



2022 TRIAL HIGHER SCHOOL CERTIFICATE EXAMINATION

Legal Studies

General Instructions

- Reading Time - 5 minutes
- Working Time - 3 hours
- Write using black pen

Total marks: 100

Section I – 20 marks (pages 2 – 6)

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

Section II – 30 marks (pages 7 – 10)

This section has two parts, Part A & Part B

Part A – 15 Marks

- Attempt Questions 21 - 23

Part B – 15 Marks

- Attempt Question 24

Allow about 1 hour for this section.

Section III – 50 marks (pages 11 – 13)

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

Disclaimer

Every care has been taken to make this paper reflect the Higher School Certificate. However, the LSA accepts no responsibility for any differences especially due to changes in format or style of questions asked.

Section I

20 marks

Attempt questions 1 – 20

Allow about 30 minutes for this section

Use the multiple-choice answer sheet for Questions 1 – 20.

1. In which of the following does a judge have jurisdiction to hear cases?
 - A) Local Court
 - B) Coroner's Court
 - C) Children's Court
 - D) Supreme Court

2. The *Universal Declaration of Human Rights* was adopted by the United Nations
 - A) Secretariat.
 - B) Security Council.
 - C) General Assembly.
 - D) International Court of Justice.

3. Which of the following is an aggravating circumstance in a sentencing decision?
 - A) The use of a weapon
 - B) Remorse shown by the offender
 - C) The fact that the offender was young
 - D) The fact that the offender acted in self defence

4. Which of the following is an example of a crime against the international community?
 - A) Slavery
 - B) Human trafficking
 - C) People smuggling
 - D) Invading a nation state

5. Which of the following describes the role of the jury in a criminal trial?
 - A) To make findings of fact
 - B) To provide unsworn evidence
 - C) To determine which evidence is admissible
 - D) To cross examine the victim on the victim impact statement

6. Riley had been drinking and, while being driven home, was swearing at people out of the car window. The driver was stopped by police and Riley was issued a fine for using offensive language.

Into which category of crime does this offence fall?

- A) Drug
 - B) Driving
 - C) Economic
 - D) Public order
7. Human rights are described as *inherent*. This means that these rights
- A) apply to everyone regardless of race, sex and religion.
 - B) apply to all humans because they are human.
 - C) are connected and indivisible.
 - D) cannot be taken away.
8. Why are young offenders treated differently to adult offenders in the criminal justice system?
- A) It is required by international law.
 - B) Young offenders do not reoffend as often as adults.
 - C) The offences they commit are usually not as serious.
 - D) They are less likely to understand the consequences of their actions.
9. In sentencing an adult offender, a judge states that the punishment is ‘justified as an appropriate moral response to an offence’.

Which purpose of punishment is indicated by this statement?

- A) Deterrence
 - B) Incapacitation
 - C) Rehabilitation
 - D) Retribution
10. George is being prosecuted for a robbery in NSW. George gives evidence that he was in Victoria at the time of the offence.

Which of the following does this evidence challenge?

- A) *Mens rea*
- B) Causation
- C) *Actus reus*
- D) *Doli incapax*

11. Which of the following rights is recognised in the *International Covenant on Economic Social and Cultural Rights*?

- A) The right to vote
- B) The right to work
- C) The right to protest
- D) Freedom from torture

12. Which of the following is true about the role of legal representation in a criminal trial in NSW?

- A) Legal representation is provided to anyone accused of a criminal offence.
- B) Only defendants who plead not guilty are entitled to legal representation.
- C) Legal representation is an important feature of a fair trial for the defendant.
- D) It has been established that a defendant has an automatic right to legal representation.

13. A person is convicted of a transnational crime in the Federal Court. The person wishes to have this conviction reviewed.

Which court would the person go to?

- A) Drug Court
- B) High Court
- C) Supreme Court
- D) Court of Criminal Appeal

14. Human Rights Watch recently reported that Government officials detained environmentalists and protesters, preventing them from attending events.

Which type of human right has been violated?

- A) Civil
- B) Cultural
- C) Economic
- D) Social

15. 17-year-old Kim's licence was suspended following a speeding offence. A month later, Kim was caught driving without a licence.

