

SUPERVISOR TO ATTACH PROCESSING LABEL HERE

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Figures							
Words							

LEGAL STUDIES

Written examination

Wednesday 14 November 2007

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

Number of questions	Number of questions to be answered	Number of marks		
13	13	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 allowed in this examination.

Materials supplied

- Question and answer book of 24 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. In Question 13 answer either part **a.** or part **b.** Indicate which part, **a.** or **b.**, of Question 13 you have answered.

Question 1 Outline one role of the lower house of the Commonwealth Parliament.
1 mar
Question 2
'Several important principles ensure that the Australian parliamentary system is democratic. One of these is the principle of responsible government.'
Explain the principle of responsible government.

'Formal law reform bodies such as the Australian Law Reform Commission, parliamentary committees, the

Question 3

Victorian Law Reform the process of changing		ment inquiries and	royal commissions pla	ay an important role in
Select one of the formatin the law.	al law reform bodies l	isted above and exp	plain its role in assessi	ng the need for change

mes has been involved in a serious car accident and has been charged with culpable driving. At the conclusion the committal hearing he was committed to stand trial, and he was refused bail.					
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2 + 1 + 1 = 4 marks

Question 5	
Identify two features of the relationship between courts and parliament in the law-making process.	ess.
	2 1
	2 marks

Bruce,	aged 18, has	been charged	with breaking i	nto a house	and stealing a	plasma te	levision. I	He has o	decided
to plea	d 'not guilty'	to the charge	and have it hear	rd in the Mag	gistrates' Cou	rt.			

His friend, Danni, tells him that

 Bruce could have this case tried in another court if he wanted to; and
• if Bruce is convicted in the Magistrates' Court, there is more than one possible appeal available to him.
Do you agree with Danni's advice? Give reasons for your answer.
Do you agree with Danin s advice: Give reasons for your answer.

could still be made.'	_	ving the effective operation	
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Question 8	8
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Discuss the significance of two High Court cases that have interpreted the Commonwealth Constitution. In your answer, indicate the impact these cases have had on the law-making powers of the State and Commonwealt Parliaments.				

Question 9 Parliament is said to have many strengths as a law-making body. Identify and critically examine two of those strengths.				

		6 marks
the adversary system be improved if it	ersary system of trial with one feature of the inquisitorial systet adopted that feature of the inquisitorial system? Justify your	answer.
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'Australia's approach to the constitutional protection of democratic and human rights is different from, an not as effective as, the approach adopted in the United Kingdom, the United States of America, Canada, Nev Zealand and South Africa.'		
Compare Australia's approach to the constitutional protection of democratic and human rights with the approach adopted in one of the countries listed above. In your answer, evaluate how effective the Commonwealth of Australia's Constitution is in protecting democratic and human rights.		

13

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		8 marks

'Problems associated with civil pre-trial procedures make it difficult for people to gain access to the law. Thes problems have also contributed to the popularity of tribunals and alternative dispute resolution methods.'			
Discuss two problems affecting our system of civil pre-trial procedure which make it difficult for people to gain access to the law. In your answer, indicate how tribunals and alternative methods of dispute resolution have attempted to overcome these problems.			

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8 marks
8 marks

Answer either part a. or part b. of this question.

EITHER

a. 'Our common law system of law-making ensures that similar cases with similar fact situations receive similar rulings by judges.'

Critically evaluate the effectiveness of this process of law-making by the courts, and justify your conclusion.

OR

b.	A lega	l writer	recently	comment	ted:

'I believe that the jury is one of the most important institutions in ensuring that Australia has an effective legal system. However, not everyone agrees with me'.

Critically evaluate the extent to which the jury system contributes to an effective legal system, and justify your conclusion.

Either a. or b.

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Extra space for responses
Clearly number all responses in this space.

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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.

