Pymble Ladies' College

2022

HIGHER SCHOOL CERTIFICATE

TRIAL EXAMINATION

Student No:

☐☐☐☐☐☐☐☐☐

Legal Studies

General Instructions

Reading Time – 5 minutes

Working Time – 3 hours

Write using black or blue pen

Write your PYMBLE examination number **CLEARLY** in the spaces provided.

Total Marks – 100

Section I Pages 2 – 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 & Part B

- Allow about 60 minutes for this section

Part A – 15 Marks

- Attempt Questions 21 – 24

Part B – 15 Marks

- Attempt Question 25

Section III Pages 13 - 16

50 Marks

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

Attempt Questions 1 – 20 on the answer sheet provided.
Select the alternative A, B, C or D that best answers the question. If you think you have made a mistake, clearly cross out the incorrect answer and fill in the new answer.

1. Which of the following is an example of a social crime prevention method?

   (A) CCTV cameras

   (B) Electronic tags on clothing

   (C) Keeping supporters of rival teams on opposite sides of the field

   (D) A domestic violence anger management course

2. During sentencing, a judge makes the following remarks to the offender: “This sentence should serve as a warning to you”

   Which purpose of punishment is the judge aiming to achieve?

   (A) Specific deterrence

   (B) General deterrence

   (C) Diversionary programs

   (D) Retribution

3. Which of the following refers to a non-parole period?

   (A) A period of imprisonment where parole cannot be granted

   (B) A non-definite period of imprisonment where parole cannot be granted

   (C) A period of imprisonment where parole can be granted

   (D) The period after the mandatory minimum sentence has been served

Use this scenario and your own knowledge to answer Question 4.

> Indiyah swung around quickly such that you thought she was going to give you a "light punch." You reacted by punching Indiyah in the face on the right-hand side. This punch proved to be fatal.

4. What category of crime is this an example of?

   (A) One punch laws

   (B) Public order offences

   (C) Offences against the person

   (D) Preliminary offences

5. Paige is convicted of armed robbery. The Director of Public Prosecutions is now seeking to have the severity of the sentence increased to better reflect community standards.

   Which court will hear the appeal?

   (A) High Court

   (B) Court of Criminal Appeal

   (C) Supreme Court

   (D) District Court

Use this source and your knowledge to answer Question 6



6. What human right is being promoted?

   (A) Universal suffrage

   (B) Climate

   (C) Peace

   (D) Environmental

7. What are police most likely to do if a crime is committed and the offender flees the country?

   (A) They will send police overseas to search for the offender

   (B) Nothing due to state sovereignty

   (C) Contact the International Criminal Court to investigate the crime

   (D) Seek an extradition order

8. Zach is offered a charge negotiation in return for information about other participants in the crime. Which of the following best explains the charge negotiation process?

   (A) All charges will be dropped and Zach will be released

   (B) Zach will plead not guilty and will be allowed to go free

   (C) Zach will plead guilty and the jury will pass sentence

   (D) Zach will plead guilty and the judge will likely pass a lesser sentence in return

9. Which of the following punishments is considered the most severe?

(A) Periodic detention

(B) Community Corrections Order

(C) Conditional Release Order

(D) Intensive Corrections Order

10. Which of the following best protects young people during the criminal investigation process?

(A) A specialised Children's Court

(B) Having free access to Legal Aid until 21 years old

(C) A support person must be present during interrogation

(D) The prosecution can rebut *doli incapax*

11. Is the International Covenant on Civil and Political Rights enforceable?

(A) No. It is a guideline document for nation states to follow

(B) No. It only applies to those states who have signed the UDHR.

(C) Yes. Nation states are required to sign and ratify it

(D) Yes. It can be enforced as it applies to all states who have signed and ratified it

12. Afia is not an Australian citizen. She has finished a 2-year prison sentence in a NSW jail.

Which of the following is true?

(A) Afia cannot be deported

(B) The NSW Parliament must authorise Afia's deportation

(C) The Minister for Immigration can order Afia's deportation

(D) Afia must agree to be deported

13. 20-year-old Luca is facing court on a charge of car theft.

Can the Children's Court hear this matter?

(A) No. Luca is 20 years old

(B) No, unless he pleads guilty

(C) Yes, if he was under 18 at the time the offence was committed

(D) Yes, because Luca was living with his parents at the time of the offence

14. Human rights are said to be inherent.

What is the meaning of this?

