Student Number: ……. Teacher: …….

Baulkham Hills High School

Trial Examination

Higher School Certificate

2018

Legal Studies

General Instructions

- Reading time, 5 minutes
- Working time, 3 hours
- Write using black pen
- Attempt all questions
- Write your candidate number and teacher's name in the spaces indicated

Total Marks: 100

Section I [pages 2-5]
20 marks

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

Section II [pages 6 - 10]
30 marks

This section has TWO parts
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 11 - 13]
50 marks

- Attempt TWO questions from Questions 25-31
- 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. Which of the following elements must be present for a murder charge to be proven?

   A. Mens rea
   B. Actus reus
   C. Causation
   D. All of the above

2. VZ has been arrested for malicious wounding. Which of the following categories of crime does this offence come under?

   A. Offences against the person
   B. Economic offence
   C. Offences against the sovereign
   D. Drug Offence

3. In which court are summary offences usually heard?

   A. High Court
   B. Local Court
   C. District Court
   D. Supreme Court

4. The power to domestically enforce an international human rights treaty is found in which part of the Australian Constitution?

   A. Section 43 Part (XII)
   B. Section 51(Part IX)
   C. Section 51 (Part XXIX)
   D. Section 51 (Part XXX)

5. What is the main purpose of the *Young Offenders Act 1997*?

   A. Retribution
   B. Rehabilitation
   C. Deterrence
   D. Incapacitation

6. Which of the following powers does the Coroner NOT possess?

   A. Prosecute individuals
   B. Investigate preventable deaths
   C. Investigate suspicious deaths
   D. Subpoena witnesses

7. What type of law in Australia best protects the right to vote?

   A. Common law
   B. Customary law
   C. International law
   D. Constitutional law

8. Under what conditions can a police officer legally search a person?

   A. The police officer knows that the person is a criminal
   B. The police officer wants to harass a person
   C. The police officer believes that the person may be carrying a weapon or drug
   D. The police officer believes that the person has been in prison

9. What type of right is the right to free speech?

   A. A collective right
   B. An individual right
   C. A peace right
   D. An environmental right

10. What is the term given for the crime where individuals or groups intend to overthrow the government by illegal means?

    A. Sedition
    B. Treason
    C. Affray
    D. Riot

11. EA is attacked by a group of males wielding weapons. During the struggle EA kills one of the offenders. What is the most appropriate legal defence to this homicide?

    A. Provocation
    B. Diminished responsibility
    C. Automatism
    D. Self defence

12. Who may apply to the Supreme Court for a Continuing Detention Order (CDO)?

    A. The victim
    B. NSW Police
    C. The Attorney General
    D. The offender

13. Which of the following legal documents allows police to enter a dwelling?

    A. A summons
    B. An affidavit
    C. A subpoena
    D. A warrant

14. What is an essential element for a person to be granted bail?

    A. Remorse
    B. Show cause
    C. Plead guilty
    D. Agree to be willing to attend counselling

15. Which of the following bodies can prosecute human rights offenders?

    A. International Court of Justice
    B. Permanent Court of Arbitration
    C. International Criminal Court
    D. Security Council

16. EZ has shown no remorse after being convicted of committing a crime where weapons were used and the victim was very old. What would these factors would be considered as?

    A. Aggravating factors
    B. Mitigating factors
    C. Guilty factors
    D. Minor factors

17. Which of the following involves judicial discretion?

    A. Mandatory sentences
    B. Standard of proof
    C. Sentencing and punishment
    D. Charge negotiation

18. The term *universal suffrage* refers to?

    A. The right to a fair trial
    B. The right to vote
    C. The right to self determination
    D. The right to marriage

19. KA has been sentenced to 4 years in prison for assault causing grievous bodily harm. He is released after serving 3 years and 2 months. What is the term given to this early release?

    A. Bail
    B. Continuing Detention
    C. Deportation
    D. Parole

20. What is the main purpose of the imposition of a sentence of life imprisonment?

    A. Incapacitation
    B. Rehabilitation
    C. Deterrence
    D. Restorative justice

End of Section I

Section II
30 marks
Allow about 1 hour for this section

Part A – Human Rights
15 marks
Attempt Question 21-24

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

Question 21 (3 marks) **3**

Describe the role of the United Nations in promoting Human Rights.

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Part A continued on page 7

Question 22 (5 marks) **5**

Using an example, explain how Australian law reflects international human rights documents.

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Part A continued on page 8

Question 23 (7 marks) **7**

Using ONE contemporary issue, assess the impact of legal and non legal responses to enforce human rights globally.

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End of Section II Part A

Turn over for Section II Part B

Section II continued

Part B – Crime
15 marks
Attempt Question 24

Answer the question in the writing booklet provided. Extra writing booklets are available.
Write your student number and teacher's name at the top of each writing booklet.

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 reports, international instruments and documents
- present a sustained, logical and cohesive response

Question 24 (15 marks) **15**

Discuss the effectiveness of the criminal investigation process in achieving justice for individuals and society.

Please turn over

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.
Clearly indicate the number of the question you are attempting.
Write your student number and teacher's name at the top of each writing booklet.

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 reports, international instruments and documents
- present a sustained, logical and cohesive response

Question 25 – Consumers (25 marks)

(a) Evaluate the effectiveness of legal and non legal response to consumer protection issues involving innovations and technology. **25**

OR

(b) Discuss the extent to which law reform has promoted the interests of consumers in Australian consumer law. **25**

Question 26 – Global Environmental Protection (25 marks)

(a) Assess the extent to which Australian domestic law enforces international environmental law obligations. **25**

OR

(b) Evaluate the effectiveness of legal responses to global environmental protection with reference to at least ONE contemporary issue. **25**

Please turn over

Question 27 – Family (25 marks)

(a) To what extent is law reform effective in enforcing legal responsibilities in relation to family members? **25**

OR

(b) Evaluate the effectiveness of legal responses to at least ONE contemporary issues concerning family law. **25**

Question 28 – Indigenous Peoples (25 marks)

(a) To what extent is law reform effective when recognising and enforcing the rights of Indigenous people? **25**

OR

(b) Evaluate the effectiveness of legal responses to issues concerning indigenous peoples using at least ONE contemporary issue. **25**

Question 29 – Shelter (25 marks)

(a) To what extent is law reform effective when enforcing legal responsibilities in relation to those seeking shelter?

OR

(b) Evaluate the effectiveness of legal responses to at least ONE contemporary issue concerning shelter.

Please turn over

Question 30 - Workplace (25 marks)

(a) To what extent is law reform effective in recognising rights and enforcing legal responsibilities in the workplace? **25**

OR

(b) Evaluate the effectiveness of legal responses to at least ONE contemporary issue concerning the workplace. **25**

Question 31 – World Order (25 marks)

(a) To what extent are international institutions successful in promoting and enforcing world order? **25**

OR

(b) Evaluate the effectiveness of legal responses to least ONE contemporary issue concerning world order. **25**

End of Paper

Student Number: ..... Teacher: .....

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Section I – Multiple Choice Answer Sheet (20 marks)

Select the alternative A, B, C or D that best answers the question. Fill in the response oval completely.

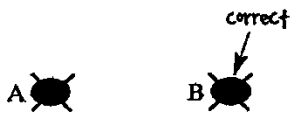
Sample: 2 + 4 = (A) 2 (B) 6 (C) 8 (D) 9

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 the correct answer by writing the word correct and drawing an arrow as follows.



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○