

# **Legal Studies**

2011 Subject Outline

Stage 1 and Stage 2



Government  
of South Australia

**SACE**  
Board of SA

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# INTRODUCTION

## PURPOSES OF THE SACE

The South Australian Certificate of Education (SACE) is designed to enable students to:

- develop the capabilities to live, learn, work, and participate successfully in a changing world
- plan and engage in a range of challenging, achievable, and manageable learning experiences, taking into account their goals and abilities
- build their knowledge, skills, and understanding in a variety of contexts, for example, schools, workplaces, and training and community organisations
- gain credit for their learning achievements against performance standards.

## SUBJECT DESCRIPTION

Legal Studies may be undertaken as a 10-credit subject or a 20-credit subject at Stage 1, and as a 20-credit subject at Stage 2.

Legal Studies explores Australia's legal heritage and the dynamic nature of the Australian legal system within a global context. Legal Studies provides students with a sound understanding of the structures of the Australian legal system and demonstrates how that system responds and contributes to social change while acknowledging tradition. By analysing the Australian legal system, students consider how diverse groups in society, including Indigenous Australians, influence and are influenced by the legal system.

Legal Studies provides insight into law-making and the processes of dispute resolution and administration of justice. Students evaluate the merits of the adversary system of trial and other forms of dispute resolution systems and processes; in addition, students investigate legal perspectives on contemporary issues in society. They reflect on, and make informed judgments about, strengths and weaknesses of the Australian legal system. Students consider how, and to what degree, these weaknesses may be remedied.

An informed citizenry is essential in any effective parliamentary democracy. Civic literacy involves an appreciation of the principles, procedures, and interconnections of the Australian legal system. It develops in an individual the confidence to become involved in decision-making within the legal system. Legal Studies enables students to develop their civic literacy and awareness of how active and informed citizenship can improve society. By examining the system of constitutional government in Australia, students recognise the rights and responsibilities of individuals, groups, and institutions. Through the examination of their own values and attitudes, students have an opportunity to reflect critically on values inherent in the Australian legal system.

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## **CAPABILITIES**

The aim of the SACE is to develop well-rounded, capable young people who can make the most of their potential. The capabilities include the knowledge and skills essential for people to act in effective and successful ways.

The five capabilities that have been identified are:

- communication
- citizenship
- personal development
- work
- learning.

The capabilities enable students to make connections in their learning within and across subjects in a wide range of contexts.

The capabilities, in particular those of citizenship, personal development, and learning, are reflected in the learning requirements, content, assessment design criteria, and performance standards of this subject. Students develop these capabilities as they increase their understanding of the principles, procedures, and interconnections of the Australian legal system. Students critically analyse law-making and the processes of dispute resolution and the administration of justice. There are also opportunities to develop the capabilities of communication and work.

### **Communication**

In Legal Studies students develop their capability for communication by reading, speaking, listening, and writing. They develop an understanding of, and use, terms relevant to Legal Studies. Students analyse, justify, and present reasoned arguments. They analyse and appraise a variety of sources, including conventions, statutes, texts, and debates that have shaped legal and political structures. Some of these sources may be accessed using information and communication technologies.

As students express and analyse their own opinions and those of others, they recognise and value cultural and global differences. Students are encouraged to express ideas and opinions, supported by evidence, using a variety of text types.

### **Citizenship**

In Legal Studies students develop their capability for citizenship by exploring the ways in which the Australian legal system defines and clarifies both individual and collective rights and responsibilities. Students learn about how the legal system affects the relationships, actions, and interactions of people in society. Students explore the principles, history, and global influences that underpin the Australian legal system.

Students develop an understanding that the Australian legal system is constantly evolving and has strengths and weaknesses. Students critically analyse the legal system and explore different legal perspectives and priorities held by diverse cultural and interest groups. This includes the extent to which the legal system influences, and is influenced by, Indigenous Australians.

Students analyse legal systems and discuss why groups have, or do not have, access to power. Students consider opportunities for involvement and participation in the legal system.

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## Personal Development

In Legal Studies students develop their capability for personal development by building on their ability to examine the links between individuals, families, and the community, and how these relationships affect the dynamic nature of the Australian legal system. Students are encouraged to critically examine personal and community decision-making and their potential for broader involvement and participation. Students have opportunities to develop the knowledge, skills, and values necessary for active citizenship now and in the future.

## Work

In Legal Studies students develop their capability for work by enhancing their employment skills through critical analysis of written, visual, and oral texts, and engaging in collaborative group work. Students' access to and use of the legal system builds skills for solving problems, posing problems, thinking ethically, taking initiative, planning, organising, and leading.

Students read, consider, and compose a range of texts using appropriate language that suits the purpose and intended audience. Students come to realise that the practical skills of clear and accurate speaking, writing, and use of technology are valuable transferable employability skills that enable access to, and participation in, economic and social activities.

Legal Studies has a broad application in a number of vocational fields and life experiences that deal with relationships, social justice, and citizenship (e.g. management, business, human resources, environmental management, international relations, public relations, education, journalism, and other law-related fields).

## Learning

In Legal Studies students develop their capability for learning by extending their capacity to think critically when interpreting, analysing, and evaluating a range of sources on legal issues or concepts. Students are supported to make reasoned and balanced judgments about important questions of law and its application. Students learn to collect, organise, sort, and synthesise information; this enables them to critically examine written, oral, and visual sources in order to critique legal process or precedents. Students develop skills in using information and communication technologies to manage and share information, and to construct knowledge and present information.

## LITERACY IN LEGAL STUDIES

Students:

- formulate and defend positions using legal terminology and discourse
- analyse, justify, and present reasoned arguments
- read and compose texts, speak and listen, and access and synthesise information
- acknowledge sources appropriately
- use culturally inclusive language in communicating with the community
- use appropriate language conventions of grammar, spelling, and punctuation
- present material in a variety of appropriate formats and text types

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- identify and use legal terminology in an appropriate way
  - identify and critically examine online and other sources (e.g. written, oral, data, and visual) from different perspectives, to consider context, relevance, purpose, bias, accuracy, and reliability
  - express ideas using supporting evidence.

