

# VCE Legal Studies

## Written examination – November

### Examination specifications

#### Overall conditions

The examination will be sat at a time and date to be set annually by the Victorian Curriculum and Assessment Authority. VCAA examination rules will apply. Details of these rules are published annually in the *VCE and VCAL Administrative Handbook*.

There will be 15 minutes reading time and two hours writing time.

The examination will be marked by a panel appointed by the VCAA.

The examination will contribute 50 per cent to the Study Score.

#### Content

The *VCE Legal Studies Study Design 2011–2015* is the document for the development of the examination. All outcomes of Units 3 and 4 of the *VCE Legal Studies Study Design* will be examined. All key knowledge and key skills underpinning the outcomes are examinable.

#### Format

The examination paper will remain in its current format as a question and answer book.

The examination will consist of an appropriate balance of short answer, multiple part and extended response questions.

All questions in the examination will be compulsory.

There will be one extended response question worth 10 marks at the end of the examination. There will be no choice of topics for students. This question will be drawn from Unit 3 or 4, or both.

Total marks allocated for the examination will be 70.

The examination paper may include questions which refer to stimulus materials such as newspaper articles, extracts from reports or case study material.

#### Advice

During the 2011–2015 accreditation period for VCE Legal Studies, examinations will be prepared according to the examination specifications above. Each examination will conform to these specifications and will test a representative sample of key knowledge and key skills.

The following sample questions focus on new content in the *VCE Legal Studies Study Design* and provide an indication of the types of questions that teachers and students can expect on the Legal Studies examination 2011 in these content areas. They do not constitute a full examination paper.

The VCAA does not publish answers for sample questions.

The following documents should be referred to in relation to the 2011 Legal Studies examination.

- *VCE Legal Studies Study Design and Advice to Teachers 2011–2015*
- *VCE Legal Studies Assessment Handbook 2011–2015*
- *VCAA Bulletin VCE, VCAL and VET*

## Sample questions

### Question 1

Describe the role of the Victorian Civil and Administrative Tribunal (VCAT).

2 marks

### Question 2

The Victorian Law Reform Commission (VLRC) recently completed a report on existing bail laws. One of its findings was that bail laws in Victoria needed to be simplified and streamlined.

a. Explain **one** purpose of bail.

2 marks

b. Describe the role of the Victorian Law Reform Commission in attempting to bring about a change to bail laws.

2 marks

### Question 3

Paul has filed pleadings in the Supreme Court of Victoria against his employer, claiming his employer defamed him. One of the remedies that Paul is seeking is an injunction.

a. Define the following terms.

i. pleadings

ii. injunction

2 marks

b. Discuss the extent to which an injunction may achieve its purpose in Paul's case.

3 marks

### Question 4

Select **one** case in which the High Court was called upon to decide an issue relating to the protection of rights in Australia.

a. Why would the High Court have heard this case?

1 mark

b. Explain the significance of the High Court case you have selected on the protection of rights in Australia.

4 marks

### Question 5

#### **Buses: Kilsyth**

To the Legislative Assembly of Victoria:

The petition of the residents of Kilsyth and surrounds draws to the attention of the house the urgent need for a bus service along Colchester Road, Kilsyth. It requests the house calls upon the government to address this issue immediately by funding the implementation of new Route AF, as per the recommendations report for the metropolitan bus service reviews: Knox/Maroondah/Yarra Ranges.

**By Mr HODGETT (Kilsyth) (460 signatures)**

Source: Hansard, 15 September 2010

- a. Explain the method being used by the residents of Kilsyth in the above extract to bring about a change in the law. 2 marks
- b. Evaluate the effectiveness of this method in influencing the parliament to change a law. 4 marks

### Question 6

Daniel has issued proceedings against Jessica in the County Court. Jessica has been informed that a jury will hear the case.

- a. Identify and describe **one** dispute resolution method a court could use to resolve Jessica and Daniel's dispute. 3 marks
- b. Describe **two** factors that may influence the composition of the jury in Jessica's case. 4 marks

### Question 7

A successful referendum has the ability to change the division of law-making powers in Australia. However, referendum proposals have had a low success rate since the Commonwealth Constitution was enacted in 1901.

- a. Suggest **two** reasons for the low success rate of referendum proposals. 2 marks
- b. Using **one** example of a successful referendum, analyse the impact of referendums on the division of law-making powers. 5 marks

### Question 8

A recent journal article commented that 'the Victorian Parliament has the ability to refer law-making powers to the Commonwealth Parliament'.

Explain what this statement means.

2 marks

### Question 9

Explain **one** strength and **one** weakness of judicial determination as a method of dispute resolution.

4 marks

**Question 10**

A journal article recently commented that neither courts nor the Victorian Civil and Administrative Tribunal (VCAT) operate effectively to resolve disputes.

Evaluate the way courts and VCAT operate to resolve disputes.

8 marks

**Question 11**

The Commonwealth Constitution offers Australians protection for only a limited number of rights, but these rights are protected effectively by various means within the Commonwealth Constitution.

Discuss the extent to which you agree with this statement. In your answer describe **three** means by which the Commonwealth Constitution protects rights.

10 marks