TASMANIAN ASSESSMENT, STANDARDS & CERTIFICATION

External Assessment 2026

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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 question 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.

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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

Briefly explain the **six (6)** main features **(constitutional monarchy, constitutional conventions, separation of powers, rule of law, representative and responsible government and bicameral parliament)** of the Westminster system of government adopted by Australia.

Evaluate how well each of these features deliver Australia a government that is subject to scrutiny.

OR

Question 2

Explain the formal and aspirational parts of the **separation of powers** and **rule of law** in Australia's Westminster system of government.

Evaluate the extent to which these features provide Australia with accountable government.

OR

Question 3

Explain the division of powers in Australia at Federation and provide examples of each type of law-making power.

Evaluate the impact of referrals of power, referendums and High Court decisions on the division of powers over time, paying particular attention to the ability of states and the Commonwealth to exercise their law-making powers.

OR

Question 4

Explain the exclusion of Aboriginal and Torres Strait Islander Peoples in the creation and wording of the original Australian Constitution.

Evaluate **one (1)** success, **one (1)** failure and **one (1)** ongoing reform aimed at addressing this historical exclusion.

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

- Select **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

Select **one (1)** of the TASC 2026 Topical Legal Issues (TLI) from the provided list on **page 9** of this exam booklet.

Examine how the issue **may** be resolved through the relevant institutions and processes.

In your response include:

- a description of the issue and why it is topical
- the current law and/or proposed law relevant to the issue
- the legal/political institutions and processes relevant to the issue
- the differing legal and political views around the issue
- connections between the selected issue and at least **two (2)** of the following (noting that International Law counts as **two (2)**):
    - Customary Law
    - Statute Law
    - Common Law
    - Law Reform
    - International Law (IL):
        - differences between IL and domestic law
        - IL enforcement.

Section C – Dispute Resolution: Civil and Criminal

Part 1

- Answer **one (1)** question in this part 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

Select **two (2)** features of the adversary system listed below:

- contest
- impartial adjudicator
- party control
- strict rules of evidence and procedure
- a single event
- role of the jury.

Explain these **two (2)** features and critically evaluate the extent to which they contribute to the purpose of an adversary trial.

OR

Question 7

Select **two (2)** of the alternative processes for the resolution of disputes listed below:

- Negotiation and Settlement
- Mediation
- Tribunals
- Conciliation and Arbitration
- Restorative Justice
- Ombudsman.

Explain how these **two (2)** processes operate and critically analyse how effectively they address some of the shortcomings of an adversary trial.

Section C – Dispute Resolution: Civil and Criminal

Part 2

- Answer **one (1)** question in this part 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 and evaluate the **presumption of innocence** and **one (1)** other safeguard to protect the accused in the criminal justice system. Evaluate **one (1)** right of a victim in the criminal justice process and how this is balanced with the rights of the accused.

OR

Question 9

Identify the laws and principles considered during sentencing in Tasmanian courts. Evaluate how well **imprisonment** and **one (1)** other sentencing option fulfil the aims of sentencing.

- **Greenland, Venezuela and the impacts of the Trump Administration on the international legal order**

  Possible Links to Part 3 of LST315117: International Law

- ***Gellung Warl*: The Victorian treaty legislation**

  Possible Links to Part 3 of LST315117: Australian Statute Law, Australian Law Reform, Customary Law

- **The implied freedom of political communication: changes to hate speech and protest laws in Australia**

  Possible Links to Part 3 of LST315117: Australian Common Law, Australian Statute Law, Australian Law Reform

- ***Online Safety Amendment (Social Media Minimum Age) Bill 2024***

  Possible Links to Part 3 of LST315117: Australian Common Law, Australian Statute Law, Australian Law Reform

- **Environmental law reform in Tasmania in response to salmon farming**

  Possible Links to Part 3 of LST315117: Australian Statute Law, Australian Law Reform

End of Exam

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