## **NUMERACY IN LEGAL STUDIES**

Students:

- display data using appropriate conventions
- extrapolate, evaluate, and interpret data
- identify trends and patterns when examining data
- use graphical illustrations to convey meaning
- compile and evaluate quantitative data through observations, surveys, searches, and interviews
- develop concepts of time, space, and number in relation to the institutions and operations of the Australian legal system
- design reliable qualitative surveys
- understand and use graphs, diagrams, and statistics.

## **ABORIGINAL AND TORRES STRAIT ISLANDER KNOWLEDGE, CULTURES, AND PERSPECTIVES**

In partnership with Aboriginal and Torres Strait Islander communities, and schools and school sectors, the SACE Board of South Australia supports the development of high-quality learning and assessment design that respects the diverse knowledge, cultures, and perspectives of Indigenous Australians.

The SACE Board encourages teachers to include Aboriginal and Torres Strait Islander knowledge and perspectives in the design, delivery, and assessment of teaching and learning programs by:

- providing opportunities in SACE subjects for students to learn about Aboriginal and Torres Strait Islander histories, cultures, and contemporary experiences
- recognising and respecting the significant contribution of Aboriginal and Torres Strait Islander peoples to Australian society
- drawing students' attention to the value of Aboriginal and Torres Strait Islander knowledge and perspectives from the past and the present
- promoting the use of culturally appropriate protocols when engaging with and learning from Aboriginal and Torres Strait Islander peoples and communities.

# Stage 1 Legal Studies

# LEARNING SCOPE AND REQUIREMENTS

## LEARNING REQUIREMENTS

The learning requirements summarise the knowledge, skills, and understanding that students are expected to develop and demonstrate through their learning.

In this subject, students are expected to:

1. display knowledge and understanding of the legal rights and responsibilities of individuals and groups in Australian society
2. know and understand the values inherent in the Australian legal system
3. display knowledge and understanding of different sources of law in the Australian legal system
4. recognise ways in which the Australian legal system responds to diverse groups in the community
5. evaluate the nature and operation of aspects of the Australian legal system
6. develop inquiry skills through accessing and using information on aspects of the legal system
7. communicate informed observations and opinions on contemporary legal issues and debates, using legal terminology and appropriate acknowledgment of sources.

These learning requirements form the basis of the:

- learning scope
- evidence of learning that students provide
- assessment design criteria
- levels of achievement described in the performance standards.

## CONTENT

Stage 1 Legal Studies may be undertaken as a 10-credit subject or a 20-credit subject. It consists of the following topics:

- Topic 1: Law and Society
- Topic 2: People, Structures, and Processes
- Topic 3: Law-making
- Topic 4: Justice and Society
- Topic 5: Young People and the Law
- Topic 6: Victims and the Law
- Topic 7: Motorists and the Law
- Topic 8: Young Workers and the Law
- Topic 9: Relationships and the Law.

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Students complete a study of Topic 1 followed by a study of topics selected from either those listed above or alternative topics developed by teachers in collaboration with students.

When preparing a program of study, teachers should be aware that topics need not be of equal length and may be integrated. Alternative topics could include:

- Media and the Law
- Sport and the Law
- Entertainment and the Law
- Technology and the Law
- Animals and the Law
- Women and the Law
- Indigenous Peoples and the Law
- Environment and the Law
- Refugees and Asylum Seekers and the Law
- Minority Groups and the Law.

Students bring to this subject a diversity of backgrounds, expectations, skills, and knowledge. The teacher should take this into account when designing a program of work.

A 10-credit subject consists of:

- Topic 1: Law and Society
- a minimum of two other topics.

A 20-credit subject consists of:

- Topic 1: Law and Society
- five other topics.

A study of a second and separate 10-credit subject does not require a repeat study of Topic 1 and should consist of a minimum of three topics not already studied.

In a class containing both students studying a first semester of the subject and students studying a second semester of the subject, there need not be a formal coverage of Topic 1. However, reference must be made to aspects of Topic 1.

In Stage 1 Legal Studies, students examine the Australian legal system. They read and write about, and discuss, analyse, and debate issues. Students use a variety of methods to investigate legal issues, such as observing the law in action in courts and through various media.

## **Topic 1: Law and Society**

Students explore how Australia's laws have developed over time from rules, customs, creeds, codes, customary law (such as Indigenous customary law), and common law. They study the power, influence, and perspectives of those who have constructed Australia's laws. By exploring the past, students gain an understanding of the present functions of law in Australian society.

Students could consider questions such as the following:

- What are the origins of Australia's laws?
- What are the characteristics of Indigenous customary law?
- Is law-making controlled by particular groups in society?

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- How do the experiences of individuals and groups produce a desire for change?
  - What types of laws comprise the Australian system?
  - What are the functions of law?
  - How can laws be classified?

## **Topic 2: People, Structures, and Processes**

Students consider the role of legal institutions such as parliament, government, and the courts. Students explore representative government and the separation of powers. They should note the interaction of parliaments with the people.

Students could consider questions such as the following:

- Why is there a separation of the legislature, executive, and judiciary?
- How representative is parliament, and how responsible is government?
- Should the judiciary be independent?
- How can civic participation be fostered and encouraged?

## **Topic 3: Law-making**

Students develop a critical understanding of the legislative process, the making of subordinate legislation, and the processes used by judges to develop case law, including the interpretation of statutes. A consideration of how these processes affect people should be incorporated. Students are encouraged to participate in the democratic process through activities that foster the growth of civic literacy, such as a mock parliament, a youth parliament, debates, and role plays.

Students could consider questions such as the following:

- How is legislation made and controlled?
- Why is there delegated legislation, and how is it made?
- How do judges make law?
- Should judges make law?
- What causes laws to be made or changed?

## **Topic 4: Justice and Society**

Students explore the operation of the adversary system of trial in the resolution of criminal and civil disputes. Students become participants through activities such as mock trials, mock guilty pleas in the Magistrates Court, and role plays (e.g. bail applications). These activities give students an opportunity to develop their civic literacy and consider the concept of justice.

Students could consider questions such as the following:

- What features of the adversary system of trial provide for a just outcome?
- What is justice?
- How do perceptions of justice vary globally?
- Why are criminal disputes and civil disputes resolved differently?
- Should alternative dispute resolution be promoted?
- Is the jury system effective?

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- Is an appropriate balance of rights and responsibilities expressed through the legal system?
  - Is there equal access to justice?
  - How do court processes and outcomes affect different groups?

