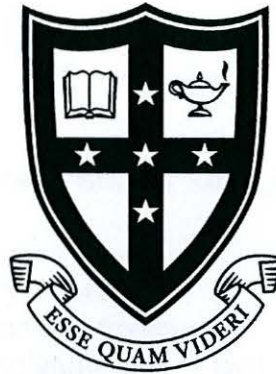


Student number _____

YEAR 11
LEGAL STUDIES TERM 3 EXAMINATION: 2013



General Instructions

- Reading time – 5 minutes
- Working time – 2 hours
- Write using blue or black pen
- For Section I, use the Multiple Choice Answer Sheet provided
- For Section II, answer on the Question Paper
- For Section III, answer in a writing booklet
- For Section IV, answer in a writing booklet
- Write your Student Number on the front page of each section, including the Multiple Choice Answer Sheet
- You will be given two examination writing booklets

Total marks – 80

This paper has four parts, Sections I, II, III and IV

Section I – Multiple Choice - 20 marks

- Attempt Questions 1-20
- Allow about 20 minutes for this part

Section II – Short Answer - 25 marks

- Attempt Questions 21-25
- Allow about 45 minutes for this part

Section III – Longer Response - 15 marks

- Attempt Question 26
- Allow about 20 minutes for this part

Section IV – Extended Response - 20 marks

- Attempt Question 27
- Allow about 35 minutes for this part

SECTION I
MULTIPLE CHOICE
20 MARKS

- 1 Which of the following is the basis of the Australian Legal system?
 - (A) English common law
 - (B) English treaty law
 - (C) International law
 - (D) European law

- 2 Which of the following are characteristics of Aboriginal and Torres Strait Islander Peoples' customary laws?
 - (A) Spiritual basis and prisons
 - (B) Mediation and property ownership
 - (C) Significance of land and oral traditions
 - (D) Ritual traditions and insignificance of land

- 3 The Commonwealth parliament legislates with regard to quarantine. It is able to do this because of which of the following?
 - (A) Electoral powers
 - (B) The Division of Powers
 - (C) External affairs powers
 - (D) The Separation of Powers

- 4 The International Criminal Court (ICC) has jurisdiction over which of the following crimes?
 - (A) Piracy
 - (B) Sedition
 - (C) People trafficking
 - (D) Crimes against humanity

- 5 John, an employee with the Department of Immigration, participates in an anti-government demonstration and is dismissed by his employer. Which legal process has the employer failed to follow?
 - (A) Prosecution guidelines
 - (B) Administrative appeal
 - (C) Procedural fairness
 - (D) Rule of law

- 6 State sovereignty can best be described as:
 - (A) A nation-state with a monarch as head of state.
 - (B) The power of the United Nations to compel a nation state to sign a treaty
 - (C) The right of the states and territories of Australia to have their own parliament
 - (D) The right of a nation-state to decide how to govern itself, free from outside interference

- 7 Which court is the final court of appeal for a civil case that begins in the Local Court?
(A) The High Court
(B) The Supreme Court
(C) Court of Criminal Appeal
(D) Federal Magistrates' Court
- 8 In the case of *Condie v Laurence* [2013] NSWSC 56, who is Condie?
(A) The defendant
(B) The plaintiff
(C) The respondent
(D) The prosecution
- 9 What court was *Condie v Laurence* [2013] NSWSC 56 heard in?
(A) The High Court
(B) The Supreme Court
(C) The Court of Criminal Appeal
(D) The Federal Magistrates' Court
- 10 The upper house of the Australian parliament is sometimes referred to as the:
(A) Superior House
(B) People's House
(C) House of Review
(D) Elector's House
- 11 Jane and Michael hire a builder to build their house. The builder leaves after two weeks and never returns. What type of law can Jane and Michael use to force the builder to complete their house?
(A) Administrative
(B) Criminal
(C) Contract
(D) Tort
- 12 Which of the following best describes a criminal trial in the adversarial system?
(A) A panel of judges decides the verdict after a prosecutor puts the case forward against the accused
(B) A judge decides the verdict after a prosecutor puts the case forward against the accused
(C) A jury decides a sentence after a prosecutor and a defence lawyer argue the case
(D) A jury decides the verdict after a prosecutor and a defence lawyer argue the case.
- 13 Which of the following organs of the United Nations is responsible for enforcing international law?
(A) The General Assembly
(B) The International Court of Justice
(C) The Security Council
(D) The UN Secretariat

- 14 Failure to exercise a duty of care would be considered to be part of which tort?
(A) Nuisance
(B) Trespass
(C) Negligence
(D) Defamation
- 15 The current political situation in Somalia could best be described as:
(A) Anarchy
(B) Democracy
(C) Dictatorship
(D) Theocracy

Use the following information to answer question 16

Morgan is a member of "Ban Live Animal exports" and speaks regularly to the media, politicians, university students and other groups about the cruel practices used in slaughter yards.

- 16 This lobby group is engaged in which of the following?
(A) Raising community support in an effort to encourage law reform
(B) Actively encouraging people to vote against the government
(C) Attempting to destroy the farming industry
(D) Encouraging the spread of vegetarianism
- 17 Which of the following is not an agency of law reform?
(A) The media
(B) Parliament
(C) The NSW Law Reform Commission
(D) A Royal Commission
- 18 What is the name given to the system of trial in which a judge takes an active role in determining the facts of the case?
(A) Procedural
(B) Adversarial
(C) Inquisitorial
(D) Westminster
- 19 In the case of *Lumley v Wagner* (1852), Lumley was granted an injunction. What is an injunction?
(A) An order to pay an amount of money
(B) An order to stop the performance of a certain act
(C) An order to change a contract between two parties
(D) An order to have a dispute settled by a trial with a jury
- 20 Which of the following best defines customs?
(A) Regulations about trade
(B) Behaviours based around religious beliefs
(C) Society's belief about what is right and wrong
(D) Behaviours based around long standing traditions.

