

# Legal Studies (LST315117)

## *External Assessment Specifications*

External Assessment Specifications inform the development of external assessments. The primary audience for this document is the course Setting Examiner and Exam Critics. It may also be of use to teachers and students.

This document does not repeat essential information found in other documents and must be read in the context of the course document, available on the [TASC Courses](#) webpage.

The external assessment for this course consists of a written exam.

### WRITTEN EXAM STRUCTURE

The written exam is THREE hours.

Students will have an additional 15-minute preparation time during which students can take notes on the note paper provided and highlight any key words in the exam booklet during the allocated time. Students will not be permitted to start their exam until advised by the Exam Supervisor.

The written exam includes THREE sections.

The criteria to be externally assessed are:

- Criterion 1 describe and analyse structures and processes of Australia's Westminster parliamentary system of government
- Criterion 2 describe and analyse aspects of Australian and International law
- Criterion 3 describe and analyse Australian dispute resolution systems and processes
- Criterion 4 describe and analyse Australia's criminal justice system
- Criterion 5 describe and analyse a topical legal issue
- Criterion 7 communicate legal and political information.

### Specific Materials and Equipment Approved for Use by Students

There is no external Information Sheet for this course.

# ASSESSMENT

All criteria are assessed using extended ratings of A+, A, A-, B+, B, B-, C+, C, C-, t+, t, t- or z. Note that a C- is a low C, in that it just meets the standards for a C but is not a t.

The algorithm to achieve final rating from Sections A – C will take account of the fact that each section carries equal weight

A set of solutions or a marking tool will be developed by the Setting Examiner, provided to markers at the marking meeting that follows the external written exam; and will be available from TASC in the following year.

The external assessment must include items that, separately or together, give opportunities to demonstrate the standards from rating C to rating A.

Final results will be awarded as a rating of A, B, C, t or z in the above criteria. These ratings are used in determining the final award according to the algorithm in the course document.

## SECTION A

### Structure

- This section will take students approximately 60 minutes to respond to.
- Students will respond to ONE of FOUR questions.
- Students must write the question number they have chosen on the front cover.

This section addresses the following course content:

- Part 1 – Principles and practices of Australia’s Westminster Parliamentary System of Government
- Part 2 – Australia’s Federal Constitutional Government

### Assessed Criteria

- Criterion 1 describe and analyse structures and processes of Australia’s Westminster parliamentary system of government (may assess Elements 2, 3, 4 and 5).
- Criterion 7 communicate legal and political information (Elements 1, 2, 3 and 4).

### Nature of Questions

- Two questions will be derived from Part One of the course, one from each of the following topics:
  - The Separation of Powers and Rule of Law in Australia
  - The five main features of the Westminster system adopted by Australia.
- Two questions will be derived from Part Two of the course, one from each of the following topics:
  - The main features of Australia’s federal system, the alteration to the division of power over time and the consequences for federalism in Australia
  - The status of Aboriginal and Torres Strait Islander Peoples in the Constitution of the Commonwealth of Australia, and possible reforms to that status.

- Students will respond to ONE question.
- Note: there will not be a specific question on the Principles of Liberal Democracy.

## Nature of Responses

- Responses will be assessed using extended alpha ratings.
- Analytical essay response form.

## SECTION B

### Structure

- This section will take students approximately 60 minutes to respond to.
- Students will respond to ONE question.
- Students must write the question number they have chosen on the front cover.

This section addresses the following course content:

- Part 3 – Australian and International Law
- Work Requirement (Topical Legal Issue)

### Assessed Criteria

- Criterion 2 describe and analyse aspects of Australian and International law (may assess Elements 1, 2, 3, 4, 5, 6 and/or 7).
- Criterion 5 describe and analyse a topical legal issue (Elements 1, 2, 3, 4 and 5).
- Criterion 7 communicate legal and political information (Elements 1, 2, 3 and 4).

### Nature of Questions

- The essay will address relevant elements of Australian and International law through the lens of a topical legal issue.
- Topical legal issues will be selected from a set of topics published by TASC each year.
- Elements of Australian and International law may derive from any of the below:
  - Customary law
  - Statute law
  - Common Law
  - Law Reform
  - International Law
- In addition to responding to a Topical Legal Issue, students essay response must address **relevant** aspects of Part 3 topics: customary, statute, common, international law and/or law reform, so as to meet the requirements of Criterion 2.

### Nature of Responses

- Responses will be assessed using extended alpha ratings.
- Analytical essay response form.

## SECTION C

### Structure

- This section will take students approximately 60 minutes to respond to.
- This section is divided into TWO parts. Students will respond to ONE of TWO questions in Part 1, and ONE of TWO questions in Part 2.
- Students must write the question number they have chosen for each part on the front cover.

This section addresses the following course content:

- Part 4 – Dispute Resolution: Civil and Criminal

### Assessed Criteria

- Criterion 3 describe and analyse Australian dispute resolution systems and processes (may assess Elements 1, 2 and 3).
- Criterion 4 describe and analyse Australia’s criminal justice system (Elements 2, 3 and 4).

### Nature of Questions

- One question will be derived from Part 4.1 of the course on the following topic:
  - Any two features of the adversarial trial process and the advantages and limitations of the adversary system
- One question will be derived from Part 4.2 of the course on the following topic:
  - One or two ADR processes and the extent to which the process/processes address the limitations of the adversary system
- One question will be derived from Part 4.4 of the course on the following topic:
  - Any two safeguards built into the criminal justice system to protect the accused and how the rights of the accused, the victim and the community are protected in the criminal justice system
- One question will be derived from Part 4.5 of the course on the following topic:
  - Tasmanian sentencing laws, aims, principles, and the extent to which two sentencing options fulfil the aims of sentencing
- Students will respond to ONE of TWO questions in Part 1, and ONE of TWO questions in Part 2.

### Nature of Responses

- Responses will be assessed using extended alpha ratings.
- Short answer response form.