



NSW Education Standards Authority

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Centre Number

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Student Number

2024 HIGHER SCHOOL CERTIFICATE EXAMINATION

Legal Studies

General Instructions

- Reading time – 5 minutes
- Working time – 3 hours
- Write using black pen
- Write your Centre Number and Student Number at the top of this page and page 9

Total marks:
100

Section I – 20 marks (pages 2–6)

- Attempt Questions 1–20
- Allow about 30 minutes for this section

Section II – 30 marks (pages 9–21)

This section has two parts, Part A and Part B

- Allow about 1 hour for this section

Part A – 15 marks

- Attempt Questions 21–23

Part B – 15 marks

- Attempt Question 24

Section III – 50 marks (pages 22–23)

- Attempt TWO questions from Questions 25–31, each from a different Option
- Allow about 1 hour and 30 minutes for this section

Section I

20 marks

Attempt Questions 1–20

Allow about 30 minutes for this section

Use the multiple-choice answer sheet for Questions 1–20.

1 Which court can hear criminal appeals in NSW?

- A. Local Court
- B. District Court
- C. Coroner's Court
- D. Children's Court

2 Mia has been found guilty of threatening a person with a weapon during a robbery.

What impact would the use of a weapon have on her sentence and what sentencing factor has been applied?

	<i>Impact on sentence</i>	<i>Factor</i>
A.	Longer	Aggravating
B.	Longer	Mitigating
C.	Shorter	Aggravating
D.	Shorter	Mitigating

3 How can non-government organisations assist when human rights are not being upheld?

- A. Negotiate a treaty
- B. Enforce legislation
- C. Prosecute breaches
- D. Advocate for victims

- 4 When can a NSW police officer arrest a person?
- A. Only when the officer possesses a warrant
 - B. When observing a person with a criminal record
 - C. When witnessing a group of young people gathered in a public place
 - D. When having reasonable grounds to suspect that a crime has been committed
- 5 How does the common law protect human rights in Australia?
- A. Through rulings made by courts and tribunals
 - B. Through statutory authorities
 - C. Through acts of parliament
 - D. Through the executive
- 6 The International Criminal Court deals with which of the following crimes?
- A. Treason
 - B. Sedition
 - C. War crimes
 - D. Drug trafficking

- 7 Luca robs a petrol station. Dora hides the money at her house.

Which row of the table describes Luca's and Dora's role in this crime?

	<i>Luca's role</i>	<i>Dora's role</i>
A.	Principal in the first degree	Accessory before the fact
B.	Principal in the first degree	Accessory after the fact
C.	Principal in the second degree	Accessory before the fact
D.	Principal in the second degree	Accessory after the fact

- 8** Workers in a manufacturing company are being paid below the minimum legal wage.

Which type of human rights are being violated?

- A. Universal suffrage
- B. Universal education
- C. Environmental rights
- D. Trade unionism and labour rights

- 9** Who is responsible for representing the State in criminal proceedings?

- A. The judiciary
- B. The Public Defender
- C. The Director of Public Prosecutions
- D. The Legal Aid Commission of NSW

- 10** Jessica is a 15-year-old who has pleaded guilty to vandalising public property. The magistrate has sentenced her to community service.

What is the main purpose of sentencing in this case?

- A. Protection of the community
- B. Rehabilitation of the offender
- C. Incapacitation of the offender
- D. Retribution for the community

- 11** Which of the following correctly describes the Universal Declaration of Human Rights (UDHR)?

- A. It is legally binding.
- B. It contains inalienable rights.
- C. It is enforced by all countries.
- D. It has been ratified by all countries.

- 12** Which of the following is true of a strict liability offence?
- A. It only applies to driving offences.
 - B. It can be tried by a judge and jury.
 - C. Mens rea does not need to be proved.
 - D. There is a requirement for mens rea but not actus reus.
- 13** Which of the following is a feature of a NSW Criminal Infringement Notice (CIN)?
- A. It is issued by a court.
 - B. It cannot be overturned in court.
 - C. It is an alternative to court prosecution.
 - D. It is always followed by a court proceeding.
- 14** Which of the following is true of search warrants?
- A. They are valid indefinitely.
 - B. Only a judicial officer can issue them.
 - C. High-ranking police officers can issue them.
 - D. They only apply to NSW residents, not visitors.
- 15** What is the purpose of Legal Aid?
- A. To provide financial assistance for lawyers
 - B. To assist only those accused of serious offences
 - C. To support financially disadvantaged individuals in legal matters
 - D. To provide free legal representation for everyone accused of a crime
- 16** What is the primary function of the Australian Human Rights Commission?
- A. To investigate alleged human rights breaches
 - B. To create human rights legislation in Australia
 - C. To publish reports that governments must adopt
 - D. To fund organisations that promote human rights