In which court will Kim be required to appear?

- A) Children's
- B) District
- C) Local
- D) Supreme

16. Robbie is a foreign national who has entered Australia.

Which of the following is true?

- A) Robbie can be deported for any reason.
- B) The immigration minister has no power to deport Robbie.
- C) Robbie can be deported if found guilty of a serious indictable offence.
- D) The decision about whether or not to deport Robbie is made by the Attorney General.

17. Why is the reporting of crime an important part of the criminal investigation process?

- A) More crimes are reported than unreported.
- B) An unreported crime may not be investigated.
- C) It is the only way police know that a crime has been committed.
- D) It helps police to know how many crimes are occurring in a particular area.

18. The enactment of the *Modern Slavery Act 2018* (Cth) is an example of

- A) judicial exercise of the separation of powers.
- B) the incorporation of human rights into domestic law.
- C) Constitutional recognition of human rights in Australia.
- D) the importance of the division of powers in the Constitution.

19. 13-year-old Jamie, a first-time offender, is required to attend the Children's Court to answer a criminal charge.

Which of the following is true in relation to the proceedings?

- A) The court is required to record a conviction.
- B) The court will issue a control order as punishment.
- C) The principle of *doli incapax* will apply but it is rebuttable.
- D) The *Convention on the Rights of the Child* prevents Jamie from being convicted.

20. Why does a judge consider aggravating and mitigating factors when sentencing a convicted offender?

- A) It is required by statute law.
- B) It is common sense to do so.
- C) It ensures justice is achieved.
- D) It gives the jury more information.

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2022 TRIAL HIGHER SCHOOL CERTIFICATE EXAMINATION

Legal Studies

Section II

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)

Outline the evolving recognition of universal education as a human right.

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Question 22 (5 marks)

Explain the role of ONE international court in the protection of human rights.

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Question 23 (7 marks)

How effective is the Australian Constitution in promoting and enforcing human rights?

Legal Studies

Section II (continued)

Part B – Crime

15 marks

Attempt Question 24

Answer the question in a writing booklet or on paper provided. Extra writing booklets or paper are available.

Your answers 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)

“There is a clear interrelationship between society and the legal system.”

Assess this statement with reference to aspects of the criminal justice system.

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.

Your answers 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) The main focus of consumer law is the regulation of businesses.

Discuss the accuracy of this statement.

OR

- b) To what extent does the law initiate and respond to change in relation to recognising the rights of consumers?

Question 26 – Global Environmental Protection (25 marks)

- a) The main focus of global environmental protection law is the achievement of intergenerational equity.

Discuss the accuracy of this statement.

OR

- b) To what extent does the law initiate and respond to change in relation to protecting the global environment?

Question 27 – Family (25 marks)

- a) The main focus of family law is the protection of children.

Discuss the accuracy of this statement.

OR

- b) To what extent does the law initiate and respond to change in relation to achieving just outcomes for family members?

Question 28 – Indigenous Peoples (25 marks)

- a) The main focus of law relating to indigenous peoples is the achievement of self-determination.

Discuss the accuracy of this statement.

OR

- b) To what extent does the law initiate and respond to change in relation to recognising the rights of indigenous peoples?

Question 29 – Shelter (25 marks)

- a) The main focus of law relating to shelter is the protection of those seeking shelter.

Discuss the accuracy of this statement.

OR

- b) To what extent does the law initiate and respond to change in relation to protecting the rights of those seeking shelter?

Question 30 – Workplace (25 marks)

- a) The main focus of workplace law is the resolution of disputes.

Discuss the accuracy of this statement.

OR

- b) To what extent does the law initiate and respond to change in relation to recognising rights and enforcing responsibilities in the workplace?

Question 31 – World Order (25 marks)

- a) The main focus of law relating to world order is the resolution of conflict.

Discuss the accuracy of this statement.

OR

- b) To what extent does the law initiate and respond to change in relation to promoting and maintaining world order?

End of paper

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**TRIAL HSC EXAMINATION
LEGAL STUDIES
2022
MULTIPLE CHOICE ANSWER SHEET**

Select the best answer.

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