
Student Number

Barker College

2024 TRIAL HIGHER SCHOOL CERTIFICATE EXAMINATION

Legal Studies

ANSWER SHEET

Staff Involved:
- AJF - Ms Ford
- AES - Ms Strauss
- PPL – Ms Li

PM WEDNESDAY 14TH AUGUST

50 copies

Section I - Multiple Choice
Write your Student Number at the top of this page
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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Legal Studies

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PM WEDNESDAY 14TH AUGUST

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General Instructions:
- Reading time – 5 minutes
- Working time – 3 hours
- Write using black pen
- Write your Student Number on every answer page

Total marks: 100

Section I – 20 marks (pages 2 - 7)
- Attempt Questions 1 – 20
- Allow about 30 minutes for this section

Section II – 30 marks

This section has two parts, Part A and Part B

Allow about 1 hour for this section

Part A – 15 marks (page 9 - 12)
- Attempt Questions 21 – 24

Part B – 15 marks (page 15)
- 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

Section I

20 marks
Allow about 30 minutes for this section

Attempt Questions 1 – 20

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.

correct ↓

(A) ● (B) ⊗ (C) ○ (D) ○

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1. The Crimes Act 1900 (NSW) is an example of which of the following?

   A. Statute Law
   B. Common Law
   C. Federal Legislation
   D. Delegated Legislation

2. Which element of the crime must be proven in a strict liability offence?

   A. Causation
   B. Mens rea
   C. Actus reus
   D. Negligence

3. The International Criminal Court was established under which of the following?

   A. The Rome Statute
   B. The Geneva Convention
   C. The United Nations Charter Section VII
   D. The Universal Declaration of Human Rights

4. Which organ of the United Nations has the power to pass resolutions to intervene with military action and peace keeping operations?

   A. Secretary General
   B. General Assembly
   C. Security Council
   D. International Court of Justice

5. Why does the government undertake social crime prevention in NSW?

   A. To reduce opportunities to commit crime.
   B. To reduce the cause of criminal behaviour.
   C. To increase the number of police units in NSW.
   D. To increase the likelihood of a criminal being caught.

6. 'All people have the right to be free from slavery and servitude'

   Which of the following rights is this statement referring to?

   A. Economic and civil
   B. Civil and political
   C. Political and social
   D. Social and cultural

7. An offender has been sentenced to the maximum possible sentence due to repeat offences for the same crime.

   What purpose of punishment is the judge most likely demonstrating through this sentence?

   A. Incapacitation
   B. Rehabilitation
   C. General deterrence
   D. Specific deterrence

8. Which statement below most accurately reflects the limitations of state sovereignty in protecting human rights?

   A. State sovereignty provides nation states with absolute power and autonomy to govern their country.
   B. State sovereignty is conditional upon nation states taking action to uphold human rights in their jurisdiction.
   C. The security council forces states to comply with international human rights documents by changing their domestic laws.
   D. International law takes precedence over the domestic legislation of nation states even if they've not signed the relevant treaty.

9. Who would most likely be represented by Legal Aid in NSW?

   A. A minor.
   B. A person pleading guilty.
   C. A person who commits a traffic offense.
   D. A person with limited income appealing their sentence.

10. An Australian has been charged with a criminal offence committed in the United Kingdom. The Australian Federal Police have arrested this individual and surrender them to face charges.

    What is this an example of?

    A. Deportation
    B. Extradition
    C. International Warrant
    D. Transnational Crime

Use the following information to answer Question 12.

Taylor and Travis rob a store at gunpoint. Travis enters the building and takes the money while Taylor planned the crime and also drives the getaway car. They are both found guilty.

11. How will Taylor be treated during sentencing?

    A. The same as Travis because she planned the crime and is therefore a principle in the second degree.

    B. Different to Travis because she drove the getaway car and is therefore an accessory after the fact.

    C. The same as Travis because she planned the crime and is therefore a principle in the first degree.

    D. Different to Travis because she drove the getaway car and is therefore an accessory before the fact.

12. Jaime has been detained without a formal charge.

    What is this an example of?

    A. Periodic detention

    B. Protective custody

    C. Continued detention

    D. Preventative detention

13. During the sentencing remarks of the judge they note that they believe the offender shows genuine remorse and does not believe they will reoffend. They then give the maximum sentence.

    This is most likely due to

    A. Judicial guidelines

    B. Statutory guidelines

    C. Insufficient mitigating circumstances

    D. Insufficient aggravating circumstances

14. Anferny is 15 years old and has been suspected of carrying drugs into a music festival. Police intend to strip search them.

On what grounds can Anferny resist this search?

A. A responsible adult must be present.

B. Police need a warrant to conduct a strip search.

C. The police officer is of the same gender as them.

D. A sniffer dog has not given a positive indication of drugs.

15. Australian tourists have been accused of trafficking large amounts of drugs out of Thailand. Why would the Australian Federal Police (AFP) investigate this matter?

