

# VCE Legal Studies 2024-2028

Implementation

Unit 3: Rights and justice

# Acknowledgement of Country

The VCAA respectfully acknowledges the Traditional Owners of Country throughout Victoria and pays respect to the ongoing living cultures of First Peoples.



# Roadmap



Unit 3 changes

A focus on some new key knowledge

Resources and support

# Key points to note

Implementation:  
1 January 2024  
(all units)

Units 1 & 2 not  
prerequisites for  
Units 3 & 4

Units 3 & 4  
taken as a  
sequence

# Unit 3 changes

# Overview of Unit 3 changes

No structural changes

Sequencing changes in Unit 3, Area of Study 2

Clarification of meaning and scope of principles of justice

Reduction in material

# Unit 3 structure

Current Study Design (2018-2023)

## Unit 3: Rights and justice

Area of Study 1	The Victorian criminal justice system
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Area of Study 2	The Victorian civil justice system
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New Study Design (2024-2028)

## Unit 3: Rights and justice

Area of Study 1	The Victorian criminal justice system
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Area of Study 2	The Victorian civil justice system
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# Area of Study 1: criminal justice system

## Outcome statement

### New Study Design (2024-2028)

On completion of this unit the student should be able to **explain the key principles in the criminal justice system, discuss the ability of sanctions to achieve their purposes and evaluate the ability of the criminal justice system to achieve the principles of justice during a criminal case.**



# Area of Study 1: criminal justice system

## Key knowledge

### New Study Design (2024-2028)

1. the distinction between summary offences and indictable offences
2. key principles of the criminal justice system, including the burden of proof, the standard of proof, and the presumption of innocence
3. the rights of an accused, including the right to be tried without unreasonable delay, the right to silence, and the right to trial by jury
4. the rights of victims, including the right to give evidence using alternative arrangements, the right to be informed about the proceedings, and the right to be informed of the likely release date of the offender

#### *The principles of justice during a criminal case*

5. the principles of justice: fairness, equality and access
6. the role of Victoria Legal Aid and Victorian community legal centres in assisting an accused and victims of crime
7. the purposes and appropriateness of plea negotiations
8. the reasons for the Victorian court hierarchy in determining criminal cases, including specialisation and appeals
9. the roles of key personnel in a criminal case, including the judge or magistrate, the jury, and the parties
10. the need for legal practitioners in a criminal case
11. the impact of costs, time and cultural differences on the achievement of the principles of justice

#### *Sentencing*

12. the purposes of sanctions: rehabilitation, punishment, deterrence (general and specific), denunciation and protection
13. fines, CCOs and imprisonment, and their specific purposes
14. factors considered in sentencing, including aggravating factors, mitigating factors, guilty pleas and victim impact statements.

# Area of Study 1: criminal justice system

## Key skills

### New Study Design (2024-2028)

1. define and use legal terminology
2. discuss, interpret and analyse legal principles and information
3. explain the rights of an accused and of victims
4. explain the roles of **Victoria Legal Aid and Victorian Community Legal Centres** in assisting an accused **and victims of crime**
5. **analyse** the roles of key personnel in a criminal **case**
6. **justify** the reasons for the Victorian court hierarchy in determining criminal cases, **including specialisation and appeals**
7. discuss the appropriateness **of plea negotiations**
8. **discuss the impact of costs, time and cultural differences on the achievement of the principles of justice during a criminal case**
9. discuss the ability of sanctions to achieve their purposes
10. evaluate the ability of the criminal justice system **to achieve the principles of justice during a criminal case [note heading]**
11. synthesise and apply legal principles and information to actual and/or hypothetical scenarios.

# Area of Study 1: criminal justice system

## Summary

### Key knowledge

1. the distinction between summary and indictable offences
2. key principles of the criminal justice system
3. the rights of an accused
4. the rights of victims

#### *The principles of justice during a criminal case*

5. the principles of justice: fairness, equality and access
6. the role of Victoria Legal Aid and Victorian CLCs
7. the purposes and appropriateness of plea negotiations
8. the reasons for the Victorian court hierarchy
9. the roles of key personnel in a criminal case
10. the need for legal practitioners in a criminal case
11. the impact of costs, time and cultural differences

#### *Sentencing*

12. the purposes of sanctions
13. fines, community correction orders and imprisonment
14. factors considered in sentencing

### Key skills

1. define and use legal terminology
2. discuss, interpret and analyse legal principles and information
3. explain the rights of an accused and of victims
4. explain the roles of Victoria Legal Aid and Victorian Community Legal Centres
5. analyse the roles of key personnel in a criminal case
6. justify the reasons for the Victorian court hierarchy
7. discuss the appropriateness of plea negotiations
8. discuss the impact of costs, time and cultural differences  
discuss the ability of sanctions to achieve their purposes
9. **evaluate the ability of the criminal justice system to achieve the principles of justice during a criminal case**
10. synthesise and apply legal principles and information to actual and/or hypothetical scenarios.

