

Victorian Certificate of Education  
2020

SUPERVISOR TO ATTACH PROCESSING LABEL HERE

STUDENT NUMBER

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## LEGAL STUDIES

### Written examination

Monday 23 November 2020

Reading time: 2.00 pm to 2.15 pm (15 minutes)

Writing time: 2.15 pm to 4.15 pm (2 hours)

### QUESTION AND ANSWER BOOK

#### Structure of book

<i>Section</i>	<i>Number of questions</i>	<i>Number of questions to be answered</i>	<i>Number of marks</i>
A	8	8	40
B	2	2	40
			Total 80

- Students are permitted to bring into the examination room: pens, pencils, highlighters, erasers, sharpeners and rulers.
- Students are NOT permitted to bring into the examination room: blank sheets of paper and/or correction fluid/tape.
- No calculator is allowed in this examination.

#### Materials supplied

- Question and answer book of 28 pages
- Additional space is available at the end of the book if you need extra space to complete an answer.

#### Instructions

- Write your **student number** in the space provided above on this page.
- All written responses must be in English.

**Students are NOT permitted to bring mobile phones and/or any other unauthorised electronic devices into the examination room.**

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**SECTION A**

**Instructions for Section A**

Answer **all** questions in the spaces provided.

**Question 1** (2 marks)

Describe **one** role of community legal centres in assisting an accused.

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**Question 2** (2 marks)

Outline how a victim impact statement is used when determining a sentence.

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**Question 5 (6 marks)**

Adrian entered into a contract to sell his car to Maria. When the time came to deliver the car, Adrian told Maria that he had changed his mind and he was not going to fulfil his part of the contract.

Maria initiated civil action against Adrian. She sued him and the matter proceeded straight to the Supreme Court. The judge did not have the power to order the case to go to mediation. The burden of proof lay with Adrian to prove that he had not breached the contract with Maria. He was found guilty.

Identify three errors in the scenario above and, for each error, explain the correct civil process or procedure that should have occurred.

Error 1 \_\_\_\_\_

Correct civil process/procedure \_\_\_\_\_

Error 2 \_\_\_\_\_

Correct civil process/procedure \_\_\_\_\_

Error 3 \_\_\_\_\_

Correct civil process/procedure \_\_\_\_\_

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**SECTION A – continued  
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**SECTION B – continued  
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**Question 2** (17 marks)**Introduction**

The school strikes for climate are demonstrations that have taken place globally since 2018. In Australia, the School Strike 4 Climate organisation consists of school students and their supporters who strike from school ‘to tell our politicians to take our futures seriously and treat climate change for what it is: a crisis’. Their demands include no new coal, oil and gas projects, 100% renewable energy generation and exports by 2030, and funding of a just transition and job creation for all fossil fuel workers and communities.

Source: quotation from School Strike 4 Climate Australia, <[www.schoolstrike4climate.com](http://www.schoolstrike4climate.com)>

**Source 1**

The following is an extract from an article published in *The Guardian* on 20 September 2019.

Hundreds of thousands of Australians took to the streets on Friday as they called for greater action on the climate emergency in more than 100 cities and towns across the country.

Organisers of the school strike for climate claimed about 300 000 people attended dozens of rallies, including an estimated 100 000 in Melbourne and 80 000 in Sydney ...

‘I fight for climate justice because everyone deserves a safe future,’ [a] 17-year-old student ... told a crowd that spilled out of a Melbourne park and into the city streets. ‘The government is not supporting it yet, but together we will change that.’

Source: L Henriques-Gomes, with H Davidson, L Cox, B Smee and N Zhou, ‘Hundreds of thousands attend school climate strike rallies across Australia’, *The Guardian*, 20 September 2019, <[www.theguardian.com](http://www.theguardian.com)>

**Source 2**

The following is an extract from independent Member of Parliament (MP) Zali Steggall’s proposed Climate Change (National Framework for Adaptation and Mitigation) Bill 2020.

The objects of this Act are to establish a framework to address the challenge of climate change, including by doing the following:

- (a) setting a target for achieving net zero greenhouse gas emissions by the year 2050;
- (b) providing for a system of emissions budgeting;
- (c) assessing the risk and preparing for climate change impacts;
- (d) building the resilience of the national economy to climate change;
- (e) establishing an independent body to ensure accountable and transparent plans to manage the climate challenge;
- (f) to assist and guide the taking of action by government and the community to reduce emissions in order to meet Australia’s obligations under any or all of the following:
  - (i) the Climate Change Convention;
  - (ii) the Kyoto Protocol;
  - (iii) the Paris Agreement;
  - (iv) any other international agreement relating to climate change.

Source: The Parliament of the Commonwealth of Australia, House of Representatives, Climate Change (National Framework for Adaptation and Mitigation) Bill 2020; from Climate Act Now, <<https://climateactnow.com.au>>







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**END OF QUESTION AND ANSWER BOOK**