A. Because the matter is a crime against humanity which took place in Australia.

B. Because the matter is a crime against humanity which involves Australian citizens.

C. Because the matter is a transnational crime which took place in Australia.

D. Because the matter is a transnational crime which involves Australian citizens.

16. What is an argument in favour of a Charter of Rights?

A. It would emphasise responsibilities over right.

B. It would decrease the power of judges on social issues.

C. It would bring Australia in line with other Western democracies.

D. It would prevent the law from being reactionary to changes in society.

17. Kate seeks to rely on the defence of mental illness for her manslaughter trial.

How would this influence the trial process?

A. Kate must prove her mental illness on the balance of probabilities.

B. The case must immediately be conducted as a judge alone trial.

C. The defence can only be used if a doctor has assessed Kate and confirmed the illness.

D. The judge must instruct the jury how to interpret evidence presented by medical professionals.

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18. Under which circumstances would a majority verdict be allowed under NSW legislation?

A. If a juror conducts their own investigation.

B. After a 3 day period of deliberation by the jury.

C. When the jury has reached a unanimous verdict.

D. When eight of the jurors agree on a verdict but the others do not.

19. Which statement below is true regarding the criminal investigation process?

A. The police can conduct a search of a minor at any time if they believe they have committed a crime.

B. Any individual that the police arrest can be held for an indefinite period of time while they gather evidence.

C. The purpose of a magistrate granting bail is to allow the individual to prepare their case for trial and protect the presumption of innocence.

D. The purpose of a magistrate placing an individual on remand is to protect the community and victims and protect the presumption of innocence.

Use the following information to answer Question 20.

Ken has been charged with murder. His defence of extreme provocation was successful. Ken was then convicted of manslaughter. During sentencing he demonstrated no remorse for his actions. He received a sentence of 2 years.

20. This matter is most likely to be appealed by

A. Ken, against the conviction.

B. Ken, as extreme provocation is a complete defence.

C. The DPP as the sentence does not reflect the severity of the crime.

D. The DPP as the judge did not consider the aggravating factors of the crime.

End of Section I

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Student Number

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Legal Studies

Section II Answer Booklet

30 marks
Attempt Questions 21 - 25
Allow about 1 hour for this section

Instructions:

- Write your Student Number on all answer pages
- Use this booklet for Section II ONLY
- Answer BOTH Part A and Part B
- Extra writing space is provided on page 13. If you are using this space, clearly indicate which question you are answering.

Please turn over

Student Number

Section II

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 response.

Question 21 (2 marks)

Outline the role of common law in protecting human rights in Australia.

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Question 22 (2 marks)

Why is the right to education important?

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Question 23 (5 marks)

> Australia has made commitments under international law. It is not enough to say that we comply with most of these obligations, we must uphold international law as a priority.
>
> *Penny Wong, Minister for Foreign Affairs*

How effectively have international human rights documents been incorporated into domestic Australian law? Refer to the statement above to support your response.

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Student Number

Question 24 (6 marks)

To what extent has law reform effectively enforced rights in the international community?

Refer to ONE contemporary human rights issue in your response.

End of Section II Part A

Student Number

Section II Part A— 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)

> The courts' role is to interpret laws to arrive at not only an equitable outcome, but a fair one. Any limitation of discretion in the system will undermine the achievement of justice.
>
> Law Society of NSW - Press Release (2018)

With reference to the statement above, assess the role of discretion in the criminal justice system.

End of Section II

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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 both questions in the 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 processes achieve just outcomes for consumers requiring redress?

OR

(b) Assess the range of different remedies available to consumers.

Question 27 – Global Environmental Protection (25 marks)

(a) To what extent legal process achieve just outcomes in promoting environmental protection?

OR

(b) Assess the role of state sovereignty in assisting and impeding the resolution of global protection issues.

Question 28 - Family (25 marks)

(a) To what extent do legal processes during relationship breakdown achieve just outcomes for vulnerable family members?

OR

(b) Evaluate the effectiveness of reforms in the family law system to address issues of non-compliance.

Question 29 – Indigenous peoples (25 marks)

(a) To what extent has the law responded to the difficulties faced by Indigenous peoples in determining their own future?

OR

(b) Assess the role of state sovereignty in assisting and impeding the recognition of the rights of Indigenous peoples.

Question 30 - Shelter (25 marks)

(a) To what extent have state and federal governments responded to the needs of those seeking shelter?

OR

(b) Assess the legal protection and remedies associated with seeking shelter.

Question 31 - Workplace (25 marks)

(a) To what extent has the law responded to the changing nature of the workplace?

OR

(b) Assess the legal framework which provides for rights in the workplace.

Question 32 – World Order (25 marks)

(a) To what extent does state sovereignty impede the achievement of world order?

OR

(b) Evaluate the effectiveness of the Responsibility to Protect as a mechanism to address issues of non-compliance.

End of Paper