

Trial Examination 2022

HSC Year 12 Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black pen

Total Marks: 100

SECTION I – 20 marks (pages 2–5)

- Attempt Questions 1–20
- Allow about 30 minutes for this section

SECTION II – 30 marks (pages 7–19)

This section has two parts, Part A and Part B

- Allow about 1 hour for this section

Part A – 15 marks

- Attempt Questions 21–23

Part B – 15 marks

- Attempt Question 24

SECTION III – 50 marks (pages 20–21)

- Attempt TWO questions from Questions 25–31, each from a different Option
- Allow about 1 hour and 30 minutes for this section

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SECTION I

20 marks

Attempt Questions 1–20

Allow about 30 minutes for this section

Use the multiple-choice answer sheet for Questions 1–20.

- 1 A teenager picks up a backpack when leaving a party. When they arrive home, they find that, while the backpack is identical to their own, it belongs to someone else.
What element of a crime did the teenager NOT exhibit?
 - A. *mens rea*
 - B. causation
 - C. *actus reus*
 - D. *doli incapax*

- 2 Which court has original jurisdiction over matters concerning the Australian constitution?
 - A. High Court
 - B. District Court
 - C. Federal Court
 - D. Supreme Court

- 3 The main role of a judge in a criminal trial is to
 - A. select the jury.
 - B. question the witness.
 - C. make a verdict of guilty or not guilty.
 - D. make judgements on the validity of evidence.

- 4 What legal mechanism regulates police investigations and arrests in New South Wales (NSW)?
 - A. the *Police Investigation Commission* (NSW)
 - B. the *Australian Federal Police Act 1979* (Cwlth)
 - C. the *Law Enforcement Conduct Commission Act 2016* (NSW)
 - D. the *Law Enforcement (Powers and Responsibilities) Act 2002* (NSW) (LEPRA)

- 5 Which of the following is an example of an intergovernmental organisation?
 - A. the Red Cross
 - B. the United Nations Security Council
 - C. the Commonwealth of Nations
 - D. the International Criminal Court

- 6 In a criminal case, the
- A. prosecution has the burden of proof and must prove beyond reasonable doubt.
 - B. prosecution has the burden of proof and must prove on the balance of probabilities.
 - C. defence has the burden of proof and must prove beyond reasonable doubt.
 - D. defence has the burden of proof and must prove on the balance of probabilities.
- 7 Sabine, Jinbao and Matthew plan to rob a bank. Renata is an employee of the bank and provides them with details of how to access the bank's vault. On the day of the robbery, Sabine enters the bank and steals money from the bank's vault and Matthew drives the getaway car. What is Renata's role in the crime?
- A. accessory after the fact
 - B. accessory before the fact
 - C. principal in the first degree
 - D. principal in the second degree
- 8 Which of the following is an example of situational crime prevention?
- A. a youth drop-in centre
 - B. job training for the unemployed
 - C. a drug and alcohol education program
 - D. drug-detection dogs at a music festival
- 9 Human rights are best protected in Australia
- A. through domestic legislation.
 - B. through the signing of international treaties.
 - C. through non-governmental organisations (NGOs) and the media.
 - D. when Australia provides soldiers as peacekeepers for the United Nations.
- 10 Chen, who is 14 years old, is on trial for assault. What is most likely to occur?
- A. Chen will not be convicted on the grounds that he is not criminally responsible.
 - B. The judge will impose a lengthy custodial sentence.
 - C. The prosecution will rebut the presumption of *doli incapax*.
 - D. The defence will need to prove that the defendant is innocent.
- 11 Which term refers to the power of an individual nation to ignore international law?
- A. nationalism
 - B. state sovereignty
 - C. self-determination
 - D. intergovernmental non-cooperation