### **Topic 5: Young People and the Law**

The rights and interests of young people are protected through state, territory, national, and international laws. Students investigate and debate a range of issues, such as young people's views on drugs, vandalism, child abuse, parental responsibility, shoplifting, health, work, and under-age drinking.

Students could consider questions such as the following:

- How effective is the juvenile justice system?
- Is the Youth Court effective in dealing with criminal actions by young people?
- Is family conferencing effective in preventing crime?
- Are young people adequately protected by legislation?
- Are there sufficient rights recognised by common law?
- How does the United Nations Convention on the Rights of the Child affect young people?
- Are young people adequately protected within family relationships?
- Does the law adequately address issues such as mobile phone contracts and Internet protocols (e.g. downloading of music, plagiarism, and copyright)?

### **Topic 6: Victims and the Law**

In recent years, public focus has shifted to victims of crime. This is reflected in a number of initiatives by both parliament and the courts. Students investigate a range of issues such as double jeopardy, the right to silence, victims of crime, white-collar crimes, international crimes, victimless crimes, and access to the justice system.

Students could consider questions such as the following:

- Who are the victims?
- Is there such a thing as a victimless crime?
- Do legislation and case law adequately consider victims of crime?
- Is there an imbalance between the rights of the victim and the rights of the accused?
- Should there be any role by victims in sentencing, family conferencing, and victim-offender mediation?
- Is there ever adequate compensation for victims through a victims of crime levy, criminal injuries compensation, or civil remedies?

### **Topic 7: Motorists and the Law**

Motor vehicles are an integral part of life in Australia. Use and ownership of a motor vehicle are heavily regulated through the legal system and impose a number of obligations.

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Students could consider questions such as the following:

- Which level of government should regulate the use of roads?
- Are buyers and sellers adequately protected by legislation and case law?
- Are driving licences too easy to obtain and keep?
- Are there too many road laws?
- Are civil remedies for car accidents too difficult to obtain?
- Is there sufficient emphasis on reducing the road toll?
- Is it fair to impose restrictions on young drivers (e.g. curfews and vehicle power limits)?

### **Topic 8: Young Workers and the Law**

Paid work and unpaid work involve rights and obligations. These are generally protected or imposed by the legal system.

Students research and debate a range of issues involving young workers (e.g. work conditions, payment of workers, the problems of casual work, exploitation, outworkers, and the role of unions). Teachers should encourage the use of media articles to stimulate debate.

Students could consider questions such as the following:

- When is 'work' work?
- Why are there different types of work (e.g. casual, contract, permanent, and part-time work)?
- Are the rights of young workers adequately protected?
- How effective are anti-discrimination laws?
- How fair is 'unfair dismissal'?
- Do unions have a place in the workforce?

### **Topic 9: Relationships and the Law**

Human beings interact in a variety of relationships. Laws have responded to changing values and attitudes in this area, and further changes are certain. Students consider the laws that affect relationships, and examine possible amendments.

Students could consider questions such as the following:

- Should de facto couples have the same rights as married couples?
- Should same-sex marriage be legally recognised?
- Is it too easy to obtain a divorce?
- Are children adequately protected in a relationship breakdown?
- Should adopted children be able to find their birth parents?
- Should surrogacy be legally recognised?
- Would human cloning be a threat to society?

# ASSESSMENT SCOPE AND REQUIREMENTS

Assessment at Stage 1 is school based.

Teachers design a set of assessments that enable students to demonstrate the knowledge, skills, and understanding they have developed to meet the learning requirements of the subject. These assessments provide students' evidence of learning.

## EVIDENCE OF LEARNING

The following assessment types enable students to demonstrate their learning in Stage 1 Legal Studies:

- Assessment Type 1: Folio
- Assessment Type 2: Issues Study
- Assessment Type 3: Presentation.

For a 10-credit subject, students should provide evidence of their learning through four or five assessments. Each assessment type should have a weighting of at least 20%.

Students undertake:

- at least two assessments for the folio
- at least one issues study
- at least one presentation.

For a 20-credit subject, students should provide evidence of their learning through eight to ten assessments. Each assessment type should have a weighting of at least 20%.

Students undertake:

- at least two assessments for the folio
- at least one issues study
- at least one presentation.

## ASSESSMENT DESIGN CRITERIA

The assessment design criteria are based on the learning requirements and are used by teachers to:

- clarify for the student what he or she needs to learn
- design opportunities for the student to provide evidence of his or her learning at the highest possible level of achievement.

The assessment design criteria consist of specific features that:

- students should demonstrate in their learning
- teachers look for as evidence that students have met the learning requirements.

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For this subject the assessment design criteria are:

- knowledge and understanding
- inquiry
- evaluation
- communication.

The specific features of these criteria are listed below.

The set of assessments, as a whole, must give students opportunities to demonstrate each of the specific features by the completion of study of the subject.

## **Knowledge and Understanding**

The specific features are as follows:

- KU1 Knowledge and understanding of the legal rights and responsibilities of individuals and groups in Australian society.
- KU2 Knowledge and understanding of different sources of law in the Australian legal system.
- KU3 Understanding of the values inherent in the Australian legal system.
- KU4 Recognition of ways in which the Australian legal system responds to diverse groups in the community.

## **Inquiry**

The specific feature is as follows:

- I1 Skills in accessing and using information on aspects of the legal system.

## **Evaluation**

The specific features are as follows:

- E1 Evaluation of issues or concepts through discussion and illustration of opposing arguments to reach an informed conclusion.
- E2 Evaluation of the nature and operation of aspects of the Australian legal system.

## **Communication**

The specific features are as follows:

- C1 Accuracy and coherence in communication of informed observations and opinions, using different forms.
- C2 Use of legal terminology, indicating understanding.
- C3 Appropriate acknowledgment of sources.

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## **SCHOOL-BASED ASSESSMENT**

### **Assessment Type 1: Folio**

Students undertake at least two folio assessments for both a 10-credit subject and a 20-credit subject.

These assessments could be presented in written, oral, or multimodal form and may be collaborative. They could include, for example:

- oral presentations and reports
- audiovisual presentations
- multimedia presentations
- web pages
- interviews
- debates
- essays
- tests.

Student participation in group work and classroom discussion is encouraged.

