



Figures								Letter
Words								

Name _____

VCE LEGAL STUDIES 3/4 2016

CPAP Practice Examination No. 1

Reading time: 15 minutes

Writing time: 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 practice examination: 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 18 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** and **name** in the space provided above on this page.
- All written responses must be in English.
- 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.

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 (2 marks)

Outline **two** reasons why laws may need to be changed by parliament.

Question 2 (3 marks)

Using **one** example of an exclusive area of law-making under the Constitution, explain the power over the state parliaments that this gives the Commonwealth Parliament. Comment on why this power may have been made exclusive at federation rather than residual.

Question 3 (2 marks)

Outline the original jurisdiction of the County Court.

Question 5 (6 marks)

The legal system in Australia is in a process of constant evolution.

- a. Describe the **three** elements of an effective legal system.

3 marks

- 3 marks

[illegible]

6 marks

6 marks

[illegible]

Provide **two** effects of statutory interpretation, as performed by judges in the resolution of disputes.

Question 8 (5 marks)

Critically examine the effectiveness of arbitration as a method of dispute resolution, taking into account in your answer the way it is used in the court system and the Victorian Civil and Administrative Tribunal.

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 9 (4 marks)

Civil trials are generally disputes where one individual wants something from another individual, and the other individual disputes they have to give it.

- a. Define 'damages' in relation to a civil trial.

1 mark

- b. Describe what parties might reasonably be able to expect from their civil directions hearing, and outline the purpose of having a hearing like this.

3 marks

This image shows a blank 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 10 (8 marks)

Analyse the relationship between the courts and parliament as law-makers. In your answer, explain the way in which each body goes about making law.

[illegible]

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 11 (7 marks)

Compare the operation of the courts and the Victorian Civil and Administrative Tribunal in terms of the general rules of evidence and procedure usually applied, and in terms of the role and function of the third party to the dispute.

[illegible]

Question 12 (8 marks)

Explain **two** weaknesses of juries as arbiters of fact in the legal system, and discuss the extent to which **two** reforms and/or alternatives to the current system might fix these weaknesses.

[illegible]

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 13 (10 marks)

The effectiveness of parliament relies heavily on the ability of the people to have input into, and influence, the law-making process.

To what extent do you agree? Give reasons for your answer.

[illegible]

[illegible]

[illegible]

END OF QUESTION BOOK

Extra space for responses

Clearly number all responses in this space

[illegible]

[illegible]