- 12** The mostly likely benefit of charge negotiation is that
- A. a trial with a jury is required.
 - B. the defendant receives a lengthier sentence.
 - C. the efficiency of the legal system is improved.
 - D. the victim receives retribution for the crime committed against them.
- 13** The International Covenant on Civil and Political Rights relates to
- A. work rights.
 - B. education rights.
 - C. the right to a fair trial.
 - D. the right to participate in cultural life.
- 14** What is the main purpose of fining an individual who does not abide by COVID-19 lockdown rules?
- A. retribution
 - B. incapacitation
 - C. specific deterrence
 - D. general deterrence
- 15** A person is accused of committing genocide.
Where would this case be heard?
- A. the International Criminal Court
 - B. the International Court of Justice
 - C. the United Nations Security Council
 - D. the United Nations General Assembly
- 16** An offender receives a longer sentence due to a lack of remorse.
This is an example of
- A. plea bargaining.
 - B. a mitigating factor.
 - C. an aggravating factor.
 - D. a victim impact statement.
- 17** Which of the following is NOT a characteristic of summary offences?
- A. They are less serious offences.
 - B. They are heard in a local court.
 - C. They require the use of a magistrate.
 - D. They are punishable by a sentence of more than two years.

- 18** Which of the following is a partial defence to a crime?
- A. duress
 - B. necessity
 - C. provocation
 - D. self-defence
- 19** An argument against having a charter of rights for Australia is that
- A. the constitution does not protect human rights.
 - B. too much power could be given to unelected officials.
 - C. the Universal Declaration of Human Rights would become redundant.
 - D. the separation of powers is ineffective when it comes to human rights.
- 20** Katarina has been charged with murder. Throughout the investigation, there was extensive media coverage of her previous criminal history and the horrific nature of the crime. It is most likely that Katarina will face trial
- A. in another jurisdiction.
 - B. alone before a judge in the Supreme Court.
 - C. before a judge and jury in the Supreme Court.
 - D. alone before a judge in the Court of Criminal Appeal.

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Section II Answer Booklet

30 marks

Allow about 1 hour for this section

Instructions

- Use this answer booklet for Section II ONLY.
 - Answer BOTH Part A and Part B.
 - Follow the instructions inside this booklet as to where you should write your answers.
-

Please turn over

SECTION II

Part A – Human Rights

15 marks

Attempt Questions 21–23

Answer the questions in the spaces provided. These spaces provide guidance for the expected length of response.

Question 21 (3 marks)

Outline how the *Universal Declaration of Human Rights* has contributed to the development of human rights. Use an example to support your answer.

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End of Section II Part A

Turn over for Section II Part B

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SECTION II (continued)

Part B – Crime

15 marks

Attempt Question 24

Answer the question on pages 12–17 of the Section II Answer Booklet. Extra writing booklets are available.

Your answer 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 24 (15 marks)

To what extent does the sentencing and punishment process balance the rights of victims, offenders and society?

Please turn over

SECTION III – Options

50 marks

Attempt TWO questions from Questions 25–31, each from a different Option

Allow about 1 hour and 30 minutes for this section

Answer both questions in the Section III Writing Booklet. Extra writing booklets are available.

Your answers 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 — Consumers (25 marks)

- (a) Evaluate the role of law reform in recognising the rights of consumers. **25**

OR

- (b) Assess the role of the law in encouraging cooperation and resolving conflict regarding at least ONE contemporary issue concerning consumers. **25**

Question 26 — Global Environmental Protection (25 marks)

- (a) Evaluate the role of law reform in protecting the global environment. **25**

OR

- (b) Assess the role of the law in encouraging cooperation and resolving conflict regarding at least ONE contemporary issue concerning global environmental protection. **25**

Question 27 — Family (25 marks)

- (a) Evaluate the role of law reform in achieving just outcomes for family members and society. **25**

OR

- (b) Assess the role of the law in encouraging cooperation and resolving conflict regarding at least ONE contemporary issue concerning family law. **25**

Question 28 — Indigenous Peoples (25 marks)

- (a) Evaluate the role of law reform in recognising the rights of Indigenous peoples. **25**