Assessment conditions such as word-limits, time limits, and presentation length should be clearly communicated to students. As a guide, an individual folio assessment or an individual contribution to a folio assessment should be a maximum of 800 words if written or a maximum of 5 minutes for an oral presentation, or the equivalent in multimodal form.

For this assessment type, students provide evidence of their learning in relation to the following assessment design criteria:

- knowledge and understanding
- inquiry
- evaluation
- communication.

### **Assessment Type 2: Issues Study**

Students undertake at least one issues study for both a 10-credit subject and a 20-credit subject.

Students inquire in some depth into a current legal issue. It should be an issue that students can follow over a 2-week period. Students may undertake an issues study as a collaborative activity; however, each student must present work that is demonstrably his or her own.

The issue should be examined with consideration given to its legal implications and include a diversity of views and recommendations for changes to the law.

The issues study could be presented in a written, oral, or multimodal form. Whatever form is chosen, there should be evidence of research, including a relevant media article. As a guide, the issues study should be a maximum of 1000 words if written or a maximum of 6 minutes for an oral presentation, or the equivalent in multimodal form.

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For this assessment type, students provide evidence of their learning in relation to the following assessment design criteria:

- knowledge and understanding
- inquiry
- evaluation
- communication.

### **Assessment Type 3: Presentation**

Students undertake at least one presentation for both a 10-credit subject and a 20-credit subject.

Students prepare an individual or group presentation. Presentations can take a variety of forms and occur in a variety of situations. A presentation could be, for example, a:

- poster
- PowerPoint presentation
- display or an address in a public or school area
- debate
- mock guilty plea in the Magistrates Court
- mock trial
- mock parliament
- video production
- website.

Whatever form of presentation is chosen, there must be some oral communication of information. This should be for a maximum of 6 minutes. The audience for the oral part of the assessment is negotiable and may include the class, other classes, community groups, or public arenas.

For this assessment type, students provide evidence of their learning primarily in relation to the following assessment design criteria:

- knowledge and understanding
- inquiry
- communication.

### **PERFORMANCE STANDARDS**

The performance standards describe five levels of achievement, A to E.

Each level of achievement describes the knowledge, skills, and understanding that teachers refer to in deciding, on the basis of the evidence provided, how well a student has demonstrated his or her learning.

During the teaching and learning program the teacher gives students feedback on, and makes decisions about, the quality of their learning, with reference to the performance standards.

Students can also refer to the performance standards to identify the knowledge, skills, and understanding that they have demonstrated and those specific features that they still need to demonstrate to reach their highest possible level of achievement.

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At the student's completion of study of a subject, the teacher makes a decision about the quality of the student's learning by:

- referring to the performance standards
- taking into account the weighting given to each assessment type
- assigning a subject grade between A and E.

Teachers can use a SACE Board school assessment grade calculator to help them to assign the subject grade. The calculator is available on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)).

## Performance Standards for Stage 1 Legal Studies

	Knowledge and Understanding	Inquiry	Evaluation	Communication
<b>A</b>	<p>Comprehensive knowledge and perceptive understanding of the legal rights and responsibilities of individuals and groups in Australian society.</p> <p>Comprehensive knowledge and perceptive understanding of different sources of law in the Australian legal system.</p> <p>Insightful understanding of the values inherent in the Australian legal system.</p> <p>Perceptive recognition of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Comprehensive skills in accessing and using information on aspects of the legal system.</p>	<p>Perceptive evaluation of issues or concepts through discussion and illustration of opposing arguments to reach an informed conclusion.</p> <p>Comprehensive and astute evaluation of the nature and operation of aspects of the Australian legal system.</p>	<p>Consistently accurate and coherent communication of highly informed observations and opinions, using a range of forms.</p> <p>Identification and use of legal terminology, indicating clear and appropriate understanding.</p> <p>Consistent and appropriate acknowledgment of a diverse range of sources.</p>
<b>B</b>	<p>Detailed knowledge and well-considered understanding of the legal rights and responsibilities of individuals and groups in Australian society.</p> <p>Detailed knowledge and well-considered understanding of different sources of law in the Australian legal system.</p> <p>Well-considered understanding of the values inherent in the Australian legal system.</p> <p>Thoughtful recognition of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Considerable skills in accessing and using information on aspects of the legal system.</p>	<p>Thoughtful evaluation of issues or concepts through discussion and illustration of opposing arguments to reach an informed conclusion.</p> <p>Well-informed evaluation of the nature and operation of aspects of the Australian legal system.</p>	<p>Mostly accurate and coherent communication of well-informed observations and opinions, using a range of forms.</p> <p>Identification and use of legal terminology, indicating mostly clear and appropriate understanding.</p> <p>Mostly consistent and appropriate acknowledgment of a range of sources.</p>

	Knowledge and Understanding	Inquiry	Evaluation	Communication
<b>C</b>	<p>Appropriate knowledge and considered understanding of the legal rights and responsibilities of individuals and groups in Australian society.</p> <p>Appropriate knowledge and considered understanding of some sources of law in the Australian legal system.</p> <p>Considered understanding of the values inherent in the Australian legal system.</p> <p>Considered recognition of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Competent skills in accessing and using information on aspects of the legal system.</p>	<p>Considered evaluation of issues or concepts through discussion and illustration of opposing arguments to reach an informed conclusion.</p> <p>Informed evaluation of the nature and operation of aspects of the Australian legal system.</p>	<p>Generally accurate and coherent communication of informed observations and opinions, using different forms.</p> <p>Identification and use of legal terminology, indicating mostly appropriate understanding.</p> <p>Mostly appropriate acknowledgment of sources.</p>
<b>D</b>	<p>Some recognition and awareness of the legal rights and responsibilities of individuals and groups in Australian society.</p> <p>Some awareness of sources of law in the Australian legal system.</p> <p>Some recognition of values inherent in the Australian legal system.</p> <p>Some recognition of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Some endeavour to access and use information relevant to aspects of the legal system.</p>	<p>Basic consideration of issues or concepts through discussion and description of some arguments.</p> <p>Description, with attempted evaluation, of the nature and operation of aspects of the Australian legal system.</p>	<p>Some accuracy in communication of basic observations or opinions, in one or more forms.</p> <p>Some identification and use of legal terminology, indicating awareness of the need for appropriate use.</p> <p>Some inconsistent acknowledgment of sources.</p>
<b>E</b>	<p>Emerging awareness of the legal rights and responsibilities of individuals and groups in Australian society.</p> <p>Limited awareness of any sources of law in the Australian legal system.</p> <p>Emerging recognition that there are values inherent in the Australian legal system.</p> <p>Emerging awareness of one or more ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Limited skills in accessing and using information with any relevance to aspects of the legal system.</p>	<p>Some description of an issue or concept through observation of an argument.</p> <p>Some brief description of the nature and/or operation of one or more aspects of the Australian legal system.</p>	<p>Limited accuracy in communication, with few observations or opinions in a selected form.</p> <p>Attempted identification and use of examples of legal terminology, indicating limited awareness of the need for appropriate use.</p> <p>Limited acknowledgment of sources.</p>

