

Student number: _____

**YEAR 12
TRIAL HSC**



CRANBROOK SCHOOL

2012

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. Which of these describes the elements of a crime?

- (A) Mens rea, causation, strict liability
- (B) Actus reus, strict liability, causation
- (C) Actus reus, mens rea, causation
- (D) Actus reus, mens rea, strict liability

2. Peta drives the getaway car for Thommo after he has committed a robbery. What is she best described as?

- (A) Principal in the first degree
- (B) Accessory before the fact
- (C) Principle in the second degree
- (D) Accessory after the fact

3. What is the role of the jury?

- (A) Pass a sentence
- (B) Check the relevance of the evidence
- (C) Decide the guilt
- (D) Decide the innocence

4. The purpose of the committal hearing is to establish what?

- (A) Guilt
- (B) Prima facie evidence
- (C) Which court the case will be heard in
- (D) Eligibility for bail

5. The concept of doli incapax relates to:

- (A) The age of criminal responsibility
- (B) The offender's intent
- (C) The injury sustained
- (D) A type of sentencing for juveniles

6. Criminal juvenile offences are heard in the Children's Court with the exception of which?

- (A) Summary offences
- (B) Driving offences
- (C) Serious indictable offences
- (D) Economic offences

7. When Cranbrook increases school security systems like CCTV or fencing it is an example of?

- (A) Principal in the first degree
- (B) Deterring juvenile offenders
- (C) Social crime prevention strategies
- (D) Situational crime prevention

8. John is a struggling single father of three who has committed an armed robbery. Judicial sentencing will be impacted by:

- (A) Aggravating factors
- (B) Mitigating factors
- (C) Circumstances of the offence
- (D) All of the above

9. What type of jurisdiction does the NSW Criminal Court of Appeal have?

- (A) Original
- (B) Appellate
- (C) Final
- (D) Narrow

10. Who has the burden of proof and on what is the standard of proof in a criminal case based?

- (A) The prosecution and beyond reasonable doubt
- (B) The prosecution and on the balance of probability
- (C) The defence and beyond reasonable doubt
- (D) The defence and on the balance of probability

11. Sergeant Karen Smith is of aboriginal descent. She has pulled over a speeding driver who also happens to be of aboriginal descent. Her decision to not issue a ticket is best described as:

- (A) Discrimination
- (B) Affirmative action
- (C) Self determination
- (D) Discretion

12. Sanchez Brown, a convicted sex offender in Australia, fled to an overseas country. What is the process under which he can be returned to Australia called?

- (A) Extradition
- (B) Extraction
- (C) Sediton
- (D) Arrest, search and seizure

13. What is the international human-trafficking an example of?

- (A) Transnational crime
- (B) Crimes Against the International Community
- (C) Torture
- (D) Genocide

14. Plea bargaining is the process by which an accused is:

- (A) Extradited
- (B) Convicted
- (C) Offered a partial defence
- (D) Offered a lesser charge

15. What does the International Covenant on Civil and Political Rights (ICCPR) protect?

- (A) Self determination
- (B) The right to peace
- (C) The right to vote
- (D) The right to work

16. Australia protects human rights through which means?

- (A) Common law, statute law and the constitution
- (B) The Bill of Rights
- (C) Common law and statute law
- (D) Common law, statute law and the Bill of Rights

17. Which of the following is an example of an intergovernmental organisation (IGO)?

- (A) The Red Cross
- (B) North Atlantic Treaty Organisation (NATO)
- (C) International Criminal Court (ICC)
- (D) World Vision

18. Which of the following best describes universal suffrage?

- (A) An individual political right
- (B) A collective economic right
- (C) A collective cultural right
- (D) An individual moral right

19. The role of the United Nations is to:

- (A) Enforce world order
- (B) Promote and protect human rights
- (C) Remove dictators
- (D) Stop torture

20. 'In Australia, human rights are only protected if they are enshrined in statute law.' With reference to the above statement, which of the following statements is most correct?:

- (A) The statement is false as human rights are also protected by judge made law
- (B) The statement is false as human rights are also protected by international treaties
- (C) The statement is true in relation to civil and political rights
- (D) The statement is true in relation to economic and social rights

Section II: Short Answer Questions (30 Marks)

Part (A) Human Rights (15 Marks)

Answer *Part A* in the *spaces provided*

Question 21 (2 marks)

Name one *binding* (enforceable) human rights treaty and a right it protects

Question 22 (3 marks)

Outline the role of the UN Human Rights Council in promoting and enforcing human rights.

Question 24 (6 marks)

With reference to ONE contemporary human rights issue, outline the effectiveness of legal and non-legal responses to this issue

Section II continued: Short Answer Questions (30 Marks)

Part (B) Crime (15 Marks)

Instructions

- Attempt Question 25
- Answer the question in a writing booklet.
- Extra writing booklets are available.

In your answers you will be assessed on how well you:

- demonstrate knowledge and understanding of legal issues relevant to the question
- communicate using relevant legal terminology and concepts
- refer to relevant examples such as legislation, cases, media, international instruments and documents
- present a sustained, logical and cohesive response

Question 25

"When I became a victim, I believed in justice but awoke to the reality of crime, rights of criminals and injustice for victims." - Anonymous victim of crime

With reference to the above statement, how effective is the criminal justice system in balancing the diverse needs of victims, society and criminals.

Section III: Extended Response (50Marks)

Answer *both* question 26 and 27 in *separate 3 page booklets provided (as many as necessary)*

WORLD ORDER:

Question 26

Answer (a) or (b)

(a) Discuss the impact of law reform in promoting and maintaining world order.

Or

(b) To what extent does the nation state impede the resolution of conflict and development of international cooperation in world order?

Question 27

Answer (a) or (b)

(a) Assess the effectiveness of legal and non-legal measures in resolving conflicts that threaten to world order.

Or

(b) How does the compliance and non-compliance with international law effect the pursuit of world order.