



Units 3 and 4 Legal Studies

Practice Exam Question and Answer Booklet

Duration: 15 minutes reading time, 2 hours writing time

Structure of book:

	Number of questions	Number of questions to be answered	Number of marks
	13	13	70
		Total	70

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

Materials supplied:

- This question and answer booklet of 11 pages.

Instructions:

- You must complete all questions of the examination.
- Write all your answers in the spaces provided in this booklet.

Short-answer questions

Instructions

Answer all questions in the spaces provided.

Question 1

How does the separation of powers operate in Australia and what is its purpose?

2 marks

Question 2

Explain what is meant by 'specific powers'.

3 marks

Question 3

Lyla strongly believes that the voting age in Australia should be lowered to 16. In order to influence a change in the law relating to voting age, she organised a petition – receiving over 20,000 signatures supporting her stance – and presented it to her local MP.

a. What is one reason why laws need to change?

1 marks

b. Advise Lyla as to a different method of influencing change in the law that she could have used. How effective is your chosen method?

2 marks

c. In response to Lyla’s petition, the government decides to introduce a Bill, which suggests lowering the voting age to 16. Explain two stages in the legislative process that the Bill has to go through.

2 marks

Total: 5 marks

Question 4

Tim, a contributor to a prominent legal journal recently stated: “It is almost impossible to change the division of law-making powers in the Constitution through the referendum process”.

- a. Outline and discuss one successful referendum which impacted the division of law-making powers.

4 marks

- b. What are two factors, which can affect the success of a referendum?

2 marks

Total: 6 marks

Question 5

Describe two ways in which judges and courts are able to make law.

4 marks

Question 6

Tyra believes that “We need to have both parliament and courts as law-making bodies, because each body can make up for the other’s weakness.” Do you agree with Tyra? Discuss the extent to which you agree with her, including a brief evaluation of parliaments and courts as law-makers.

4 marks

Question 7

'Pre-trial procedures are necessary to ensure that our court systems resolve disputes effectively'

a. What does a committal hearing involve?

2 marks

b. What does a directions hearing involve?

2 marks

Total: 4 marks

Question 8

Detail the facts, decision and impact of one high court case, which has affected Constitutional protection of rights. In your response, give a brief overview of rights protection in Australia.

6 marks

Question 9

Outline the features of two criminal sanctions and two civil remedies. How does the purpose of criminal sanctions differ from that of civil remedies?

5 marks

Question 10

Legal commentator Jason Street has argued that the adversary system of trial requires drastic reform. What are some criticisms of the adversary system? Could any viable reforms or alternatives be suggested?

6 marks

Question 11

‘Courts are vital to our legal system. They ensure that law-breakers are brought to justice and they also have the power to make law.’

- a. Describe three relationships between the courts and parliament in Australia

3 marks

- b. What is the jurisdiction of the Supreme Court (Trial Division) and Supreme Court (Court of Appeal)?

4 marks

Total: 7 marks