(A) That human rights exist from birth

(B) That human rights apply to everyone

(C) That human rights cannot be taken away

(D) That no human right is more important than any other

15. Which of the following elements of the criminal investigation process is in the correct order (first to last)?

(A) Arrest, gathering evidence, bail, charge

(B) Reporting, gathering evidence, charge, bail

(C) Charge, arrest, gathering evidence, bail

(D) Search, interrogation, bail, arrest

16. Which of the following statements is true about a jury's verdict?

(A) A jury must return a unanimous verdict

(B) Only 10 of the 12 jurors have to agree with the verdict

(C) A jury can return a majority verdict after 8 hours of deliberation.

(D) A judge must direct that a majority verdict is possible before the jury retires

17. Remi raises evidence at his trial for manslaughter that he has a mental illness.

How would this defence be dealt with in court?

(A) Remi must prove it on the balance of probabilities

(B) The evidence could only be used if the Prosecution agrees

(C) The judge must give the jury a warning that the evidence may not be reliable

(D) The Prosecution would only have to prove the *mens rea* on the balance of probabilities

18. Which of the following is an example of a collective right?

(A) The right to join a trade union

(B) Self determination

(C) The right to vote

(D) The right to education

19. Jay is 15 years old and has been suspected of carrying drugs into a music festival. Police intend to conduct a strip search.

Does Jay have the right to resist a strip search?

(A) Yes, a responsible adult must be present

(B) Yes, police need a warrant to conduct a strip search

(C) No, he must follow the orders of the police officer

(D) No, NSW police can conduct strip searches at any time

20. Davide has been fired from his job without reason.

Which is true regarding his labour rights?

(A) Davide's trade union has the power to enforce his human rights

(B) Davide's trade union can further his interests but has no legal power

(C) The International Labour Organisation governs Davide's workplace rights

(D) The Universal Declaration of Human Rights ensures that Davide will get his job back.

Student No: ☐☐☐☐☐☐☐☐☐

2022 HIGHER SCHOOL CERTIFICATE TRIAL EXAMINATION

LEGAL STUDIES

Section II
30 marks
Allow about 60 minutes for this section

Part A – Human Rights
15 marks
Attempt Questions 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 features of human rights.

Question 22 (2 marks)

Define and provide an example of an economic right.

Question 23 (3 marks)

Using an example, outline the contribution of the *International Covenant on Civil and Political Rights* to the development of human rights.

Question 24 (8 marks)

Evaluate the effectiveness of state sovereignty in promoting and enforcing human rights.

LEGAL STUDIES

Section II (continued)
Part B - Crime
15 marks
Attempt Question 25

Answer the question in a new writing booklet. Extra writing booklets or paper 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 (15 marks)

"The presumption of innocence and other aspects of the trial process, make it too difficult for a guilty offender to be convicted"

Discuss this statement in relation to the NSW criminal trial process.

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LEGAL STUDIES

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 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 26 – Consumers (25 marks)

a) How effective is the regulation of consumer contracts in protecting consumer rights?

OR

b) With reference to contemporary issues, assess the extent to which consumer law initiates and responds to change.

Question 27 – Global Environment (25 marks)

a) Evaluate the effectiveness of Australia's federal structure in responding to conflict between the demand for resources and global environment protection.

OR

b) To what extent have legal and non-legal measures been effective in protecting the global environment? In your response you must refer to a contemporary issue concerning the global environment.

Question 28 – Family (25 marks)

a) Evaluate the role of the legal system encouraging cooperation and resolving conflict regarding the care and protection of children and another contemporary issue.

OR

b) Assess the effectiveness of law reform in addressing issues faced by families in the 21st century.

Question 29 – Indigenous Peoples (25 marks)

a) Evaluate the contribution of Australia's federal structure in responding to the needs of Indigenous peoples.

OR

b) How effective has the legal system been in encouraging cooperation and resolving conflict in regard to contemporary issues concerning indigenous peoples?

Question 30 – Shelter (25 marks)

a) To what extent has the government achieved justice for individuals seeking shelter?

OR

b) Evaluate the effectiveness of legal and non-legal responses in relation to the issue of homelessness in Australia.

Question 31 – Workplace (25 marks)

a) To what extent have legal responses been effective in enforcing employer responsibilities?

OR

b) Assess the role of law reform in achieving justice in the workplace. Refer to TWO contemporary issues in your response.

Question 32 – World Order (25 marks)

a) Evaluate the effectiveness of legal and non-legal responses to the changing nature of world order.

OR

b) Assess the effectiveness of global cooperation in achieving world order. In your response, refer to regional and global situations that threaten peace and security and another contemporary issue.