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## **ASSESSMENT INTEGRITY**

The SACE Assuring Assessment Integrity Policy outlines the principles and processes that teachers and assessors follow to assure the integrity of student assessments. This policy is available on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)) as part of the SACE Policy Framework.

The SACE Board uses a range of quality assurance processes so that the grades awarded for student achievement in the school-based assessment are applied consistently and fairly against the performance standards for a subject, and are comparable across all schools.

Information and guidelines on quality assurance in assessment at Stage 1 are available on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)).

# **SUPPORT MATERIALS**

## **SUBJECT-SPECIFIC ADVICE**

Online support materials are provided for each subject and updated regularly on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)). Examples of support materials are sample learning and assessment plans, annotated assessment tasks, annotated student responses, and recommended resource materials.

## **ADVICE ON ETHICAL STUDY AND RESEARCH**

Advice for students and teachers on ethical study and research practices is available in the guidelines on the ethical conduct of research in the SACE on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)).



## Stage 2 Legal Studies

# LEARNING SCOPE AND REQUIREMENTS

## LEARNING REQUIREMENTS

The learning requirements summarise the knowledge, skills, and understanding that students are expected to develop and demonstrate through their learning.

In this subject, students are expected to:

1. display knowledge and understanding of the influences that have shaped the Australian legal system
2. know and understand legal principles, processes, and structures
3. recognise ways in which the Australian legal system responds to diverse groups in the community
4. demonstrate civic literacy through inquiry into the legal system
5. evaluate how the changing global community influences the Australian legal system
6. evaluate the ways in which legal issues shape and are shaped by society now, and how they may do so in the future
7. communicate informed observations and opinions on contemporary legal issues and debates, using legal terminology and appropriate acknowledgment of sources.

These learning requirements form the basis of the:

- learning scope
- evidence of learning that students provide
- assessment design criteria
- levels of achievement described in the performance standards.

## CONTENT

Stage 2 Legal Studies is a 20-credit subject that consists of the following four topics:

- Topic 1: The Australian Legal System
- Topic 2: Constitutional Government
- Topic 3: Law-making
- Topic 4: Justice Systems.

When preparing a program of study, teachers should be aware that these topics are not of equal length and may be sequenced according to the needs and interests of the students.

Teachers should ensure that the key elements of each of the topics are interrelated.

A study of the four topics provides an exploration of the Australian legal system from the local level to its global connections. Students examine the key concepts of parliamentary democracy, constitutional government, and participation. Central to this understanding is

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the concept that law-making and dispute resolution are social forces that can affect individuals or groups; generate social, economic, or technological change; and cause conflict or inequity within society.

The Australian legal system is constantly evolving and has strengths and weaknesses. Students critically analyse the Australian legal system and explore the different legal perspectives and priorities held by diverse cultural and interest groups. This includes the extent to which the legal system influences, and is influenced by, Indigenous Australians.

A study of the four topics provides opportunities for informed citizenship. The role and influence of the individual in shaping the Australian legal system are explored. Students should be encouraged to seek information from a variety of sources, including the media, government bodies, community groups, and legal bodies, and through participation with, and visits to, relevant locations and organisations.

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## Topic 1: The Australian Legal System

A study of this topic develops an understanding that the Australian legal system strives to reflect and protect the fundamental values and beliefs of the community. The aim of the Australian legal system is to support the development of a cohesive, harmonious, yet dynamic society. Legal systems also confer rights and obligations through laws. Such laws can be classified according to their sources and purposes.

A study of this topic also develops an understanding that there is a legal heritage that includes religious beliefs, customary law, and received law, and that the current structures and operations of the Australian legal system reflect, in the main, the heritage and culture of the white Australian experience.

The key areas of study for this topic are outlined below.

### Functions of Law

The primary functions of Australian law are to establish and maintain social cohesion and to facilitate social progress within a diverse and dynamic society.

To achieve social cohesion in the future, the legal system must accommodate the peaceful and lawful transition of society from one generation to the next. Making and enforcing laws that achieve social cohesion while simultaneously keeping society functioning will achieve social progress.

The extent to which the functions of law are achieved in Australia may be determined by consideration of how adequately laws respond to and reflect the current values of the community.

Students should be aware that in a democratic society based on the rule of law, all behaviour is lawful unless prohibited by law. Criminal and civil laws exist to bring about just outcomes in disputes.

In this topic the features of criminal and civil disputes should be limited to the following:

#### **Criminal**

- citation or listing of cases
- types of offences
  - summary (including strict liability offences)
  - minor indictable and indictable offences
  - offences against person, property, and society
- the elements of an indictable criminal offence: *actus reus* (guilty act), *mens rea* (intent)

#### **Civil**

- citation or listing of cases
- tort of negligence: elements.

### Basis of Government in Australia

Students investigate the principles and institutions that form the foundation of the Australian legal system as a member of the global community. Comparison with other systems and the features borrowed from those systems will provide a basis for understanding Australia's sovereignty and relationship with other nations. In particular, an

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appreciation is required of Australia's hybrid system of government, where elements derive from both Great Britain and the United States of America.

Students gain an understanding of:

- the rule of law
- a constitutional monarchy
- the federal nature of the Commonwealth
- the separation of powers at both federal and state or territory levels
- representative and responsible government and judicial independence
- the Australian court system.

Students consider the effectiveness of:

- a constitutional monarchy
- the separation of powers
- executive government
- parliamentary democracy
- courts.

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## Topic 2: Constitutional Government

A study of this topic develops an appreciation of the basic principles and features of constitutional government. The motives for federation and the process leading to it are important in understanding Australia's system of constitutional government.

