



Name: _____

LEGAL STUDIES

Practice Written Examination

READING TIME: 15 MINUTES

WRITING TIME: 2 HOURS

QUESTION AND ANSWER BOOK

Structure of book

Number of questions:	Number of questions to be answered:	Number of marks:
11	11	70

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 15 pages.

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

Instructions

Write your **student name** 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.

Question 1

A visitor to Australia, who is studying our parliamentary system, comments that the system is easy to understand except for 'the separation of power'.

Explain to the visitor the principle of the separation of power in the Australian parliamentary system.

2 marks

Question 2

Tayah is struggling with some of the aspects of the laws that she deals with in her small business as they seem to be outdated and restrictive. She would like some of them to change but is not sure how to go about this.

- (a) Using an example, discuss an additional reason why laws need to change.

2 marks

- (b) Outline two ways Tayah could bring about change to the laws that apply to her business.



4 marks

(b) Discuss two reasons why this process has been relatively ineffective in changing the division of powers.

2 marks

(c) Identify and comment on the significance of one successful referendum that has changed the division of law-making powers in Australia.

4 marks

6 marks

Question 7

David was involved in a fight and the other person died later as a result of the fighting. David is arrested at the location of the incident.

(a) In which court will David first appear in relation to this offence?

1 mark

(b) Would he have been granted bail? Why or why not?

2 marks

(c) Identify one other pre-trial procedure that David will have to participate in.

2 marks

(b) Who holds the burden of proof in this case and what standard of proof will this case need to satisfy?

2 marks

(c) Who will issue the remedy in this case and what is the purpose of civil remedies?

2 marks

(d) What remedy would be appropriate in this case if Annabelle were to win?

2 marks