# Area of Study 2: civil justice system

## Outcome statement

### New Study Design (2024-2028)

On completion of this unit the student should be able to **explain the key principles in the civil justice system, discuss the ability of remedies to achieve their purposes** and evaluate the ability of the civil justice system to achieve the principles of justice **during a civil dispute.**

# Area of Study 2: civil justice system

## Key knowledge

### New Study Design (2024-2028)

1. key **principles** in the Victorian civil justice system, including the burden of proof and the standard of proof
  2. factors to consider before initiating a civil claim, including costs, limitation of actions and enforcement issues
- The principles of justice during a civil dispute*
3. the principles of justice: fairness, equality and access
  4. the purposes & appropriateness of methods used to resolve civil disputes, inc mediation, conciliation & arbitration
  5. the reasons for the Vic court hierarchy in determining civil disputes, including administrative convenience and appeals
  6. the **roles** of key personnel in a civil **dispute**, including the judge or magistrate (**including the role of case management**), the jury, and the parties
  7. the need for legal practitioners in a civil dispute
  8. the use of class actions to resolve civil disputes
  9. the purposes and appropriateness of institutions used to resolve disputes, including Consumer Affairs Victoria, the Victorian Civil and Administrative Tribunal **and the courts**
  10. the impact of costs and time on the ability of the civil justice system to achieve the principles of justice during a civil dispute
- Remedies*
11. damages and injunctions, and their specific purposes.

# Area of Study 2: civil justice system

## Key skills

### New Study Design (2024-2028)

1. define and use legal terminology
2. discuss, interpret and analyse legal principles and information
3. **compare** the roles of key personnel in a **criminal and civil case**
4. analyse factors to consider when initiating a civil claim
5. **justify** the reasons for the Victorian court hierarchy in determining civil disputes
6. discuss the appropriateness of **class actions**, methods and institutions used to resolve a civil dispute
7. **discuss the impact of costs and time on the achievement of the principles of justice**
8. discuss the ability of remedies to achieve their purposes
9. evaluate the ability of the civil justice system to achieve the principles of justice **during a civil dispute**
10. synthesise and apply legal principles and information to actual and/or hypothetical scenarios.

# Area of Study 2: civil justice system

## Summary

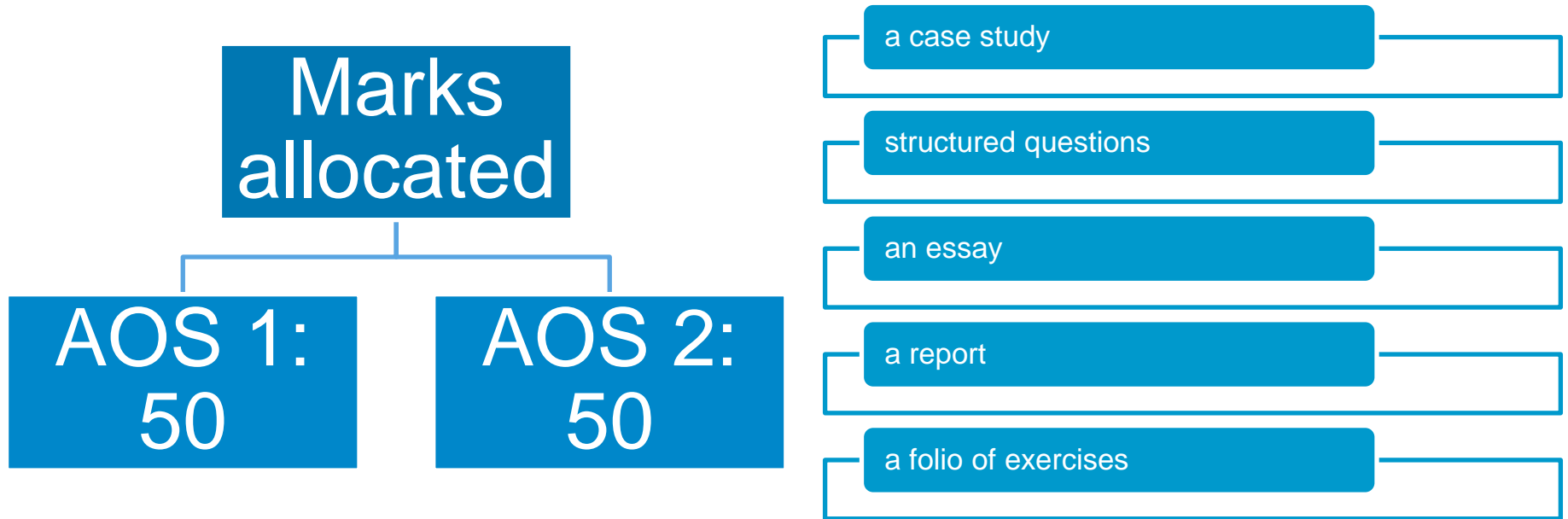
### Key knowledge

1. key principles in the Victorian civil justice system
  2. factors to consider before initiating a civil claim
- The principles of justice during a civil dispute*
3. the principles of justice: fairness, equality and access
  4. the purposes and appropriateness of methods used to resolve civil disputes
  5. the reasons for the Victorian court hierarchy
  6. the roles of key personnel in a civil dispute
  7. the need for legal practitioners in a civil dispute
  8. the use of class actions to resolve civil disputes
  9. the purposes and appropriateness of institutions used to resolve disputes
  10. the impact of costs and time
- Remedies*
11. damages and injunctions, and their specific purposes.

