SYDNEY TECHNICAL HIGH SCHOOL

2021

Higher School Certificate

TRIAL EXAMINATION

Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- **Handwriting:** use black pen, clearly label question number and option, DO NOT write in the margins.
- **Typing:** Use the space and word counts provided.

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 & Part B

- Allow about 1 hour for this section
- Write/type in space provided

Part A – 15 marks

- Attempt Questions 21-23

Part B – 15 marks

- Attempt Question 24
- ***NESA recommends 600-800 words.***

Section III **50 marks**

- Attempt TWO questions from one each from **Consumers** and **Workplace**
- Allow about 1 hour and 30 minutes for this section
- ***NESA recommends 1000-1200 words for EACH 25 mark response.***

MULTIPLE CHOICE ANSWER SHEET

1.	**A** O	**B** O	**C** O	**D** O
2.	**A** O	**B** O	**C** O	**D** O
3.	**A** O	**B** O	**C** O	**D** O
4.	**A** O	**B** O	**C** O	**D** O
5.	**A** O	**B** O	**C** O	**D** O
6.	**A** O	**B** O	**C** O	**D** O
7.	**A** O	**B** O	**C** O	**D** O
8.	**A** O	**B** O	**C** O	**D** O
9.	**A** O	**B** O	**C** O	**D** O
10.	**A** O	**B** O	**C** O	**D** O
11.	**A** O	**B** O	**C** O	**D** O
12.	**A** O	**B** O	**C** O	**D** O
13.	**A** O	**B** O	**C** O	**D** O
14.	**A** O	**B** O	**C** O	**D** O
15.	**A** O	**B** O	**C** O	**D** O
16.	**A** O	**B** O	**C** O	**D** O
17.	**A** O	**B** O	**C** O	**D** O
18.	**A** O	**B** O	**C** O	**D** O
19.	**A** O	**B** O	**C** O	**D** O
20.	**A** O	**B** O	**C** O	**D** O

Section 1.
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. Julie, an unemployed single mother, bashes a 90 year old lady and steals her wallet.

What is an aggravating factor in sentencing Julie?

A. Julie's economic circumstances
B. Julie's mental capacity
C. The age of the victim
D. The age of Julie's children

2. Harry is charged with murder.

What court has original jurisdiction in hearing this case ?

A. Supreme Court
B. Local Court
C. District Court
D. Supreme Court of Appeal

3. Under what process can South Australia Police return Kevin to NSW to face charges of extortion?

A. Plea bargaining
B. Arrest
C. Co-operation between states
D. Extradition

4. The Universal Declaration of Human Rights is an example of which of the following?

A. International customary law
B. Statute law
C. International treaty
D. International statute

5. Bailey was convicted of having child pornography on his electronic devices. After being sentenced to 5 years imprisonment he was placed in isolation.

What is this an example of?

A. Post-sentencing decision
B. Pre sentencing decision
C. Punishment
D. Sentencing

6. Some Australian businesses have been underpaying their workers.

What is this a breach of?

A. The International Covenant on Civil and Political Rights
B. The International Covenant on Economic, Social and Cultural Rights
C. The constitution
D. The right to universal suffrage

7. When sentencing a child convicted of a criminal offence, what guidelines do magistrates follow?

A. Deterrence is more important than restitution
B. A fine should be imposed whenever possible
C. A child's education must never be disrupted
D. A custodial sentence as a last resort

8. What is the purpose of circle sentencing?

A. Rehabilitation of the accused
B. Reduce recidivism in Aboriginal and Torres Strait communities
C. Retribution for the victim
D. Incapacitation of convicted individuals

9. Peter is charged with murder after he hit his partner over the head with a frying pan. In the past, Peter's partner had assaulted him on numerous occasions. During his trial, Peter successfully raised a defence and was found guilty of manslaughter.

Which defence did he raise?

A. Provocation
B. Aggravation
C. Mental illness
D. Self defence

10. Which organisation has the power to prosecute ISIS for the execution of civilians in Jordan?

A. The United Nations Security Council
B. The International Court of Justice
C. The International Criminal Court
D. The International Human Rights Commission

11. What is the role of the jury in a criminal trial?

A. Ask questions of the alleged offender
B. Make suggestions about a suitable punishment
C. Decide the innocence of the alleged offender
D. Decide the guilt of the alleged offender

12. The role of the UN General Assembly is to hear which of the following cases?

A. Domestic issues under international law
B. Human right issues brought by individuals
C. Disputes between nation states
D. Challenges to the rule of law by nation states

13. Jimmy hacks into the university computer and changes the results of his final year exams.

What type of crime did Jimmy commit?

A. Public order offence
B. Economic offence
C. Crimes against the person
D. Preliminary offence

14. Which of the following is an argument in favour of Australia having a Charter of Rights?

A. It would give the United Nations more say in Australian legislation
B. It would give better legal protection to vulnerable members of our society
C. It would balance the community's rights with their responsibilities
D. It would decrease the power of common law in the legal response to social issues

15. What is universal suffrage?

A. Right not to be exploited by sovereign states
B. Right to live in a healthy environment
C. Right to vote in government elections
D. Right to a basic level of education

16. Which of the following is an example of a transnational crime?

A. Selling sex slaves
B. Using chemical weapons
C. Using child soldiers
D. People trafficking

17. Transport NSW installs CCTV on both manned and unmanned train platforms.

What is this an example of?

A. Implementation of the Crimes Act 1900
B. Situational crime prevention
C. Government response to community demands
D. Social crime prevention

18. A NSW police officer does not issue a fine to two teenagers breaching the NSW COVID-19 stay at home laws.

What is this an example of?

A. Discretion
B. Favouritism
C. Corruption
D. Crimes against the state

19. Charles was arrested in Sydney and charged with human trafficking. In which court would this case be heard?

A. International Criminal Court
B. The Supreme Court of NSW
C. The High Court of Australia
D. The International Court of Justice

20. The police suspect Samantha of carrying a carving knife which was used in an attack. What powers of search and seizure do the police have?

A. Search Samantha and confiscate the knife if they have a warrant
B. Only search Samantha and confiscate the knife if they arrest her
C. Confiscate the knife but not search Samantha without arresting her
D. Search Samantha without a warrant and confiscate the knife

Section 11

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 (2 marks)

How is the right to education protected in Australia?

Question 22 (6 marks)

Discuss the statement 'The United Nations is no longer effective in protecting human rights'

Question 23 (7 marks)

Assess the effectiveness of the International Criminal Court in the enforcement of human rights.

Section 11

Part B – 15 marks

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

NESA recommends 600-800 words.

Question 24 (15 marks)

To what extent do criminal processes and institutions address issues of compliance and non compliance?

Section III - **Options**

50 marks
Attempt TWO questions from Questions. Each from a different Option (Consumers AND Workplace)
Allow about 1 hour and 30 minutes for this section

Use the lined paper provided OR type up your document.

NESA recommends 1000-1200 words for EACH 25 mark response.

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) How important is law reform in protecting the rights of consumers?

OR

(b) Evaluate the effectiveness of the regulation of marketing, advertising and product certification in achieving consumer protection

Question 26 - Workplace (25 marks)

(a) To what extent does the law achieve justice for workers by protecting and recognising workplace rights? Refer to TWO contemporary issues in your response.

OR

(b) "We worked like slaves and no-one cared."
Source: 7-Eleven worker, SMH 23/12/17

Assess the effectiveness of workplace laws in dealing with issues of non-compliance.