OR

- (b) Assess the role of the law in encouraging cooperation and resolving conflict regarding at least ONE contemporary issue concerning Indigenous peoples. **25**

Question 29 — Shelter (25 marks)

- (a) Evaluate the role of law reform in protecting the rights of those seeking shelter. **25**

OR

- (b) Assess the role of the law in encouraging cooperation and resolving conflict regarding at least ONE contemporary issue concerning shelter. **25**

Question 30 — Workplace (25 marks)

- (a) Evaluate the role of law reform in recognising rights and enforcing responsibilities in the workplace. **25**

OR

- (b) Assess the role of the law in encouraging cooperation and resolving conflict regarding at least ONE contemporary issue concerning the workplace. **25**

Question 31 — World Order (25 marks)

- (a) Evaluate the role of law reform in promoting and maintaining world order. **25**

OR

- (b) Assess the role of the law in encouraging cooperation and resolving conflict regarding at least ONE contemporary issue concerning world order. **25**

End of paper

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Section III Writing Booklet

Instructions

- Use this writing booklet for Section III ONLY
- Answer TWO questions from Section III
- Answer ONE question from Section III on pages 2–8
- Write the question number, question part [(a) or (b)] and the Option you have studied in the spaces provided on page 2
- If you need more space for this question, ask for an extra writing booklet

- Answer ANOTHER question from Section III on pages 10–16
- Write the question number, question part [(a) or (b)] and the Option you have studied in the spaces provided on page 10
- If you need more space for this question, ask for an extra writing booklet
- Write the number of this booklet and the total number of booklets that you have used for this section (e.g. of)

⇒ of

this booklet number of booklets for this section

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A large rectangular area containing 25 horizontal lines for writing.

A large rectangular area containing 25 horizontal lines for writing.

End of first option question

Turn over for second option question

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A large rectangular area containing 25 horizontal lines for writing.

A large rectangular area containing 25 horizontal lines for writing.

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DIRECTIONS:

Write your name in the space provided.

Write your student number in the boxes provided below. Then, in the columns of digits below each box, fill in the oval which has the same number as you have written in the box. Fill in **one** oval only in each column.

Read each question and its suggested answers. Select the alternative A, B, C, or D that best answers the question. Fill in the response oval completely, using blue or black pen. Mark only **one** oval per question.

A B C D

If you think you have made a mistake, put a cross through the incorrect answer and fill in the new answer.

A B C D

If you change your mind and have crossed out what you consider to be the correct answer, then indicate this by writing the word *correct* and draw an arrow as follows.

A B C D
correct
 ↓

STUDENT NAME: _____

STUDENT NUMBER:

①	①	①	①	①	①	①	①	①
②	②	②	②	②	②	②	②	②
③	③	③	③	③	③	③	③	③
④	④	④	④	④	④	④	④	④
⑤	⑤	⑤	⑤	⑤	⑤	⑤	⑤	⑤
⑥	⑥	⑥	⑥	⑥	⑥	⑥	⑥	⑥
⑦	⑦	⑦	⑦	⑦	⑦	⑦	⑦	⑦
⑧	⑧	⑧	⑧	⑧	⑧	⑧	⑧	⑧
⑨	⑨	⑨	⑨	⑨	⑨	⑨	⑨	⑨
⑩	⑩	⑩	⑩	⑩	⑩	⑩	⑩	⑩

SECTION I MULTIPLE-CHOICE ANSWER SHEET

1. A B C D
2. A B C D
3. A B C D
4. A B C D
5. A B C D
6. A B C D
7. A B C D
8. A B C D
9. A B C D
10. A B C D
11. A B C D
12. A B C D
13. A B C D
14. A B C D
15. A B C D
16. A B C D
17. A B C D
18. A B C D
19. A B C D
20. A B C D

**STUDENTS SHOULD NOW CONTINUE
WITH SECTIONS II AND III**