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2012

Trial HSC Examination

Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black or blue pen
- Write your Student Number at the Top of page 8, the Multiple Choice Answer Sheet and on the front cover of each writing booklet that you use.

Total marks – 100

Section I Pages 3 - 7
20 marks

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

Section II Pages 8 – 11
30 marks

This section has two parts, Part A and Part B

- Allow about 60 minutes for this section

Part A – 15 marks

- Attempt Questions 21 – 24

Part B – 15 marks

- Attempt Question 25

Section III Pages 12 – 13
50 marks

- Attempt TWO questions from Questions 26 – 32, each from a different Option.
- Allow about 1 hour and 30 minutes for this section

KNOX GRAMMAR SCHOOL

GUIDE TO USE OF THE MULTIPLE CHOICE ANSWER SHEET

Use the multiple-choice answer sheet.

Select the alternative A, B, C or D that best answers the question. Fill in the response oval completely.

Sample: $2 + 4 =$ (A) 2 (B) 6 (C) 8 (D) 9

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 the correct answer by writing the word **correct** and drawing an arrow as follows.

correct
↑↓
A B C D

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. What is the role of the Director of Public Prosecutions?
 - a) To make recommendations regarding criminal law reform
 - b) To preside over committal hearings
 - c) To protect the public from crime
 - d) To prosecute offenders in the District and Supreme Court

2. The Government of Gillardia passes a statute allowing mining companies to release unprocessed waste water into rivers. Protesters can be arrested and imprisoned without trial if they attempt to prevent water releases.

Which of the following rights are being violated?

- a) Economic, social and cultural rights and the collective right to self determination
 - b) Civil and political rights and the individual right to self determination
 - c) The right to a clean environment and economic, social and cultural rights
 - d) Civil and political rights and the right to a clean environment

3. Which of the following is a public order offence?
 - a) Shoplifting
 - b) Offensive language
 - c) Treason
 - d) Dangerous driving

4. What is the main purpose of bail?
 - a) To protect victims of crime
 - b) To reduce prison numbers
 - c) To protect the rights of the accused
 - d) To promote specific deterrence

5. Kai has been in foster care since he was eight. He left school at 13 and has committed a series of increasingly serious offences ever since. He is now on trial for armed robbery.

Which of the following factors affect Kai's criminal behaviour?

- a) Environmental factors
- b) Genetic factors
- c) Political factors
- d) Social factors

6. Alex is charged with sexual assault after his DNA is found on the victim's clothes. His defence lawyer introduces witnesses who testify that Alex was at work at the time of the crime.

Which element of the crime is Alex disputing?

- a) Causation
- b) Actus reus
- c) Mens rea
- d) Mental illness

7. Which purpose of punishment is achieved by fining a speeding driver?

- a) Specific deterrence
- b) General deterrence
- c) Rehabilitation
- d) Retribution

8. Which of the following people is most likely to receive legal aid?

- a) An accused with no prior offences who is pleading not guilty
- b) A young offender who is pleading not guilty
- c) An accused with prior offences who is pleading guilty
- d) An accused person with a mental illness

9. Which of the following is a characteristic of summary offences?

- a) They are heard by a jury in a local court.
- b) They require a committal hearing.
- c) They are only punishable by a fine.
- d) They are less serious offences.

10. Patrick stabs Julia in the course of a robbery. He then calls an ambulance. At the hospital, Julia refuses a blood transfusion because she believes that the doctors are trying to poison her. She dies and Patrick is charged with her murder.

Which element of the crime can Patrick dispute?

- a) Causation
- b) Actus reus
- c) Mens rea
- d) Mental illness

11. The Federal Parliament passes a statute protecting freedom of speech.

How is this right now enforceable?

- a) By the High Court using the *Charter of Rights*
- b) By customary law recognised in tribunals
- c) By common law precedent
- d) By courts and tribunals

12. Which of the following is an example of social crime prevention?

- a) A program to get truants back to school
- b) Security guards and closed-circuit cameras in a shopping centre
- c) Drug detection dogs at a concert
- d) A community service order

13. Which of the following is an intergovernmental organisation which promotes human rights?

- a) Amnesty International
- b) The World Trade Organisation
- c) The European Union
- d) The International Criminal Court

14. The High Court of Australia overturns a statute limiting welfare payments to indigenous people on the grounds that the government is violating international law.

