

**Victorian Certificate of Education**  
**Year**

SUPERVISOR TO ATTACH PROCESSING LABEL HERE

STUDENT NUMBER           Letter

## LEGAL STUDIES

### Written examination

Day Date

Reading time: \*.\*.\* to \*.\*.\* (15 minutes)

Writing time: \*.\*.\* to \*.\*.\* (2 hours)

### QUESTION AND ANSWER BOOK

#### Structure of book

Section	Number of questions	Number of questions to be answered	Number of marks
A	8	8	40
B	3	3	40
			Total 80

- Students are permitted to bring into the examination room: pens, pencils, highlighters, erasers, sharpeners and rulers.
- Students are NOT permitted to bring into the examination room: blank sheets of paper and/or correction fluid/tape.
- No calculator is allowed in this examination.

#### Materials supplied

- Question and answer book of 24 pages
- Additional space is available at the end of the book if you need extra paper to complete an answer.

#### Instructions

- Write your **student number** in the space provided above on this page.
- All written responses must be in English.

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

**SECTION A**

**Instructions for Section A**  
Answer **all** questions in the spaces provided.

**Question 1** (4 marks)

Louis has an ongoing dispute with his neighbour. The neighbour has said that he will soon cut down a tree on the boundary of his and Louis’s properties. Louis wants to seek an injunction as a remedy.

- a. Define the term ‘remedy’. 1 mark

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- b. Describe what an injunction is and outline **one** of its purposes in this case. 3 marks

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**Question 2** (3 marks)

Explain how community legal centres uphold the principle of access when assisting accused people.

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**Question 3** (3 marks)

Why is the requirement for standing important for a court to be able to make laws?

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**Question 6** (5 marks)

Referring to **one** case, discuss how the High Court has acted as a guardian of the Australian Constitution in its interpretation of sections 7 and 24.

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**Question 7 (6 marks)**

Evaluate the extent to which the double majority requirement acts as a check on parliament in law-making.

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**SECTION B****Instructions for Section B**

Use stimulus material, where provided, to answer the questions in this section. It is not intended that this material will provide you with all the information to fully answer the questions.

Answer **all** questions in the spaces provided.

**Question 1** (17 marks)**Source 1**

The following is an extract from section 5 of the *Victorian Law Reform Commission Act 2000* (Vic).

**Functions of the Commission**

- (1) The functions of the Commission are –
- (a) to examine, report and make recommendations to the Attorney-General on any proposal or matter relating to law reform in Victoria that is referred to the Commission by the Attorney-General;
  - (b) to examine, report and make recommendations to the Attorney-General on any matter that the Commission considers raises relatively minor legal issues that are of general community concern if the Commission is satisfied that the examination of that matter will not require a significant deployment of the resources available to the Commission;

Source: *Victorian Law Reform Commission Act 2000* (Vic), Australasian Legal Information Institute, <[www.austlii.edu.au/](http://www.austlii.edu.au/)>

**Source 2**

The following is an extract from the Victorian Law Reform Commission (VLRC) website.

In March 2013 the Commission was asked to review three aspects of jury empanelment for both criminal and civil trials:

- Whether jurors should be identified in court by name or number
- Peremptory challenges (and the Crown right to stand aside in criminal trials)
- The balloting off of additional jurors.

...

The jury empanelment report was tabled in Parliament on 3 September 2014. The Commission made 16 recommendations to improve the way in which juries are selected in court and how additional jurors empanelled for long trials should be managed.

Source: Victorian Law Reform Commission website, <[www.lawreform.vic.gov.au/all-projects/jury-empanelment](http://www.lawreform.vic.gov.au/all-projects/jury-empanelment)>







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**b.** Will Emiko be able to give evidence as a vulnerable witness at the trial? Justify your answer. 2 marks

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