Student number: _____

LEGAL STUDIES
TRIAL HSC EXAMINATION
2013
(6 A4 Booklets required)

Total Marks 100

Section 1 20 marks
- Attempt Questions 1-20
- Answer on the blue multiple choice answer sheet
- Allow about 30 minutes for this section

Section II 30 marks
- This section has two parts, A and B
- Allow about 60 minutes for this section

Part A 15 marks
- Attempt Questions 21-24
- Answer in the **Examination** Booklet

Part B 15 marks
- Attempt Question 25
- Answer in a **separate** writing booklet

Section III 50 marks
- Attempt Question 26 **AND** Question 27
- Allow about one hour and 30 minutes for this section
- Answer each question in a **separate** writing booklet

General Instructions

- Reading time – 5 minutes.
- Working time – 3 hours.
- Write using blue or black pen.
- Write your student number at the top of each page
- For Part B of Section II and Section III, use a separate writing booklet for each essay
- **Do not write your name or the name of your teacher**

Section 1

20 marks
Attempt questions 1-20
Allow about 30 minutes for this section

Use the blue multiple choice answer sheet for Questions 1-20

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1. Max hides Rodolfo in his holiday home after he is involved in an armed robbery. Max can be charged as?

   (A) Principal in the first degree
   (B) Principal in the second degree
   (C) Accessory before the fact
   (D) Accessory after the fact

2. Which of the following is a treaty that enshrines human rights?

   (A) Magna Carta
   (B) The Convention on the Rights of the Child
   (C) The United States Bill of Rights
   (D) The Law of the Sea

3. Which of the following best describes state sovereignty?

   (A) The right of a person to vote in a state government election
   (B) The right of a group of people to determine its own future
   (C) The right of a state to make laws for its citizens
   (D) The right of a person to vote in a federal government election

4. Penelope was speeding on her new Honda 125cc motorbike and was stopped by a male police officer who decided not to issue a speeding ticket. What feature of the legal system does this scenario demonstrate?

   (A) Police discretion
   (B) Alternative dispute resolution
   (C) Natural injustice
   (D) Natural justice

5. Which of the following is an example of situational crime prevention?

   (A) Creating alcohol free zones to reduce alcohol related crime
   (B) Establishing social skill programs for "children at risk"
   (C) Raising the school leaving age in NSW to 17 years
   (D) Establishing parenting workshops in disadvantaged areas

6. Which of the following human rights are regarded as a collective right?

(A) Universal education
(B) Self-determination
(C) Universal suffrage
(D) Freedom from slavery

7. Selling alcohol to people under the age of 18 is an example of what type of crime?

(A) Strict liability offence
(B) Public order offence
(C) Preliminary offence
(D) Drug offence

8. Stuart, a 15 year old indigenous youth, is held in remand on drug possession charges. He is found dead in his cell the following morning. An inquest into Stuart's death will be held in what court?

(A) The Drug Court
(B) The Children's Court
(C) The Aboriginal Local Court
(D) The Coroner's Court

Using the following information answer questions 9 and 10

Juliette is the personal assistant of an international company based in Melbourne. She is charged with embezzling $250 000 from the company.

9. The **main** factors affecting Juliette's criminal behaviour are

(A) Social factors
(B) Economic factors
(C) Political factors
(D) Self-interest

10. Juliette's committal hearing will be heard in what court?

(A) The Federal Magistrates Court
(B) The Local Court
(C) The District Court
(D) The Supreme Court

11. Which group of defences below constitute complete defences in criminal charges?

(A) Self-defence, provocation and insanity
(B) Self-defence, consent and diminished responsibility
(C) Self-defence, diminished responsibility and insanity
(D) Self-defence, duress and insanity

12. Which one of the following crimes is heard by the International Criminal Court?

(A) Credit card fraud
(B) Genocide
(C) Piracy
(D) Drug smuggling

13. Which one of the following is a non-legal measure that addresses human rights issues?

(A) Investigations by the Commonwealth Ombudsman
(B) Decisions by the International Court of Justice
(C) Amendments to the NSW Constitution
(D) Published reports in the Australian media

14. What is the main aim of diversionary programs?

(A) Retribution
(B) Rehabilitation
(C) Incapacitation
(D) Deterrent

15. Extradition involves:

(A) Charging a person with the same crime in two locations
(B) A person being prosecuted in the International Criminal Court
(C) Charging a person with a transnational crime
(D) Returning a person to the jurisdiction in which they committed the crime

16. At her sentencing hearing, Helga's defence lawyer asks the judge to reduce the sentence because she is a young, single mother. This is an example of:

(A) A complete defence
(B) A partial defence
(C) Aggravating circumstances
(D) Mitigating circumstances

17. Which group of factors constitute post-sentencing decisions?

(A) Security classification, parole, level of violence used
(B) Protective custody, sexual offenders registration, parole
(C) Security classification, preventative and continued detention, age of the victim
(D) Parole, criminal record of the victim, sexual offenders registration

18. Donald pleads guilty to a lesser charge in exchange for other charges being dropped. This is known as:

(A) *Prima facie*
(B) Charge negotiation
(C) Plea bargaining
(D) Double jeopardy

19. When does an international treaty become enforceable in Australia?

(A) When Australia becomes a signatory to the treaty
(B) When the High Court of Australia ratifies the treaty
(C) When the United Nations assents to the application of the treaty in Australia
(D) When the government enacts legislation incorporating the treaty

20. What is the role of the jury in a murder trial in NSW?

(A) Rule on points of law
(B) Determine the sentence of the accused
(C) Rule on plea bargaining
(D) Determine innocence or guilt of the accused

Section II
30 marks

Allow about 60 minutes 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 (2 marks)

Identify TWO intergovernmental organisations that promote human rights.

Question 22 (2 marks)

Define the concept of universal suffrage.

Question 23 (5 mark)
With respect to a contemporary human rights issue, discuss the effectiveness of the non-legal responses to that issue.

Question 24 (6 marks)

Choose **one** of the human rights below and outline its historical development. In your response, you should refer to relevant legislation, cases and international instruments.

- Slavery
- Right to Peace
- Trade Union and Labour Rights
- Environmental Rights

Section II (continued)

Part B – Crime
15 marks
Attempt Question 25 in a separate writing booklet provided

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 25 (15 marks)

To what extent does discretion lead to a fair criminal justice system? In your response, you should discuss the impact of discretion on victims, offenders and society.

Section III – Options

50 marks
Attempt question 26 and 27

Allow 1 hour and 30 minutes for this section
Answer EACH question in a SEPARATE writing booklet, clearly labelling the question.

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- World Order (25 marks)

(A) Evaluate the effectiveness of international law in encouraging cooperation and resolving conflict in regard to world order.

Question 27- World Order (25 marks)

(B) Discuss the role of law reform in promoting and maintaining world order. In your response, you should include a discussion on a regional and global situation that threatens peace and security.

End of paper