There are constitutional limits to the legislative powers of parliaments in Australia. Students should explore and evaluate these limits and consider the issue of federalism, particularly in the context of Australia's global links. Such constitutional limits have had an impact on Indigenous Australians.

Students are not expected to quote specific sections of the Australian Constitution. Students refer to relevant cases to illustrate their understanding of principles and issues.

The key areas of study for this topic are outlined below.

### The Australian Constitutional System

The Australian Constitution is the blueprint for Australia's system of constitutional government. Students should understand its impact on Australia's legal system and the importance of the conventions of the Westminster system of responsible government. Although there are mechanisms for its alteration, the Australian Constitution has been a very stable document. Students explore the reasons for this.

Students examine:

- the reasons for federation
- how the process of federation occurred
- the importance of unwritten conventions in the operation of the Australian constitutional system of government.

Students gain an understanding of the following features of the Australian Constitution:

- the indissoluble nature of the federal system
- the division of legislative power between the Commonwealth and the states or territories
- the preservation of state powers
- federal institutions of government based on the model of the separation of powers
  - the legislative arm (parliament)
  - the executive arm (executive government)
  - the judicial arm (the courts)
- the British monarch as the head of state in a constitutional monarchy
- the role of the High Court of Australia
- an Australian free-trade zone
- the admission of new states
- the provision of human rights
- a mechanism for constitutional change by referendum.

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## **Australia's Global Links**

Australia is part of an increasingly connected global community. This is expressed in ever-strengthening economic, social, and legal links. Australia is a party to many bilateral and multilateral legal agreements or treaties. Students explore Australia's international legal links and how these affect its powers and obligations under international law.

Students consider ways in which the United Nations influences Australian law; the roles of treaties in Australian law; and whether or not the decisions of international courts should influence Australian courts.

Students gain an understanding of:

- the reasons for signing international treaties
- how international treaties are incorporated in Australian law
- the relationship between international courts and Australian courts.

## **Rights of Indigenous Australians**

The legal system of Australia has had a significant impact on Indigenous Australians. Students explore how the rights of Indigenous Australians have been protected since the 1967 referendum amendments to the Australian Constitution.

Students consider:

- the 1967 constitutional amendments
- the impact of discrimination legislation
- terra nullius and native title.

Students gain an understanding of ways in which the legal system has impacted on Indigenous Australians through recognition of their rights, such as the provision of specialised courts.

## **Critical Analysis of the Constitutional System**

Although Australia's constitutional system of government has been relatively stable, there have been many suggestions for its reform. Students critically analyse the following constitutional issues:

- the High Court's interpretation of the Australian Constitution, recognising rights and the separation of powers
- the shifting balance of power between the Commonwealth and the states or territories
- a Bill of Rights
- an Australian republic.

Students explore the reasons for any suggested change, describe the change, and evaluate its impact on constitutional government in Australia.

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## Topic 3: Law-making

A study of this topic develops an appreciation that law originates from two fundamental sources — parliament and the courts — but that parliament can delegate some law-making powers to the executive. Parliament is the sovereign law-maker. However, courts can make and extend law in the absence of statute law. This is called common law. Courts can also create case law through statutory interpretation.

Students should have opportunities to actively, responsibly, and effectively participate and interact in the law-making process to develop civic literacy.

The key areas of study for this topic are outlined below.

### Legislation

To gain an understanding of the processes that result in the making of legislation, students consider:

- factors that lead to the initiation of legislation
- types of Bills
  - public (government) Bills
  - private members' (or senators') Bills
- the law-making process
- the resolution of deadlocks between the two Houses of parliament in relation to the Commonwealth and/or South Australia
- methods of supervising legislation.

Students evaluate processes that result in the making of legislation, the power and sovereignty of the legislature, and possible reforms.

### Delegated Legislation

Parliament delegates law-making for a range of reasons and to a variety of delegated (subordinate) bodies. Students should understand the reasons for, and the processes resulting in, delegated legislation.

To gain an understanding of the processes that result in the making of delegated legislation, students consider:

- the reasons why parliament delegates power to the executive
- the range of delegated bodies
- types of delegated legislation
- how a regulation is made
- methods of supervising regulations.

Students evaluate the merits of delegated legislation as an alternative form of law-making in the context of a democracy.

### Case Law

Case law is a consequence of individual legal disputes. It develops in two fundamental ways: by the creation and extension of common law principles where no statutory rule exists; and by statutory interpretation.

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It is recommended that a variety of cases are referred to that illustrate the making of judge-made law.

Students develop an understanding of how a hierarchy of courts relates to the doctrine of precedent. Students develop an understanding of how the doctrine of precedent applies to case law.

To gain an understanding of the case law system, students consider:

- case law
- how and why case law is made
- how statutes are interpreted
- methods of supervising case law by parliament and courts, including departure from precedent.

### **Critical Analysis of Different Forms of Law-making**

Each form of law-making has strengths and weaknesses. Students compare law-making by parliament, delegated bodies, and courts, and develop a view on the relative merits of each form, and how they complement each other.

In particular, students consider:

- the relationship between legislation, delegated legislation, and case law
- the extent to which it is an appropriate role of judges to create law.

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## Topic 4: Justice Systems

A study of this topic develops an appreciation of the variety of lawful mechanisms designed to achieve just outcomes in disputes. Such mechanisms range from the more informal alternative dispute resolution methods, where courts are not involved, to a variety of formal court proceedings. This leads to an exploration of the adversary system of trial. Students critically evaluate the Australian criminal and civil justice systems and compare them with alternatives available in the global community.

The key areas of study for this topic are outlined below.

### Dispute Resolution

Students should understand that civil (and, in some cases, criminal) disputes do not have to be resolved in a court or tribunal. Alternative methods are being used increasingly in the legal system. Collectively, they are known as 'alternative dispute resolution'. The operation of the Equal Opportunity Commission is an example of this method of dispute resolution.

Australia has traditionally adopted a justice system where two opposing parties present their cases before an independent judge and, possibly, a jury. A clear understanding of the roles of the participants in the adversary system of trial is required. Students must understand the court hierarchy and its relationship to the processes of the adversary system.

Inquisitorial processes provide an alternative to the adversary system of trial. Although these processes vary in nature and practice in diverse locations and situations, students should understand the fundamental principles.

