



Victorian Certificate of Education 2013

SUPERVISOR TO ATTACH PROCESSING LABEL HERE

STUDENT NUMBER

Letter

Figures

Words

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LEGAL STUDIES

Written examination

Tuesday 12 November 2013

Reading time: 3.00 pm to 3.15 pm (15 minutes)

Writing time: 3.15 pm to 5.15 pm (2 hours)

QUESTION AND ANSWER BOOK

Structure of book

<i>Number of questions</i>	<i>Number of questions to be answered</i>	<i>Number of marks</i>
13	13	70

- 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 allowed in this examination.

Materials supplied

- Question and answer book of 20 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.
- You should make use of stimulus material where it is included. However, it is not intended that this material will provide you with all the information to fully answer the question.
- 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.

Instructions

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

Question 1 (4 marks)

‘The court hierarchy is essential for the operation of the doctrine of precedent.’

- a.** Other than ensuring the operation of the doctrine of precedent, describe **one** reason for a court hierarchy. 2 marks

- b.** Outline why the Supreme Court (Court of Appeal) does not have to follow its previous decisions. 2 marks

Question 2 (3 marks)

Explain the role of the Senate in the law-making process.

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Question 3 (6 marks)

- a. Describe **one** restriction that is imposed by the Commonwealth Constitution on the law-making powers of the state parliaments.

2 marks

- b.** Identify the **two** types of law-making powers of the state parliaments. In your answer, provide an example of each.

4 marks

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

Question 4 (3 marks)

Sophie has a civil dispute with her neighbour. She is seeking \$500 000 in damages. Sophie thinks that

- her trial will be heard in the Magistrates' Court
- she will have a trial heard by a judge and a jury of 12 people
- she can go to the Victorian Law Reform Commission (VLRC) to seek legal advice.

Outline why each of these statements is incorrect.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Question 5 (5 marks)

- a.** Provide **one** reason why a court may need to interpret a statute.

2 marks

- b.** A legal critic once said, 'Parliament cannot make laws that override decisions made by the Supreme Court of Victoria'.

Is this statement correct or incorrect? Explain your answer.

3 marks

Question 6 (4 marks)

Describe **two** dispute resolution methods that are used by courts.

‘Committal hearings are complicated and serve no useful purpose.’

[illegible]

Discuss **two** possible reforms to the jury system.

[illegible]

Evaluate the effectiveness of **two** methods that are used by individuals or groups to influence a change in the law.

[illegible]

Question 11 (7 marks)

‘The Victorian Civil and Administrative Tribunal (VCAT) is always a better option to resolve civil disputes than the courts because it is less expensive and quicker.’

Do you agree with this statement? Justify your answer.

[illegible]

Question 12 (8 marks)

Using **one** successful referendum and **one** High Court case, analyse the impact of referendums and the High Court's interpretation of the Commonwealth Constitution on the division of law-making powers.

[illegible]

[illegible]

Question 13 (10 marks)

Discuss the extent to which the adversary system achieves **one** of the elements of an effective legal system. In your answer, compare **two** features of the adversary system with the inquisitorial system.

[illegible]

[illegible]

Clearly number all responses in this space.

[illegible]

TURN OVER

A script book is available from the supervisor if you need extra paper to complete your answer. Please ensure you write your **student number** in the space provided on the front cover of the script book. **At the end of the examination, place the script book inside the front cover of this question and answer book.**