Student Number

2017
Trial HSC Examination

Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black or blue pen
- Write your Student Number at the Top of page **8-12**, the Multiple Choice Answer Sheet and on the front cover of each writing booklet that you use.
- There is spare paper for Section II Part A on page 11.
- You may use regular Knox booklets for all essays EXCEPT World Order
- **You must complete your World Order Essay on the booklet that has the QR Code**

Total marks – 100

Section I Pages 3 - 7
20 marks

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

Section II Pages 8 – 12
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 – 23

Part B – 15 marks
- Attempt Question 24

Section III Pages 13 – 14
50 marks

- Attempt TWO questions from Questions 25 – 31, each from a different Option.
- Allow about 1 hour and 30 minutes for this section

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KNOX GRAMMAR SCHOOL

Section I

20 marks
Attempt questions 1 - 20
Allow about 30 minutes for this section
Select the best answer to the questions below on the answer sheet provided

Use the multiple choice answer sheet for Questions 1 - 20

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1. What is a limitation of a Charter of Rights embedded in the Constitution?

a) Adaptability
b) Enforceability
c) Knowledge
d) Accessibility

2. Increased police presence and a 'double demerits' policy is implemented over the long weekend.

   What type of crime prevention strategy is this?

a) Situational
b) Traffic Act
c) Social
d) Strategic

3. A woman commits an indictable offence. What is the role of the magistrate?

a) To determine the law
b) To determine the facts
c) To act impartially and guide the jury
d) To determine if there is a prima facie case

4. The right to safe working conditions, education and an adequate standard of living are classified as which of the following types of international rights?

a) civil and political rights
b) economic, social and cultural rights
c) anti-discrimination, legal and suffrage rights
d) equal opportunity and racial vilification rights

5. A man shoots his ex-partner while she is having lunch in a crowded restaurant in Circular Quay.

   Which of the following defences would result in him being convicted of manslaughter?

a) Substantial impairment
b) Mental illness
c) Negligence of restaurant owner
d) Provocation

6. Which of the following is considered a mitigating factor?

a) The victim was young
b) The offender was young
c) The offender was intoxicated
d) The crime was committed for financial gain

7. Phillip, a 17- year old P plater, has been charged drink driving.

   In which court will the matter be heard?

a) Drug Court
b) Local Court
c) Coroner's Court
d) Children's Court

8. A drug syndicate in Europe has recently been discovered with offenders operating in five different countries. INTERPOL has investigated and has recommended three men be charged. In which court will the matter be heard?

a) The European Court of Human Rights
b) The International Criminal Court
c) The International Court of Justice
d) A domestic court

9. A man is charged with conspiring to commit offences using an unregistered firearm. The police initially deny him bail and he is required to attend court to apply.

What will his legal team need to prove so he MAY get bail?

a) show cause as to why he should get bail
b) any unacceptable risk can be mitigated that would stop him from getting bail
c) his solicitor presents a case that there is no unacceptable risk for him to get bail as the offence was only preliminary
d) he can show cause why it is a denial of his procedural rights to be held on remand

10 Odette commits an offence in Australia and flees to Thailand. Which of the following statements is true in regards to the power the Australian police have?

a) The NSW police can arrest Odette if they go to Thailand
b) The NSW police cannot act due to state sovereignty
c) The NSW police will apply to the Attorney General for Odette's deportation
d) The NSW police will apply to the Attorney General for Odette's extradition

11 Adam, a 13 year old, has committed a serious assault. Which of the following statements is true?

a) Adam will not be charged due to his age
b) Adam cannot be charged with a criminal offence as he is *doli incapax*
c) The prosecution must prove that Adam was not *doli incapax* at the time of the offence
d) The defence must prove that Adam was *doli incapax* at the time of the offence

12 Of the following statements, which is TRUE in regards to unanimous verdicts in NSW?

a) Majority verdicts are allowed where it is unlikely the jury will reach a unanimous verdict after 8 hours
b) Unanimous verdicts are to be used for all serious indictable offences
c) Majority verdicts are allowed when a juror becomes ill during the trial and at the judges orders.
d) Unanimous verdicts are not used in NSW anymore.