- 17** How does Australia's criminal justice system address transnational crime?
- A. By collaborating with international law enforcement agencies
 - B. By excluding transnational crimes from prosecution within Australia
 - C. By solely relying on the jurisdiction from where the crime originated
 - D. By imposing sanctions on countries with high levels of transnational crime
- 18** Which statement accurately describes a purpose of remand?
- A. To reduce delays in court proceedings
 - B. To ensure the accused attends the trial
 - C. To pressure the accused to plead guilty
 - D. To protect the accused's right to liberty
- 19** What is a key legal principle regarding the use of evidence in NSW criminal courts?
- A. Allow all evidence to be admitted
 - B. Favour the prosecution's evidence
 - C. Include evidence which is opinion and hearsay
 - D. Limit evidence to what is reliable and relevant
- 20** Which of the following is true in relation to the right to silence, in NSW, for a person aged over 18?
- A. It exists in all circumstances.
 - B. Summary offences are exempt.
 - C. Courts may later draw an unfavourable inference.
 - D. It is a right at the police station but not during court proceedings.

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Centre Number

Legal Studies

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Student Number

Section II Answer Booklet

30 marks

Allow about 1 hour for this section

Instructions

- Write your Centre Number and Student Number at the top of this page.
- Use this answer booklet for Section II ONLY.
- Answer BOTH Part A and Part B.
- Follow the instructions inside this booklet as to where you should write your answers.

Please turn over

Section II

Part A – Human Rights

15 marks

Attempt Questions 21–23

Answer the questions in the spaces provided. These spaces provide guidance for the expected length of response.

Question 21 (2 marks)

Define the term *self-determination*.

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Do NOT write in this area.

Question 22 (6 marks)

In relation to human rights, discuss the extent to which the Australian Constitution reflects changing values and ethical standards.

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Question 23 (7 marks)

Analyse the impact of state sovereignty on a contemporary human rights issue.

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End of Section II Part A

Turn over for Section II Part B

Section II Part B — Answer Question 24 on pages 14–19

24

Question Number

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Do NOT write in this area.

Do NOT write in this area.

If you require more space to answer Section II Part B, you may ask for an extra writing booklet.

If you have used an extra writing booklet for Section II Part B, tick here.

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Legal Studies

Section II (continued)

Part B – Crime

15 marks

Attempt Question 24

Answer the question on pages 14–19 of the Section II Answer Booklet. Extra writing booklets are available.

Your answer will be assessed on how well you:

- demonstrate knowledge and understanding of legal issues relevant to the question
 - communicate using relevant legal terminology and concepts
 - refer to relevant examples such as legislation, cases, media, international instruments and documents
 - present a sustained, logical and cohesive response
-

Question 24 (15 marks)

To what extent does the criminal trial and sentencing process provide justice for adult offenders?

Please turn over

Section III — Options

50 marks

Attempt TWO questions from Questions 25–31, each from a different Option

Allow about 1 hour and 30 minutes for this section

Answer both questions in the Section III Writing Booklet. Extra writing booklets are available.

Your answers will be assessed on how well you:

- demonstrate knowledge and understanding of legal issues relevant to the question
 - communicate using relevant legal terminology and concepts
 - refer to relevant examples such as legislation, cases, media, international instruments and documents
 - present a sustained, logical and cohesive response
-

Question 25 — Consumers (25 marks)

- (a) Analyse the role of state and federal government organisations in responding to the rights of consumers. **25**

OR

- (b) To what extent are legal responses effective in addressing the issues of credit and technology? **25**

Question 26 — Global Environmental Protection (25 marks)

- (a) Analyse the role of Australia’s federal structure in the protection of the global environment. **25**

OR

- (b) To what extent are legal responses effective in addressing the conflict between the demand for resources and global environmental protection? **25**

Question 27 — Family (25 marks)

- (a) Analyse the role of state and federal governments in responding to the rights of family members. **25**

OR

- (b) To what extent are legal responses effective in addressing the issues of surrogacy and birth technologies? **25**

Question 28 — Indigenous Peoples (25 marks)

- (a) Analyse the role of Australia's federal structure in responding to the rights of Indigenous peoples. **25**

OR

- (b) To what extent are legal responses effective in addressing the issues of intellectual property and cultural rights of Indigenous peoples? **25**

Question 29 — Shelter (25 marks)

- (a) Analyse the role of state and federal governments in responding to the rights of individuals accessing shelter. **25**

OR

- (b) To what extent are legal responses effective in addressing the issues of affordability and social housing? **25**

Question 30 — Workplace (25 marks)

- (a) Analyse the role of state and federal governments in responding to the rights of employees. **25**

OR

- (b) To what extent are legal responses effective in addressing the issues of leave and termination of employment? **25**

Question 31 — World Order (25 marks)

- (a) Analyse the role of Australia's federal government in promoting and maintaining world order. **25**

OR

- (b) To what extent are legal responses effective in ensuring the principle of 'responsibility to protect' and rules regarding the conduct of hostilities? **25**

End of paper

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