Legal Studies

Section II – Short Answers - 25 marks

Attempt Questions 21 - 26

Allow about 45 minutes for this part

Answer the questions in the spaces provided.

Question 21 (3 marks)

Marks

With reference to an example, outline the difference between a legal right and a legal responsibility

3

.....

.....

.....

.....

.....

.....

.....

.....

Question 22 (3 marks)

Identify a Federal or State Law enforcement agency and outline what its role is.

3

.....

.....

.....

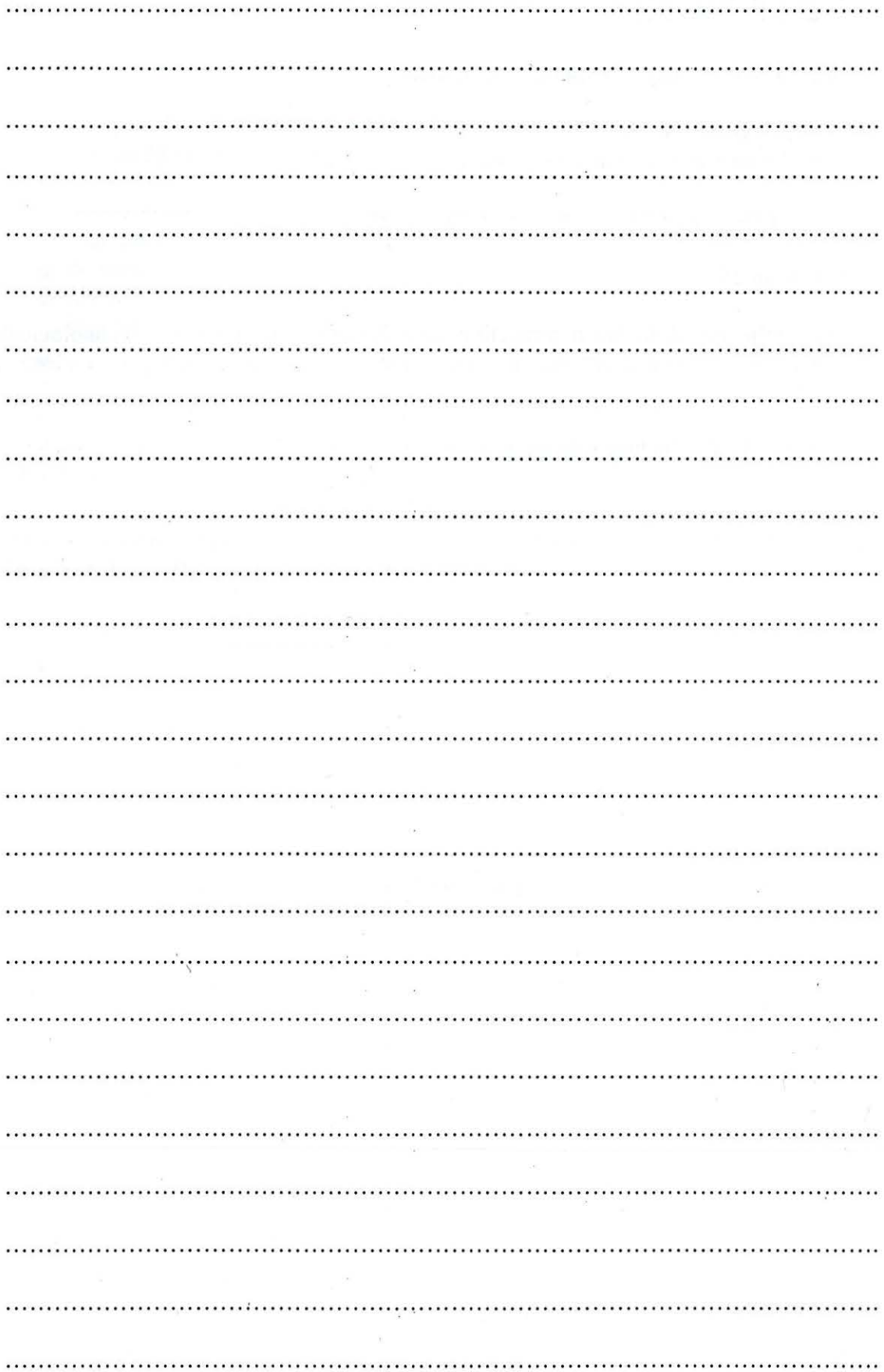
.....

.....

.....

.....

.....



Legal Studies

Section III – Longer Response – 15 marks

Attempt Question 26

Allow about 20 minutes for this part

Answer the question in a separate writing booklet.

Question 26

Assess the role of the law in protecting the rights of people affected by technological change. In your answer, you might want to refer to issues such as cybercrime, privacy, hacking and spam.

You should also include references to relevant cases, legislation and media articles.

Legal Studies

Section IV – Extended Response – 20 marks

Attempt Question 27 in a new writing booklet (s)

Allow about 35 minutes for this part

In your answer you will be assessed on how well you

- demonstrate an understanding of relevant legal information and issues
 - illustrate your answer with examples from one or more of the following:
legislation, cases, media reports
 - communicate using legal terminology and concepts
 - present a sustained, logical and well-structured answer to the question
-

Question 27

Assess the effectiveness of the legal and non-legal responses to the Port Arthur Massacre in achieving justice for the victims and society as a whole.

In your answer you should refer to relevant cases, legislation and media articles.

End of paper