### Key skills

1. define and use legal terminology
2. discuss, interpret and analyse legal principles and information
3. compare the roles of key personnel in a criminal and civil case
4. analyse factors to consider when initiating a civil claim
5. justify the reasons for the Victorian court hierarchy in determining civil disputes
6. discuss the appropriateness of class actions, methods and institutions used to resolve a civil dispute
7. discuss the impact of costs and time on the achievement of the principles of justice
8. discuss the ability of remedies to achieve their purposes
9. evaluate the ability of the civil justice system to achieve the principles of justice during a civil dispute
10. synthesise and apply legal principles and information to actual and/or hypothetical scenarios.

# Weighting and assessment tasks





**A focus on some new key knowledge**

# The principles of justice

- See Unit 1 video

# VLA, CLCs and victims of crime

Types of support

Specialist CLCs dedicated to victims of crime; VLA has dedicated support services

Need to link to principles of justice

# Use of class actions

Key features of class actions

When they are and are not appropriate

Need to link to principles of justice

# Resources and support

# Proposed time allocation

Area of Study	Suggested allocation
Area of Study 1: The Victorian criminal justice system	25 hours
Area of Study 2: The Victorian civil justice system	25 hours
	<b>50 hours</b>

# Teacher resources

## Study design for implementation from 2024

Teachers are advised that the study design listed below is for use from 2024. This is available to teachers in preparation for the implementation of the new study in 2024. Additional resources will be added progressively as they become available.

### ▼ 2024 Implementation

For accreditation period 2024-2028

-  [VCE Legal Studies Study Design](#) for implementation in 2024.

<https://www.vcaa.vic.edu.au/curriculum/vce/vce-study-designs/legalstudies/Pages/Index.aspx>

# Teacher activities: coming soon

Unit 3 Area of Study 1: The Victorian criminal justice system	
Outcome 1	Examples of learning activities
<p>On completion of this unit the student should be able to explain the key concepts in the criminal justice system, discuss the ability of sanctions to achieve their purposes and evaluate the ability of the criminal justice system to achieve the principles of justice during a criminal case.</p>	<ul style="list-style-type: none"><li>• → Develop a glossary of key legal terms and definitions to be used throughout Unit 3.</li><li>• → Compile a series of news items each reporting a particular criminal case. Identify the various components that make up a criminal trial from these news reports. For example, name the court, key personnel, and charges and describe the evidence presented. Make a presentation to the class about the case.</li><li>• → Participate in a mock client interview scenario. Provide advice to a hypothetical victim or accused about what their rights might be in the scenario.</li><li>• → <b>*Detailed example* Develop a pamphlet for an accused person, providing information about the key aspects of the Victorian criminal justice system, an outline of each of the institutions available to assist them and the nature of the assistance available.</b></li><li>• → Annotate a diagram of courtroom personnel, providing information describing the roles of each personnel within the courtroom.</li><li>• → Write a letter to a hypothetical friend who is a victim of a crime providing information about their rights. Describe the procedures within a criminal trial relevant to them. Include a description of key personnel in a criminal trial and their roles. Describe what a victim impact statement is, when this is heard and how it is considered by the judge/magistrate when sentencing a person found guilty of a crime in Victoria.</li></ul>

<https://www.vcaa.vic.edu.au/curriculum/vce/vce-study-designs/legalstudies/Pages/Index.aspx>



# Q&A Webinar: 8 August 2023

## Legal Studies (2024-2028) Q&A webinar

**Date: Tuesday 08 August, 4:30 pm–6:00 pm**

A live Q&A session about VCE Legal Studies (2024-2028) as a follow up from the on-demand implementation videos posted on the VCAA website.

Email questions about the 2024-2028 VCE Legal Studies study design and assessment to [megan.jeffery@education.vic.gov.au](mailto:megan.jeffery@education.vic.gov.au).

There will also be the opportunity to ask questions during the webinar. Please watch the on-demand informative videos on the website beforehand - these will be available during July.

These webinars will be recorded and may be published on the VCAA website.

**Registrations are now open**

<https://www.vcaa.vic.edu.au/news-and-events/professional-learning/VCE/Pages/EventInformation.aspx?queryid=145>

# Contact

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