

Trial Examination 2021

VCE Legal Studies Units 3&4

Written Examination

Question and Answer Booklet

Reading time: 15 minutes

Writing time: 2 hours

Student's Name: _____

Teacher's Name: _____

Structure of booklet

<i>Section</i>	<i>Number of questions</i>	<i>Number of questions to be answered</i>	<i>Number of marks</i>
A	7	7	40
B	3	3	40
			Total 80

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 correction fluid/tape.

No calculator is allowed in this examination.

Materials supplied

Question and answer booklet of 24 pages

Additional space is available at the end of the booklet if you need extra paper to complete an answer.

Instructions

Write your **name** and your **teacher's name** in the space provided above on this page.

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.

Students are advised that this is a trial examination only and cannot in any way guarantee the content or the format of the 2021 VCE Legal Studies Units 3&4 Written Examination.

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SECTION A

Instructions for Section A

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

Question 1 (2 marks)

Outline **one** reason why Consumer Affairs Victoria (CAV) would be an appropriate body to resolve a civil dispute.

Question 2 (4 marks)

Explain how judicial conservatism differs from judicial activism as a mechanism for affecting the ability of the courts to make laws.

Question 4 (6 marks)

- a.** Identify **two** rights of the accused in the Victorian criminal justice system. 2 marks

- b.** Explain how the rights identified in **part a.** aim to uphold the principle of equality. 4 marks

Question 5 (6 marks)

A recently commenced defamation case may not proceed. The Supreme Court judge presiding over the case has been alerted to the fact that the defendant in the matter will soon be declared bankrupt. Additionally, the plaintiff has possibly taken too long to file the lawsuit.

Analyse **two** factors the plaintiff should consider before continuing with the civil claim.

[illegible]

SECTION B**Instructions for Section B**

Use stimulus material, where provided, to answer the questions in this section. It is not intended that this material will provide you with all the information to fully answer the questions.

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

Question 1 (16 marks)

The following extracts relate to the murder of Celeste Manno.

Source 1

The following is an extract from an article published in *The Age* on 20 November 2020.

Thirty-five year old Roxburgh Park man Luay Sako was arrested on Monday after driving himself to the Mernda police station. He was charged with one count of murder ...

Source: Reproduced with permission from *The Age*. Accessed May 2021. The use of this work has been licensed by Copyright Agency. Except as permitted by the Copyright Act, you must not re-use this work without the permission of the copyright owner or Copyright Agency.

Source 2

The following is an extract from an article published in *The Age* on 8 December 2020.

A petition to strengthen laws around stalking sparked by the death of Melbourne woman Celeste Manno has been tabled in State Parliament after it garnered more than 8000 signatures.

The community petition, tabled by Justice Party MP Tania Maxwell on Tuesday, calls for the introduction of “more stringent laws for victims of stalking and violence”.

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Source 3

The following is an extract from an article published in *The Age* on 9 December 2020.

On Wednesday Ms Manno’s mother Aggie Di Mauro met with Attorney-General Jill Hennessy to call for change ...

... Ms Hennessy said Ms Manno’s death had been an “unimaginable tragedy” ...

“That’s why I will ask the Victorian Law Reform Commission to urgently review Victoria’s responses to stalking, harassment and similar conduct ...”

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4 marks

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface. There is no handwriting or other markings on the paper.

Question 2 (12 marks)

The following is an extract from an article published on the *news.com.au* website on 22 November 2017.

Euthanasia scheme given the go-ahead in historic day for Victoria

HUNDREDS of terminally-ill patients will be able to apply for lethal medication within 18 months, after parliament yesterday approved Victoria's first voluntary euthanasia scheme. In a historic day in the Legislative Council, 22 of 40 MPs in parliament's Upper House backed the Andrews Government's Bill.

...

The Bill will next week return to the Legislative Assembly for the Lower House to ratify some amendments made to satisfy crossbench and Liberal MPs in the Upper House.

Source: Reproduced with permission from *news.com.au*. Accessed May 2021. The use of this work has been licensed by Copyright Agency. Except as permitted by the Copyright Act, you must not re-use this work without the permission of the copyright owner or Copyright Agency.

- a.** Using the extract provided, explain how the roles of the houses may affect the ability of parliament to make laws.

4 marks

b. Outline the role of the Crown if the Bill is to become law.

2 marks

c. Describe the role the media may have played in relation to the Bill being tabled before parliament.

3 marks

- d.** 'The Australian Constitution determines the law-making powers of the Victorian parliament.'

Explain how this statement is reflected in the Bill.

3 marks

- b.** Outline **one** mitigating factor and **one** aggravating factor that may have been considered in this case.

4 marks

Mitigating factor _____

Aggravating factor _____

- c. Explain why a court may need to interpret the new legislation.

3 marks

END OF QUESTION AND ANSWER BOOKLET

