

External Assessment 2024

LEGAL STUDIES

LST315117

Pages: 12

Questions: 9

Answer booklets: 4

Preparation time for this exam: 15 minutes

Suggested working time: 3 hours

Instructions:

- There are **three (3)** sections to this exam paper.
- You must answer **four (4)** questions in total:
 - **Section A** – answer **one (1)** question in **analytical essay form**
 - **Section B** – answer **Question 5** in **analytical essay form**
 - **Section C** – answer **one (1)** question from **each part**
 - **Part 1** – answer **one (1)** question in **short answer form**
 - **Part 2** – answer **one (1)** question in **short answer form**.
- Write your answers for each section in a **separate answer booklet** and write the question number you are answering on the front cover of each answer booklet.
- The exam is **three (3) hours** in length. The suggested working time for each section is **approximately 60 minutes**.
- All answers must be written in **English**.
- You **must** make sure your answers address the listed criteria.

Blank Page

Guide to Exam Structure

		Parts	Questions available	Questions to answer	Suggested working time	Marks available
Section	A		4	1	60 minutes	All criteria are assessed using extended ratings of A+ to z
Section	B		1	1	60 minutes	
Section	C	Part 1	2	1	30 minutes	
		Part 2	2	1	30 minutes	
Totals			9	4	180 minutes (3 hours)	

Criteria

You **must** make sure your answers address:

- 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.

Section A

- Answer **one (1)** question in this section using **analytical essay form**.
 - Write your answer in a **separate answer booklet**.
 - The suggested working time for this section is **approximately 60 minutes**.
 - This section assesses **Criteria 1** and **7**.
-

Principles and Practices of Australia's Westminster Parliamentary System of Government

Question 1

Explain the main features of the Westminster system of government at the federal level in Australia.

Evaluate the effectiveness of **three (3)** of these features in contributing to Australia's Westminster system of government.

OR

Question 2

Explain **separation of powers** and **rule of law** in the Westminster system of government in Australia.

Evaluate their effectiveness in preventing abuse of power in Australia's system of government.

OR

Australian Federal Constitutional Government

Question 3

Explain and evaluate how some residual and concurrent lawmaking powers for the states have changed over time to create significantly more power for the Commonwealth.

OR

Question 4

Explain the original status of Aboriginal and Torres Strait Islander Peoples in the Australian Constitution. Briefly explain the 1967 and 2023 referendums. Evaluate the outcomes of the referendums for the status of Aboriginal and Torres Strait Islander Peoples in Australia today.

Section B – Australian and International Law and Work Requirement (Topical Legal Issue)

- Answer **one (1) Topical Legal Issue (TLI)** and write your answer to Question 5 using **analytical essay form**.
 - Write your answer in a **separate answer booklet** and write the TLI you have chosen on the front cover.
 - The suggested working time for this section is **approximately 60 minutes**.
 - This section assesses **Criteria 2, 5 and 7**.
-

Question 5

Are the **relevant** processes and **relevant** institutions in Australian law and/or (if relevant) international law effective in resolving your chosen TLI?

To address this question, select **one (1)** of the following 2024 Topical Legal Issues (TLI) that relates to Australian law and (if relevant) international law.

- International Law Responses to the Conflict in Gaza

OR

- Sentencing Reform in Tasmania: Mandatory Sentencing and the Introduction of Alcohol Treatment Orders

OR

- *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs and Anor*

OR

- Fair Work Legislation Amendment (Closing Loopholes) Act 2023

OR

- Implementation of Robodebt Royal Commission Recommendations

Question 5 continues

Question 5 continued

Your response should include:

- A brief introduction to your topic, highlighting the political and legal issues.
- Different legal and political views on your chosen TLI.
- **Relevant** processes and **relevant** institutions used to resolve the TLI.
- An evaluation of the **relevant** processes and **relevant** institutions in resolving your chosen TLI.

Ensure your answer includes **relevant** processes and **relevant** institutions from at least **two (2)** sections of **Part 3** of the course document:

- customary law
- Australian statute law
- Australian common law
- Australian law reform
- international law*
 - incorporation into domestic law
 - international law enforcement

*Please note that international law has **two (2) parts** and may be counted as **two (2)**.

Section C – Dispute Resolution: Civil and Criminal

Part 1

- Answer **one (1)** question in this section using **short answer** form.
 - Write your answer in a **separate answer booklet**.
 - The suggested working time for Section C: Part 1 is **approximately 30 minutes**.
 - This part assesses **Criterion 3**.
-

Question 6

Explain **party control** and **strict rules of evidence and procedure** in the adversarial trial process.

Evaluate the advantages and limitations of these features in achieving a fair trial.

OR

Question 7

Briefly explain **two (2)** Alternative Dispute Resolution (ADR) methods. Evaluate the effectiveness of these methods in addressing limitations of the adversary system and in resolving legal disputes.

Section C – Dispute Resolution: Civil and Criminal

Part 2

- Answer **one (1)** question in this section using **short answer** form.
 - Write your answer in a **separate answer booklet**.
 - The suggested working time for Section C: Part 2 is **approximately 30 minutes**.
 - This part assesses **Criterion 4**.
-

Question 8

Explain the use of **police procedures** and **presumption of innocence** to protect the accused. Evaluate these safeguards.

OR

Question 9

Identify the main Tasmanian laws that regulate sentencing. Briefly explain the purposes of sentencing. Evaluate the custodial order of **imprisonment** and **one other sentencing option** in Tasmania in fulfilling these purposes.

End of Exam

Blank Page

Blank Page



TASMANIAN
ASSESSMENT, STANDARDS
& CERTIFICATION

This exam paper and any materials associated with this exam
(including answer booklets, cover sheets, rough note paper, or information sheets)
remain the property of Tasmanian Assessment, Standards and Certification.