



2010 Trial Examination

STUDENT NUMBER

Figures

Words

Letter

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LEGAL STUDIES

Unit 2 – Written examination

Reading time: 15 minutes

Writing time: 2 hours

QUESTION & ANSWER BOOK

Structure of book

<i>Number of questions</i>	<i>Number of questions to be answered</i>	<i>Number of marks</i>
15	15	60

- 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 white out liquid/tape.
- No calculator is permitted in this examination.

Materials supplied

- Question and answer book of 17 pages.

Instructions

- Print your name in the space provided on the top of this page.
- All written responses must be in English.

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

Instructions

Answer **all** questions in the space provided

Question 1

What does ADR refer to?

1 mark

Question 2

Explain **two** reasons for the existence of a court hierarchy.

2 marks

Question 3

Differentiate between criminal and civil law.

2 marks

Question 4

What do you understand the term 'stare decisis' to mean?

2 marks

TURN OVER

Question 5

James works as a food critic for the local newspaper. He reported that a recently opened restaurant served food that “was unfit for human consumption.”

a. Is this a case of libel or slander? Provide a reason for your answer.

2 marks

b. Outline **one** possible defence that could be used by the newspaper.

2 marks

Question 6

Miss Brown left her class unattended for 10 minutes. When she returned one of her students was on the floor unconscious. The parents of the student are now suing the school for negligence.

a. Explain the tort of negligence

1 mark

b. Define the term 'duty of care'.

1 mark

c. Identify both the plaintiff and the defendant in this case.

1 mark

TURN OVER

Question 7

Outline the aim of civil pre-trial procedures.

2 marks

Question 8

Explain in detail, the purpose of a letter of demand.

[illegible]

4 marks

TURN OVER

Question 9

Discuss **two** advantages and **two** disadvantages of alternative methods of dispute resolution.

2 + 2 = 4 marks

Question 10

Identify the key difficulties an individual may encounter when trying to access the law.

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4 marks

TURN OVER

Question 11

Distinguish between private and public nuisance. In your answer include **one** defence that could be used if someone was suing for private nuisance.

[illegible]

2 + 2 = 4 marks

Question 12

Discuss **three** civil remedies that are available to someone who believes their rights have been infringed.

[illegible]

2 + 2 + 2 = 6 marks

TURN OVER

Question 13

Refer to the specific area of law you have studied this semester (e.g. families and the law, environmental and neighbourhood relationships, legal issues in technology etc.). Comment on the law that governs your particular area of study. In your answer, assess how effective the law has been in fulfilling its purpose in this area.

[illegible]

6 marks

Question 14

There are a number of stages or steps that occur in a civil trial in the Supreme Court. Outline each of these stages.

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TURN OVER

8 marks

Question 15

a. Explain what a contract is and include an example of a simple contract in your answer.

b. List each of the elements that must exist, if a contract is to be considered valid.

TURN OVER

2 + 6 = 8 marks

END OF QUESTION AND ANSWER BOOK

Extra writing space. Number each question clearly.

[illegible]