VIRILE AGITUR

STUDENT NUMBER:

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2022 HSC TRIAL EXAMINATION

Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black pen
- Use the multiple-choice answer sheet provided
- Write your Student Number at the top of every writing page

Total marks – 100

Section I

20 marks
- 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 60 mins for this section

Part A – 15 marks
- Attempt questions 21-24

Part B – 15 marks
- Attempt question 25

Section III

50 marks
- Attempt two questions in total, one question from each option you have studied
- Allow about 90 mins for this section

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2022 HSC TRIAL EXAMINATION
LEGAL STUDIES

Section I

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

Use the multiple-choice answer sheet provided 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 have changed 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 ○

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

(A) Strict liability offence

(B) Preliminary Offence

(C) Young Offender offence

(D) Drug offence

Using the following information answer questions 2 and 3

Georgia is the personal assistant of an international company based in Melbourne. She is charged with embezzling $250 000 from the company to buy a luxury car.

2. The main factors affecting Georgia's criminal behaviour are:

(A) Political

(B) Economic

(C) Self-interest

(D) Genetic

3 Georgia's committal hearing will be heard in what court?

(A) Children's

(B) Local

(C) District

(D) Supreme

4 Where are trials for transnational crimes heard?

(A) International Criminal Court

(B) International Court of Justice

(C) In ad hoc tribunals

(D) In domestic courts

5 The primary role of the Australian Federal Police is to enforce

(A) Federal criminal law

(B) International criminal law

(C) State and federal criminal law

(D) International and state criminal law

6. Under recent changes to the Bail Act a defendant must 'show cause' as part of the bail application. This may result in conflict with which of the following legal principles?

(A) Double jeopardy

(B) Standard of proof

(C) Innocent till proven guilty

(D) Right to legal representation

7. Which of the following is an expressed right under the Australian Constitution?

(A) Freedom of speech

(B) Freedom of religion

(C) Right to a fair trial

(D) Freedom of political communication

8. Which of the following best ensures the protection of human rights in Australia?

(A) Ratification of an international human rights treaty

(B) A media investigation into human rights abuses occurring in Australia

(C) Enactment of Federal human rights legislation

(D) An Australian non-government organisation offering support to victims of human rights abuses

9. Which of the following statements does NOT describe the role of non-government organisations (NGO's) in protecting human rights?

(A) NGO's can assist victims of human rights abuses

(B) NGO's play a central role in enforcing human rights law

(C) NGO's use the media to name and shame human rights violators

(D) NGO's assist better compliance with human rights law by governments

10 At her sentencing hearing, Emily'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

11 What is the purpose of forfeiture of assets as a punishment?

(A) To remove the tainted proceeds of crime

(B) To pay back the victims of crime

(C) To force the offender to admit their guilt

(D) To cover the costs of enforcement

12 The Commonwealth decides to challenge new NSW legislation on immigration in the High Court. What principle is being tested?

(A) Separation of Powers

(B) Statute Law

(C) Division of Powers

(D) Procedural Referendum

13 An offender completes their 6 month jail sentence through weekend detention
What type of detention is this?

(A) Home

(B) Periodic

(C) Parole

(D) Continued

14 Extradition involves:

(A) Charging a person with a transnational crime

(B) Charging a person with the same crime in two locations

(C) A person being prosecuted in the International Criminal Court

(D) Returning a person to the jurisdiction in which they committed the crime

15 A person must have a reasonable prospect of success in their case to be eligible for legal aid.

Which of the following best describes this requirement?

(A) Merit Test

(B) Means Test

(C) Jurisdiction Test

(D) Probability Test

16 Benjamin organised a protest of angry government workers. He was arrested by the police.

Which of the following human rights has Benjamin been denied?

(A) The right to equality

(B) The right to freedom of assembly

(C) The right to join a trade union

(D) The right to freedom and security of person

17 Which of the following is an alternative to court for a young offender?

(A) Probation

(B) Caution

(C) Circle sentencing

(D) Suspended sentence

18 Which group of factors constitute post-sentencing decisions?

(A) Protective custody, sexual offenders registration, parole

(B) Security classification, parole, level of violence used

(C) Parole, criminal record of the victim, sexual offenders registration

(D) Security classification, preventative and continued detention, age of the victim

19 An Australian is caught at an international airport in Asia, attempting to smuggle drugs back to Australia.

Under which jurisdiction would the Australian be prosecuted?

(A) Australian law

(B) The International Court of Justice

(C) Foreign country law

(D) International Criminal Court

20 Which of the following best describes the term ‘treaty’?

(A) An agreement between States

(B) A verbal agreement between States

(C) A written agreement between States governed by domestic law

(D) A written agreement between States governed by international law

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2022 HSC TRIAL EXAMINATION

Legal Studies
Section II
15 marks
Allow about 1 hour for this section

Part A – Human Rights
Attempt Questions 21-24

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

Marks

Question 21 (2 marks) **2**

Define peace rights.

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Question 22 (3 marks) **3**

Justify why Australia **<u>does not</u>** need a Charter of Rights.

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Question 23 (4 marks)

Outline how the separation and division of powers protect human rights. **4**

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Question 24 (6 marks) **6**

To what extent do legal and non-legal responses protect human rights in relation to ONE contemporary issue you have studied?

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Legal Studies
Section II (Continued)
Part B - Crime
15 marks
Attempt Question 25

Answer the question below in a fresh 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 examples such as legislation, cases, media, international instruments and documents
- Present a sustained, logical and cohesive response

Question 25 (15 marks)

Assess the effectiveness of the criminal justice system in ensuring compliance.

Legal Studies

Section III - Options

50 marks

Attempt TWO question from Questions 26-32, each from a different Option

Allow 1 hour and 30 minutes for this section

Start each question in a fresh writing booklet.

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 – Consumers (25 marks)

(a) Assess the extent to which the law encourages cooperation and resolves conflict in relation to consumer redress and remedies.

OR

(b) Evaluate the effectiveness of law reform in providing protection for consumers in relation to the contemporary issue of credit and technology.

Question 27 – Global Environmental Protection (25 marks)

(a) Discuss the effectiveness of legal and non-legal measures in protecting the global environment.

OR

(b) Identify and evaluate the effectiveness of the legal system in responding to global environmental issues.

Question 28 – Family (25 marks)

(a) Assess the effectiveness of law reform in dealing with domestic violence in family relationships.

OR

(b) Examine issues of compliance and non-compliance in achieving justice for family members.

Question 29 – Indigenous Peoples (25 marks)

(a) To what extent does state sovereignty assist or impede the recognition of the rights of indigenous peoples?

OR

(b) Explain the role of the Australian federal structure in responding to the needs of indigenous peoples.

Question 30 - Shelter (25 marks)

(a) Assess the role of the legal system in protecting those securing and providing shelter.

OR

(b) To what extent has the legal system responded to the provision of social housing?

Question 31 - Workplace (25 marks)

(a) Assess the effectiveness of governmental organisations in regulating the workplace.

OR

(b) Evaluate the effectiveness of non-legal responses in responding to contemporary issues in the workplace.

Question 32- World Order (25 marks)

(a) Assess the effectiveness of legal responses to regional and global situations that threaten world order.

OR

(b) To what extent do international instruments encourage cooperation and resolve conflict in regard to world order?

End of paper