Which of the following best describes how human rights have been protected?

- a) By international law
- b) By the separation of powers
- c) By statute law
- d) By constitutional law

Use the following information to answer Questions 15 -18.

After years of physical abuse and repeated death threats, Catherine enlists the help of her son Silas to kill her husband, Darren. She shoots Darren while he is watching television. Silas helps plan the murder and buries Darren's body afterwards

15. Which of the following best describes Silas' role in the crime?

- a) He is an accessory before the fact.
- b) He is the principal in the first degree.
- c) He is the principal in the second degree.
- d) He is an accessory after the fact.

16. What is the main reason for providing Catherine with legal aid?

- a) To achieve fairness in the adversary system
- b) To improve Catherine's compliance with the legal system
- c) To help her as she is disadvantaged
- d) To equally distribute legal costs

17. If you were Catherine's lawyer, which defence would you advise in order to obtain an acquittal?

- a) Mental illness
- b) Provocation
- c) Necessity
- d) Self defence

18. Which of the following statements is true?

- a) Catherine must outline her defence.
- b) The Prosecution must prove Catherine's defence.
- c) Catherine must prove mens rea.
- d) The judge must prove to the jury that Catherine's defence has no precedent.

19. Which of the following rights is promoted in the *Universal Declaration of Human Rights*?

- a) The right to bear arms
- b) The right to freedom of religion
- c) The right to own slaves
- d) The right to trial by jury

20. When do police in NSW have the right to take a blood sample?

- a) When they arrest a suspect
- b) When they have a court order
- c) When a young offender gives consent
- d) When there is reasonable suspicion the suspect committed the crime

Legal Studies
Section II

Student Number.....

30 Marks
Allow about 60 minutes for this section

Part A – Human Rights
15 marks
Attempt Questions 21–24

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

Question 21 (2 marks)

Identify TWO formal statements of human rights. **2**

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Question 22 (2 marks)

Define *peace rights*. **2**

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Question 23 (5 marks)

Outline the role of the United Nations in ensuring compliance with human rights.

5

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Legal Studies

Section II (continued)

Part B – Crime

15 marks

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 (15 marks)

Evaluate the extent to which the criminal law reflects the moral and ethical standards of society.

15

End of Section II

Section III – Options

50 Marks

Attempt TWO questions from Questions 26 – 32, each from a different Option

Allow about 1 hour and 30 minutes for this section

Answer each question in a SEPARATE 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 26 – Consumers (25 marks)

- (a) To what extent do laws relating to consumers reflect changing values and ethical standards? 25

OR

- (b) Explain the role of law reform in protecting the rights of consumers. 25

Question 27 – Global Environmental Protection (25 marks)

- (a) With reference to ONE contemporary issue relating to global environmental protection, evaluate the effectiveness of legal and non-legal responses. 25

OR

- (b) How effective are legal measures in resolving conflict between the demand for resources and global environmental protection? 25

Question 28 – Family (25 marks)

- (b) With reference to ONE contemporary issue relating to family law, evaluate the effectiveness of legal and non-legal responses. 25

OR

- (b) How effective are legal measures in encouraging cooperation and resolving conflict in families? 25

Question 29 – Indigenous Peoples (25 marks)

- (a) To what extent do laws relating the rights of indigenous peoples reflect changing values and ethical standards? **25**

OR

- (b) Explain the role of law reform in protecting the rights of indigenous peoples. **25**

Question 30 – Shelter (25 marks)

- (a) To what extent do laws relating to shelter reflect changing values and ethical standards? **25**

OR

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

Question 31 – Workplace (25 marks)

- (c) With reference to ONE contemporary issue relating to the workplace, evaluate the effectiveness of legal and non-legal responses. **25**

OR

- (b) How effective are legal measures in resolving conflict between employers and employees? **25**

Question 32 – World Order (25 marks)

- (a) To what extent do laws relating to world order reflect changing values and ethical standards? **25**

OR

- (d) With reference to ONE contemporary issue relating to world order, evaluate the effectiveness of legal and non-legal responses. **25**

End of paper