13 In Australia, an individual's right to universal suffrage is protected by

a) an Australian Charter of Rights
b) common law
c) statute law
d) the Australian Constitution

14 After sentencing, Peter received classification of AA due to terrorism offences.

What is the purpose of this classification?

a) For security of other inmates
b) For security of the community
c) Rehabilitiation
d) Retribution

15 A defendant in court who was charged with a summary offence has now been charged with an indictable offence.

Which of the following rights will the defendant now have which she would not have had previously?

a) The right to bail
b) The right to legal aid
c) The right to a trial by jury
d) The right to a charge negotiation

16 Which of the following would NOT be a valid reason for the prosecution to enter into charge negotiation with an accused person?

a) The charge is quite severe and the accused is willing to plead guilty to a lesser charge.
b) The accused is facing a variety of different charges and it may be difficult to prove all of them.
c) The accused is willing to give up other perpetrators in exchange for a lesser charge or sentence.
d) The trial is taking longer than expected and the court needs to be freed up to hear other matters.

17 When dealing with young persons in the criminal justice system, when may police issue a caution?

a) Only if the juvenile has no official criminal history and commits a summary offence
b) Only if the juvenile apologises for the wrong-doing
c) Only when the juvenile admits to committing the offence
d) Only if the juvenile acted alone in committing the offence

18. A person has been the victim of an unlawful arrest without the right to compensation. In this example, which human rights have been denied?

a) Peace rights
b) Environmental rights
c) Civil and political rights
d) Economic, social and cultural rights

19. When are disputes over the rights of an individual within Australia best protected by international treaties?

a) When the International Court of Justice hears the dispute between the Australian Government and the individual
b) When the High Court hears the dispute after the Commonwealth Government has ratified the treaty
c) When the High Court hears the dispute after Australia has voted for the treaty in the United Nations
d) When the High Court hears the dispute after the Commonwealth Parliament has incorporated the treaty into domestic law.

20. A magistrate sentences Bernadette to attend counselling and report to a probation officer each month or she will need to return to court. What is this an example of?

a) A good behaviour bond
b) Home detention
c) Parole
d) A suspended sentence

END OF SECTION I

Legal Studies
Section II

Student Number…….

30 Marks
Allow about 60 minutes for this section

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 the response.

Question 21 (3 marks)

What role does the media play in protecting human rights? **3**

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Question 22 (5 marks)

Examine how human rights have evolved over time to reflect changing values and ethical standards. **5**

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Question 23 (7 marks)

Compare the effectiveness of domestic and international courts in ensuring compliance in relation to human rights. **7**

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Section II Spare Paper
Indicate clearly which question you are attempting

Legal Studies

Section II (continued)

Part B – Crime
15 marks
Attempt Question 24

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

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 24 (15 marks)

How effective are alternative methods of sentencing in achieving justice for victims, offenders and society?

End of Section II

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.

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 – Consumers (25 marks)

(a) To what extent do laws relating to consumers reflect changing values and ethical standards? **25**

OR

(b) Explain the role of law reform in protecting the rights of consumers. **25**

Question 26 – Global Environmental Protection (25 marks)

(a) With reference to ONE contemporary issue relating to global environmental protection, evaluate the effectiveness of legal and non-legal responses. **25**

OR

(b) How effective are legal measures in resolving conflict between the demand for resources and global environmental protection? **25**

Question 27 – Family (25 marks)

(a) How effective is law reform in responding to changing values in the community? **25**

OR

(b) Discuss the role of the law in responding to problems in family relationships. **25**

Question 28 – Indigenous Peoples (25 marks)

(a) To what extent do laws relating the rights of indigenous peoples reflect changing values and ethical standards? **25**

OR

(b) Explain the role of law reform in protecting the rights of indigenous peoples. **25**

Question 29 – Shelter (25 marks)

(a) To what extent do laws relating to shelter reflect changing values and ethical standards? **25**

OR

(b) Explain the role of law reform in protecting the rights of those seeking shelter. **25**

Question 30 – Workplace (25 marks)

(a) How effective is the law in dealing with non-compliance in the workplace? **25**

OR

(b) Discuss the role of law reform in recognising rights and enforcing responsibilities in the workplace. **25**

Question 31 – World Order (25 marks)

(a) To what extent do intergovernmental organisations promote peace and resolve conflict? **25**

OR

(b) Assess the role of international instruments in dealing with the changing nature of conflict. **25**

End of paper