

SUPERVISOR TO ATTACH PROCESSING LABEL HERE

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LEGAL STUDIES

Written examination

Tuesday 15 November 2011

Reading time: 3.00 pm to 3.15 pm (15 minutes) Writing time: 3.15 pm to 5.15 pm (2 hours)

QUESTION AND ANSWER BOOK

Structure of book

Number of questions	Number of questions to be answered	Number of marks
13	13	70

- 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 white out liquid/tape.
- No calculator is allowed in this examination.

Materials supplied

- Question and answer book of 20 pages.
- Additional space is available at the end of the book if you need extra paper to complete an answer.

Instructions

- Write your **student number** in the space provided above on this page.
- You should make use of stimulus material where it is included. However, it is not intended that this material will provide you with all the information to fully answer the question.
- 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.

Instructions

Answer all questions in the spaces provided.

Question 1 Distinguish between exclusive and residual powers.
2 marks
Question 2 Describe one purpose of a committal hearing and explain how it can promote the timely resolution of a criminal case.

Question 3
In your opinion, would the Victorian legal system improve if there was one level of courts instead of a hierarchy?
Justify your answer.
3 marks
Question 4
Explain one recent change in the legal system designed to improve its operation.
Explain one recent change in the legal system designed to improve its operation.

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pro	e structural protection of rights in Australia is one of the means by which the Commonwealth Constitution tects rights.'						
a.	Explain the term 'structural protection'.						
	2 marks						
b.	Describe two other means by which the Commonwealth Constitution protects rights in Australia.						

a.

A former member of parliament recently commented that 'the use of the media has been effective in	n influencing
change in the law in recent times, given that parliament itself has weaknesses as a law-maker'.	

Using one example	e, explain how indivi	iduals or groups n	nay use the media	to influence legisl	ative chang

valuate two weaknesses of parliament as a law-maker.					

recent decision the Victorian Supreme Court (Trial Division) established a new precedent. Outline the original jurisdiction of the Victorian Supreme Court (Trial Division).

Justify your answ	e judges bound to follow the new precedent in future cases with similar fact sit ver.	ual

A professor of law recently said in a public speech that 'the role of the judge in the adversary system of tries an important feature'.	ial		
Evaluate the role of the judge in the adversary system of trial.			
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In Australia, methods and processes exist to enable a change to the division of law-making powers between the State and Commonwealth Parliaments. Identify one method of changing constitutional power and analyse its impact on the division of law-making powers.		

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Question 11 Andrew is involved in a civil dispute in which his former employer is seeking damages against him in the Supreme Court. His layerer advises him that there are several are trial precedures that may expert.			
Supreme Court. His lawyer advises him that there are several pre-trial procedures that may occur. Do civil pre-trial procedures achieve effective access to the legal system? Discuss.			

Question 12		
Compare the way courts and the Victorian Civil and Administrative Tribunal (VCAT) operate to resolve disputes In your answer describe one dispute resolution method used by VCAT and/or the courts.		

2011 LEGSTUD EXAM	14

In a recent submission to the Victorian Law Reform Commission (VLRC), an individual stated that the 'jursystem is outdated and should be abolished'.		
Discuss the extent to which you agree or disagree with this statement. In your answer describe the role of the VLRC.		

2011 LEGSTUD EXAM	16

18

2011 LEGSTUD EXAM

Extra space for responses
Clearly number all responses in this space.

A script book is available from the supervisor if you need extra paper to complete your answer. Please ensure you write your **student number** in the space provided on the front cover of the script book. **At the end of the examination, place the script book inside the front cover of this question and answer book.**