Students are not expected to have a detailed understanding of the law of evidence and procedure. Emphasis should be directed to a clear overview of the trial processes.

Students consider:

- alternative dispute resolution
  - self-help
  - abandonment of or concession of a claim
  - mutual agreement
  - mediation and conciliation
  - independent arbitration
- reasons for a court hierarchy
- the main features of the adversary system
- the main features of the criminal and civil justice systems, including
  - criminal and civil standards and burdens of proof
  - pre-trial stages
  - trial stages
  - post-trial stages
- the jury system
- the main features of inquisitorial systems used in other countries.

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## **Critical Analysis of the Justice System**

The justice system is dynamic. It is constantly responding to legal, social, political, and economic pressures. Students reflect on whether or not the current justice system results in just outcomes in legal disputes. An understanding of the relationships between various aspects of the justice system should be developed. Students also consider reforms and/or alternatives to aspects of the current system.

Students develop an understanding of the challenges the Australian legal system faces in delivering justice for all groups in the community.

Students consider the effectiveness of:

- the adversary system
- the jury system
- inquisitorial systems.

# ASSESSMENT SCOPE AND REQUIREMENTS

All Stage 2 subjects have a school-based assessment component and an external assessment component.

Teachers design a set of school-based assessments that enable students to demonstrate the knowledge, skills, and understanding they have developed to meet the learning requirements of the subject. These assessments provide students' evidence of learning in the school-based assessment component.

## EVIDENCE OF LEARNING

The following assessment types enable students to demonstrate their learning in Stage 2 Legal Studies:

*School-based Assessment (70%)*

- Assessment Type 1: Folio (50%)
- Assessment Type 2: Inquiry (20%)

*External Assessment (30%)*

- Assessment Type 3: Examination (30%).

Students should provide evidence of their learning through eight to ten assessments, including the external assessment component. Students undertake:

- six to eight assessments for the folio
- one inquiry
- one examination.

## ASSESSMENT DESIGN CRITERIA

The assessment design criteria are based on the learning requirements and are used by:

- teachers to clarify for the student what he or she needs to learn
- teachers and assessors to design opportunities for the student to provide evidence of his or her learning at the highest possible level of achievement.

The assessment design criteria consist of specific features that:

- students should demonstrate in their learning
- teachers and assessors look for as evidence that students have met the learning requirements.

For this subject the assessment design criteria are:

- knowledge and understanding
- inquiry

- 
- evaluation
  - communication.

The specific features of these criteria are listed below.

The set of assessments, as a whole, must give students opportunities to demonstrate each of the specific features by the completion of study of the subject.

## **Knowledge and Understanding**

The specific features are as follows:

- KU1 Knowledge and understanding of relevant influences on the Australian legal system.
- KU2 Knowledge and understanding of legal principles, processes, and structures.
- KU3 Recognition and understanding of ways in which the Australian legal system responds to diverse groups in the community.

## **Inquiry**

The specific features are as follows:

- I1 Location, selection, documentation, and application of relevant sources.
- I2 Critiquing of legal processes and structures, with informed and considered recommendations for change.

## **Evaluation**

The specific features are as follows:

- E1 Evaluation of global influences on the Australian legal system.
- E2 Evaluation of the ways in which legal issues shape and are shaped by society now, and how they may do so in the future.
- E3 Evaluation of principles, processes, and structures in legal systems.
- E4 Evaluation of legal issues or concepts through discussion and illustration of opposing arguments to reach an informed conclusion.

## **Communication**

The specific features are as follows:

- C1 Accuracy and coherence in communication of informed observations and opinions on contemporary legal issues and debates, using different forms.
- C2 Use of legal terminology, indicating understanding.
- C3 Appropriate acknowledgment of sources.

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## **SCHOOL-BASED ASSESSMENT**

### **Assessment Type 1: Folio (50%)**

Students undertake six to eight folio assessments.

The folio should consist of a program of assessments that cover a range of aspects of learning in Stage 2 Legal Studies, including knowledge, skills, and conceptual understanding.

The program of assessments should include different forms, for example:

- collaborative activities
- debates
- essays
- media analysis exercises
- multimedia presentations
- oral presentations
- short-answer questions
- short responses to stimuli
- simplified mock trials
- sources analysis
- tests.

Assessment conditions such as word-limits, time limits, and presentation length should be clearly communicated to students. As a guide, an individual folio assessment or an individual contribution to a folio assessment should be a maximum of 600 words if written or a maximum of 5 minutes for an oral presentation, or the equivalent in multimodal form.

For this assessment type, students provide evidence of their learning in relation to the following assessment design criteria:

- knowledge and understanding
- inquiry
- evaluation
- communication.

### **Assessment Type 2: Inquiry (20%)**

Students undertake one inquiry.

In this assessment type, students develop their literacy, communication, and investigation skills. They have an opportunity to demonstrate their civic literacy skills through the study of a contemporary issue related to an aspect or aspects of this subject.

Through inquiry, students develop their civic literacy skills and understanding of the Australian legal system. Students respond to a legal issue by researching, synthesising, and analysing information and opinions, providing appropriate acknowledgment of sources. The assessment involves inquiry and one or more recommendations or conclusions.

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Examples of an inquiry could include:

- analysis of the power of the Commonwealth relative to the states and territories, with reference to a specific issue, such as health, education, or the environment
- analysis of the implications of a specific civil or criminal dispute for the broader legal system or community
- evaluation of arguments on and possible outcomes of a specific legislative reform, proposed or enacted
- an exploration of an aspect of the current protection of the rights and cultural values of Indigenous Australians in the Australian legal system
- evaluation of the ways in which the adversarial system of resolving disputes does or does not contribute to significant delays in the criminal justice system.

The focus of the inquiry must be contemporary (i.e. the issue must have been of public interest in the 12 months before the start of the assessment), have legal aspects, and relate to the topics of this subject.

Students could use a variety of approaches, including a cross-disciplinary approach where learning in other areas of study is used.

Students present a report on their inquiry. The report could take the form of, for example:

- a survey with findings and recommendations
- an action plan based on the student's research
- a multimedia presentation (e.g. PowerPoint or video)
- an oral presentation (including a role play, e.g. youth parliament)
- a public display
- a formal written report
- any combination of the above.

The report should be a maximum of 1500 words if written or a maximum of 10 minutes for an oral presentation, or the equivalent in multimodal form.

