

Student number: _____

**YEAR 12
TRIAL HSC**



CRANBROOK SCHOOL

2011

LEGAL STUDIES

Time allowed – 3 HOURS (+ 5 Min Reading)

DIRECTIONS TO CANDIDATES:

- **Section 1:** All questions are compulsory.
Answer questions 1-20 on the answer sheet provided.
20 marks will be allocated to **Section I**.
Allow about 30 minutes for this section
- **Section II:** All questions (21-25) are compulsory.
This section has two parts, Part A and Part B
Answer *Part A* in the *spaces provided*
Answer *Part B (Q25)* in the *3 page booklet provided*
30 marks will be allocated to **Section II**.
Allow about 60 minutes for this section
- **Section III:** Both questions (26 and 27) are compulsory.
Answer *both* questions in separate *3 page booklets* **50 marks**
will be allocated to **Section III**
Allow about 90 minutes for this section

NB. Put your student number in all spaces provided

Section I: Multiple Choice (20 Marks)

Answer questions 1-20 on the answer sheet provided.

1. Marco is on trial for sexual assault. With whom does the burden of proof lie?
 - (A) Marco
 - (B) The Crown
 - (C) The Victim
 - (D) The Plaintiff

2. Paul is distracted while hunting. He bumps his arm and his rifle discharges killing his partner Tom. Which element of criminal liability is lacking?
 - (A) *Actus reus*
 - (B) Accident
 - (C) *Mens rea*
 - (D) Provocation

3. Which of the following is a case of situational crime prevention?
 - (A) Harsher prison sentences
 - (B) Security Patrols
 - (C) Media Campaigns
 - (D) Youth Justice Conferencing

4. Which of the following are rights of the accused in the NSW criminal justice system?
 - (A) Security of person and rights to a lawyer
 - (B) Security of person and property
 - (C) Rights to silence and right to a phone call
 - (D) Rights to silence and right to a lawyer

5. Which of the following best protects the human rights of an Australian citizen?
 - (A) The Bill of Rights
 - (B) The United Nations Universal Declaration of Human Rights
 - (C) Common and Statute Law
 - (D) The Constitution

6. Which of the following could be considered preliminary crimes?
 - (A) Robbery and Manslaughter
 - (B) Treason and Sedition
 - (C) Attempted Robbery and Conspiracy
 - (D) Offensive language

7. Monika has been sued for libel. What is the standard of proof in this case?
 - (A) On the balance of probabilities
 - (B) On the doctrine of natural law
 - (C) Beyond all doubt
 - (D) Beyond reasonable doubt

8. The establishment of Police Youth liaison officers who work in the community is an example of which of the following?
- (A) Eliminating the incentive to commit crime
 - (B) Creating a deterrence
 - (C) Social crime prevention
 - (D) Situational crime prevention
9. Which of the following allows individuals to vote freely for their elected representatives?
- (A) Universal sovereignty
 - (B) Universal suffrage
 - (C) Self – determination
 - (D) Natural justice
10. The United Nations General Assembly has criticised Australia over the suspension of the Racial Discrimination Act during the Northern Territory intervention. Which of the following allows Australia to ignore the UN?
- (A) Self-determination
 - (B) Division of powers
 - (C) Separation of powers
 - (D) State sovereignty
11. Which of the following is included in the International Covenant on Economic, Social and Cultural Rights?
- (A) Peace
 - (B) Liberty
 - (C) Right to fair wages
 - (D) Safe Environment
12. Which of the following groups is responsible for enforcing the criminal laws of the state?
- (A) The NSW Police
 - (B) Judges
 - (C) The NSW Parliament
 - (D) The DPP
13. Which of the following courts has no original jurisdiction?
- (A) Local Court
 - (B) Court of Criminal Appeal
 - (C) Supreme Court
 - (D) High Court
14. What human rights are guaranteed under the Australian Constitution?
- (A) Freedom of thought and expression
 - (B) Freedom of religion and sexual preference
 - (C) Freedom of religion and right of assembly
 - (D) Freedom of religion and trial by jury

15. Which of the following best represents an essential element of a crime?

- (A) Must harm another person or their property
- (B) Must be legislated against by parliament
- (C) Must be proved on the balance of probabilities
- (D) Must be seen as harmful to the whole community

16. Josh has been charged with a high-range drink driving offence. He is 17. In which court will the matter be heard?

- (A) High Court
- (B) Local Court
- (C) Children's court
- (D) Coroner's court

17. The idea that a child under the age of 10 is incapable of committing a crime is contained in which of the following principles?

- (A) Absence of *actus reus*
- (B) Age of majority
- (C) Natural Justice
- (D) *Doli incapax*

Use the following information to answer questions 18 - 19.

In the course of an armed robbery of a bank in which money is stolen, Jackson deliberately fires rounds into the walls and ceilings, causing significant damage.

18. The offence Jackson has committed can be described using which of the following terms?

- (A) Summary and economic offence
- (B) Summary and offence against the person
- (C) Indictable and economic offence
- (D) Indictable and offence against the person

19. During sentencing the judge would consider the damage caused to be which of the following?

- (A) A mitigating circumstance
- (B) An extraneous factor
- (C) An aggravating factor
- (D) An aggravating circumstance

20. Which of the following best describes the role of Interpol?

- (A) To assist with the investigation of international crime
- (B) To assist the International Court of Justice in their pursuit of international crime
- (C) To enforce international criminal law
- (D) To act as the police force for the United Nations

Section II: Short Answer Questions (30 Marks)

Part (A) Human Rights (15 Marks)

Answer *Part A* in the *spaces provided*

21. Give an example of an international treaty that seeks to protect human rights and a specific right included within. **(2 Marks)**

22. Outline 2 reasons to introduce a Charter of Rights in Australia **(2 marks)**

23. How does the United Nations seek to enforce Human Rights?

(3 Marks)

Section II continued: Short Answer Questions (30 Marks)

Part (B) Crime (15 Marks)

Answer *Part B* in the 3 page booklet provided

25. To what extent does the law balance the rights of victims, offenders and society when dealing with young offenders in the criminal process? **(15 Marks)**

Section III: Extended Response (50Marks)

Answer *both* questions in *separate 3 page booklets provided (as many as necessary)*

Questions 26 – World Order

(25 Marks)

(a) How does state sovereignty assist and/or impede the resolution of world order issues.

OR

(b) To what extent are legal and non-legal measures effective in resolving conflict and working towards world order?

Question 27 – World Order

(25 Marks)

(a) Assess the success of law reform in promoting world order.

OR

(b) Discuss the extent to which legal responses to world order issues are a reflection of changing values and ethical standards.