

   A. informing the police of breaches.
   B. lobbying for changes to human rights laws.
   C. raising awareness of human rights abuses.
   D. passing laws which make human rights enforceable.

2. Kate decides not to report a theft because the item stolen was only worth $15. This is an example of

   A. discretion.
   B. strict liability.
   C. a white collar crime.
   D. the adversary system.

3. What is the role of the *Universal Declaration of Human Rights*?

   A. It is the constitution of the United Nations.
   B. It forms the basis of international human rights laws.
   C. It sets an international standard which all countries must adhere to.
   D. It allows the UN Security Council to intervene when human rights are being breached.

4. How do international values and ethical standards come to be reflected in human rights law?

   A. The Charter of Rights is amended.
   B. The media lobbies for laws to change.
   C. The doctrine of state sovereignty is invoked.
   D. Members of the United Nations create new laws as values change.

5. What is the role of the victim in the sentencing process?

   A. To determine a sentence
   B. To give a victim impact statement
   C. To participate in justice conferencing
   D. To provide arguments to mitigate the sentence

6. What is the role of the United Nations Security Council in international crime?

   A. To try suspects
   B. To enforce the laws of individual countries
   C. To authorise the International Criminal Court to act
   D. To ensure that international standards are incorporated into domestic laws

7. The division of powers allows human rights to be promoted in Australia because

   A. both federal and state governments can pass legislation.
   B. it allows the High Court to enforce human rights standards.
   C. it ensures that members of parliament are not also enforcing laws.
   D. it outlines the powers that police have in the criminal investigation process.

8. Who is most likely to be held on remand?

   A. A 15 year old with a stable home
   B. A homeless 15 year old with prior convictions
   C. A 25 year old with no prior convictions who has pled guilty
   D. A 25 year old with prior convictions charged with a minor offence

9. Which of the following is true about the criminal justice system?

   A. The Defence must prove strict liability.
   B. The Prosecution must prove mental illness.
   C. The Defence must prove *actus reus* and *mens rea*.
   D. The Prosecution must prove *actus reus* and causation.

10. Andrew is 12 years old when he is arrested for burglary. The Director of Public Prosecutions decides not to prosecute.

    What principle could be behind this decision?

    A. Doli incapax
    B. Police powers
    C. Restorative justice
    D. The age of criminal responsibility

11. The police seize documents while searching a property.

Which of the following statements is true?

A. The evidence is admissible if the police had a warrant.
B. Police do not have the power to seize evidence from properties.
C. The evidence is admissible if it is in the public interest to seize it.
D. The evidence is only admissible if the suspect is present during the search.

12. When can offenders be deported?

A. If a judge sentences them to deportation
B. When they have completed their sentence
C. If they are convicted of a crime and are not Australian citizens
D. When they have completed their sentence and are not Australian citizens

13. Which of the following statements is true about a jury's verdict?

A. A jury must return a unanimous verdict.
B. Only ten of the twelve jurors have to agree with the verdict.
C. A jury can return a majority verdict after eight hours of deliberation.
D. A judge must direct that a majority verdict is possible before the jury retires.

14. Why does the NSW parliament amend criminal laws?

A. To increase recidivism
B. To evaluate the effectiveness of the law
C. To limit the effectiveness of the criminal justice system
D. To balance community interests with individual rights and freedoms

15. Sophie is sentenced to 18 years in prison for murder. In her judgment, the sentencing judge says 'while she has no prior record, the premeditation and savagery lead me to conclude that this is the appropriate punishment.'

The factors the judge has considered in making this decision are

A. objective, mitigating factors.
B. subjective mitigating factors.
C. objective, aggravating factors.
D. subjective, aggravating factors.

16. What is the purpose of the adversary system of trial?

A. To ensure that criminals are convicted
B. To ensure that natural justice is achieved
C. To provide equality and access for victims
D. To provide resource efficiency for the community

17. Who of the following is most likely to receive legal aid?

A. A 15 year old who wants to plead not guilty
B. A woman who is a victim of domestic violence
C. A 19 year old with prior convictions who wants to plead not guilty
D. A 25 year old with no prior convictions charged with a minor assault

18. What are the concerns that some victims have with charge negotiation?

A. It limits the rights of offenders.
B. It limits the discretion of the jury.
C. It limits the sentences available to the judge.
D. It limits the discretion of the Director of Public Prosecutions.

19. Amanda is arrested at Sydney airport coming off a flight from Peru with 6kgs of heroin. She is charged with drug trafficking.

Which of the following statements is true?

A. She must be extradited to Peru.
B. Her case will be tried in the Federal Court.
C. Her case will be tried in the NSW Supreme Court.
D. Her case will be tried in the International Criminal Court.

20. Which of the following is an example of self-determination?

A. Sudan cannot interfere in the elections in South Sudan.
B. A school teaches Indigenous students in their language.
C. A young person decides which university they will attend.
D. The citizens of Nova Tocqueville vote for a universal living wage.

End of Section I

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Section II Answer Booklet

30 marks
Attempt Questions 21 - 24
Allow about 1 hour for this section

Instructions:

- Answer BOTH Part A and Part B
- Extra writing space is provided on pages 14 and 15.
  If you are using this space, clearly indicate which question you are answering.

Please turn over

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Section II

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 response.

Question 21 (2 marks)

List TWO ways human rights are incorporated into Australian law.

_____

_____

_____

Question 22 (2 marks)

Why is universal education an important human right?

_____

_____

_____

_____

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Question 23 (5 marks)

Assess the role of intergovernmental organisations in promoting and enforcing human rights.

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Question 24 (6 marks)

How have human rights changed and developed over time? Use appropriate examples to support your answer.

End of Part A

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Section II Extra writing space
If you choose to use this space, clearly indicate what question you are answering.

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Section II (continued)

Part B – Crime
15 marks
Attempt Question 25

Answer the question in the Section II Answer Booklet. Extra writing booklets are available.

Your answer 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 25 (15 marks)

Evaluate the effectiveness of sentencing and punishment as a means of achieving justice.

End of Part B

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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 Section III writing booklet. Extra writing booklets are available.

Your answer 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) To what extent do legal responses resolve compliance issues for consumers?

OR

(b) Evaluate the effectiveness of legal and non-legal responses to marketing innovations.

Q**uestion 27 – Global Environmental Protection** (25 marks)

(a) To what extent do legal responses to global environmental protection resolve compliance issues?

OR

(b) Evaluate the effectiveness of legal and non-legal responses to conflict between the demand for resources and global environmental protection.

Question 28 - Family (25 marks)

(a) To what extent do legal responses resolve compliance issues for family members?

OR

(b) Evaluate the effectiveness of legal and non-legal responses to the need for care and protection of children.

Question 29 – Indigenous peoples (25 marks)

(a) To what extent do legal responses resolve compliance issues for indigenous peoples?

OR

(b) Evaluate the effectiveness of legal and non-legal responses to loss of cultural rights.

Question 30 - Shelter (25 marks)

(a) To what extent do legal responses resolve compliance issues for people seeking shelter?

OR

(b) Evaluate the effectiveness of legal and non-legal responses to homelessness.

Question 31 - Workplace (25 marks)

(a) To what extent do legal responses resolve compliance issues for employers and employees?

OR

(b) Evaluate the effectiveness of legal and non-legal responses to the need for safety.

Question 32 – World Order (25 marks)

To what extent has law reform promoted peace and resolved conflict between and within nation states?

End of Paper