

YEAR 12 Trial Exam Paper

2016

LEGAL STUDIES

Written examination

STUDENT NAME:

Reading time: 15 minutes Writing time: 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 the following items into the examination: pens, pencils, highlighters, erasers, sharpeners and rulers.
- Students are NOT permitted to bring sheets of paper or white-out liquid/tape into the examination.
- Calculators are not permitted in this examination.

Materials provided

- The question and answer book of 23 pages.
- Additional writing space is provided at the end of this book if you require more space to complete an answer.

Instructions

- Write your **name** in the box provided.
- Make use of the stimulus material where included. However, it is not intended that this material
 will provide all the information to fully answer the question.
- You must answer the questions in English.

Students are NOT permitted to bring mobile phones or any other unauthorised electronic devices into the examination.

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In	stri	ıctı	ons

Answer all questions in the spaces provided.

Question 1 (1 mark)
Identify one restriction on the law-making powers of the Commonwealth Parliament.
Question 2 (2 marks)
Outline the structure of the Victorian parliament.

Question 3 (4 marks)

	Using an example, outline one reason why law needs to change.	
		2 mark
		
	ecember 2015, police arrested eight people involved in the 'Flood the System' onstration, which demanded action on climate change.	
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dem	onstration, which demanded action on climate change. Identify one strength and one weakness of a demonstration as a means for	2 mark
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a.

b.

Question 4 (6 marks)

One reason	for	the	existence	of a	a court	hierarc	hy	is	adr	nin	istra	tive	conv	enier	nce

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Question 5 (8 marks)

a.

xplain the purposes and processes of both bail and committal proceedings.	4 m
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In a recent criminal case, the defendant was found guilty and sentenced to a term of imprisonment.

Omer man servin	ng a term of imprisonme	ent, describe one ci	illilliai sancti)II. 2
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Question 6 (2 marks)

The government of Victoria has announced that it plans to initiate legislation on same-sex marriage when the state parliament resumes sitting. A spokesperson for the Commonwealth Government made it clear that, because family law is a concurrent law-making area, Victoria's state law will ultimately be challenged.

what affect section 109 (s. 109) of the Commonwealth Constitution could have on s.	

Question 7 (6 marks)

Explain the operation of the doctrine of precedent.	3 marks

It has been suggested that the doctrine of precedent is inflexible as many judges prefer to follow outdated precedents.

Analyse the extent to which the doctrine of precedent is inflexible.	3 mark

b.

Question 8 (6 marks)

Describe the role of the jury in a criminal case.	3 mai

Explain how one proposed alternative to the jury system could negatively affect the legal system.	9
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Question 9 (6 marks)

Parliament possesses many advantages as a law-maker. It is both a representative body and allows for thorough investigation of issues. Evaluate these advantages of parliament as a law-maker.			

Question 10 (5 marks)

Some commentators have recently suggested that aspects of the inquisitorial system of trial could be incorporated into the Australian legal system.

With reference to two features of the inquisitorial system, discuss why such a move might be advantageous.

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Ouestion	11	(6)	marks)

The Victorian Civil and Administrative Tribunal (VCAT) has provided disputing parties with a viable alternative to the courts.			
Analyse the extent to which VCAT holds advantages over the courts in the way it operates to resolve disputes.			

Question 12 (8 marks)

In recent times, significant media attention has been given to the difficulties faced by individuals using the legal system. A number of reforms have been proposed and implemented to address these issues.

Describe the impact of two problems faced by individuals in using the legal system, and xplain how two recent and/or recommended reforms will address these problems.				

2016 LEGAL STUDIES EXAM	16

Question 13 (10 marks)

Discuss the High Court's importance in changing the division of law-making powers between the Commonwealth and the states, and in clarifying the rights of Australians. In your answer, refer to at least two High Court cases.				

2016 LEGAL STUDIES EXAM	18	

19

2016 LEGAL STUDIES EXAM

END OF QUESTION AND ANSWER BOOK

2016 LEGAL STUDIES EXAM 20 Extra space for responses Clearly number all responses in this space.

21

2016 LEGAL STUDIES EXAM

2016 LEGAL STUDIES EXAM	22	
