



**Victorian Certificate of Education
2008**

SUPERVISOR TO ATTACH PROCESSING LABEL HERE

STUDENT NUMBER

Figures

Words

Letter

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LEGAL STUDIES
Written examination

Wednesday 12 November 2008

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>
11	11	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 19 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 11 answer either part **a.** or part **b.** Indicate which part, **a.** or **b.**, of Question 11 you have answered.

Question 1

Sally has just become an Australian citizen and is interested in learning more about the Australian legal system. She is particularly interested in the way laws are changed.

a. Outline the role played by the Crown in the law-making process.

b. Explain **one** reason why laws may need to be changed. Provide an example to illustrate your answer.

c. Identify and explain **one** way in which Sally can participate in influencing a change in a law.

1 + 2 + 2 = 5 marks

Question 2

David has just lost his civil action in the County Court. He has had difficulty reading his judgment, and does not understand why the judge has interpreted a Victorian Act of Parliament.

- a. Outline **two** reasons why statutes may need to be interpreted.

- b. David wants to appeal the outcome of his case. In which court would the appeal be heard?

2 + 1 = 3 marks

Question 3

Describe **one** function of the Coroner's Court.

2 marks

Question 7

James and his friends were celebrating James' 35th birthday at a local restaurant. At the end of the night, James decided that he may have had too much to drink and called a taxi. On the way out, James tripped on some worn carpet and fell to the floor, causing him a serious injury. After consulting his lawyer, James decides to sue the restaurant for compensation.

- a. Identify which party has the burden of proof in this case.

- b. Outline **one** role of the judge if this case goes to trial.

- c. Advise James on the purpose of **two** pre-trial procedures which his lawyer might use in this case.

1 + 1 + 4 = 6 marks

6 marks