For this assessment type, students provide evidence of their learning in relation to the following assessment design criteria:

- knowledge and understanding
- inquiry
- evaluation
- communication.

## **EXTERNAL ASSESSMENT**

### **Assessment Type 3: Examination (30%)**

Students undertake a 3-hour external examination that is divided into two parts:

- Part A: Short Responses
- Part B: Extended Responses.

Part A consists of a number of compulsory questions. Students may be required to respond to short-answer questions, analyse a media article, respond to a stimulus, or analyse a legal process. All topics are examined in this part.

Part B requires students to answer two questions, including at least one essay question.

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For this assessment type, students provide evidence of their learning in relation to the following assessment design criteria:

- knowledge and understanding
- evaluation
- communication.

## **PERFORMANCE STANDARDS**

The performance standards describe five levels of achievement, A to E.

Each level of achievement describes the knowledge, skills, and understanding that teachers and assessors refer to in deciding, on the basis of the evidence provided, how well a student has demonstrated his or her learning.

During the teaching and learning program the teacher gives students feedback on, and makes decisions about, the quality of their learning, with reference to the performance standards.

Students can also refer to the performance standards to identify the knowledge, skills, and understanding that they have demonstrated and those specific features that they still need to demonstrate to reach their highest possible level of achievement.

At the student's completion of study of each school-based assessment type, the teacher makes a decision about the quality of the student's learning by:

- referring to the performance standards
- assigning a grade between A+ and E– for the assessment type.

At the student's completion of study of the subject, the teacher uses a SACE Board school assessment grade calculator to combine the grades for the school-based assessment types and determine the student's school-based assessment grade in the range A+ to E–. The calculator is available on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)).

In the external assessment, assessors use the performance standards to make a decision about the quality of students' learning, based on the evidence provided.

The student's school-based assessment and external assessment are combined for a final result, which is reported as a grade between A+ and E–.

## Performance Standards for Stage 2 Legal Studies

	Knowledge and Understanding	Inquiry	Evaluation	Communication
<b>A</b>	<p>Comprehensive knowledge and perceptiveness of relevant influences on the Australian legal system.</p> <p>Comprehensive knowledge and astute understanding of legal principles, processes, and structures.</p> <p>Perceptive recognition and understanding of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Astute and critical location, selection, documentation, and application of relevant sources.</p> <p>Incisive critiquing of legal processes and structures, with well-informed and well-considered recommendations for change.</p>	<p>Comprehensive evaluation of global influences on the Australian legal system.</p> <p>Astute evaluation of the ways in which legal issues shape and are shaped by society now, and how they may do so in the future.</p> <p>Perceptive evaluation of principles, processes, and structures in legal systems.</p> <p>Perceptive evaluation of legal issues or concepts through discussion and illustration of opposing arguments to reach an informed conclusion.</p>	<p>Consistently accurate and coherent communication of highly informed observations and opinions on contemporary legal issues and debates, using a range of forms.</p> <p>Appropriate and astute use of legal terminology, indicating in-depth understanding.</p> <p>Consistent and appropriate acknowledgment of a diverse range of sources.</p>
<b>B</b>	<p>Detailed knowledge and well-considered understanding of relevant influences on the Australian legal system.</p> <p>Detailed knowledge and well-considered understanding of legal principles, processes, and structures.</p> <p>Thoughtful recognition and understanding of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Considered and critical location, selection, documentation, and application of relevant sources.</p> <p>Convincing critiquing of legal processes and structures, with informed and considered recommendations for change.</p>	<p>Detailed evaluation of global influences on the Australian legal system.</p> <p>Well-informed evaluation of the ways in which legal issues shape and are shaped by society now, and how they may do so in the future.</p> <p>Well-considered evaluation of principles, processes, and structures in legal systems.</p> <p>Thoughtful evaluation of legal issues or concepts through discussion and illustration of opposing arguments to reach an informed conclusion.</p>	<p>Mostly accurate and coherent communication of well-informed observations and opinions on contemporary legal issues and debates, using a range of forms.</p> <p>Appropriate and well-considered use of legal terminology, indicating some depth in understanding.</p> <p>Mostly consistent and appropriate acknowledgment of a range of sources.</p>

	Knowledge and Understanding	Inquiry	Evaluation	Communication
<b>C</b>	<p>Appropriate knowledge and considered understanding of relevant influences on the Australian legal system.</p> <p>Appropriate knowledge and considered understanding of legal principles, processes, and structures.</p> <p>Considered recognition and understanding of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Considered location, selection, documentation, and application of relevant sources.</p> <p>Competent critiquing of legal processes and structures, with some informed and considered recommendations for change.</p>	<p>Informed evaluation of global influences on the Australian legal system.</p> <p>Informed evaluation of the ways in which some legal issues shape and are shaped by society now, and how they may do so in the future.</p> <p>Considered evaluation of principles, processes, and structures in legal systems.</p> <p>Considered evaluation of legal issues or concepts through discussion and illustration of opposing arguments to reach a conclusion.</p>	<p>Generally accurate and coherent communication of informed observations and opinions on contemporary legal issues and debates, using different forms.</p> <p>Appropriate and considered use of legal terminology, indicating competent understanding.</p> <p>Mostly appropriate acknowledgment of sources.</p>
<b>D</b>	<p>Some recognition and awareness of one or more influences on the Australian legal system.</p> <p>Some awareness of legal principles, processes, or structures.</p> <p>Some recognition of ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Some thought given to the location, selection, documentation, and/or application of sources.</p> <p>Basic consideration of some legal processes and structures, with simple recommendations for change.</p>	<p>Some consideration of global influences on the Australian legal system.</p> <p>Basic commentary on the ways in which one or more legal issues shape and are shaped by society now, and how they may do so in the future.</p> <p>Superficial consideration of principles, processes, and structures in legal systems.</p> <p>Some consideration of legal issues or concepts through discussion and description of some arguments.</p>	<p>Some accuracy in communication of basic observations or opinions on contemporary legal issues or debates, in one or more forms.</p> <p>Some use of legal terminology, indicating awareness of the need for appropriate use.</p> <p>Some inconsistent acknowledgment of sources.</p>

	Knowledge and Understanding	Inquiry	Evaluation	Communication
<b>E</b>	<p>Limited awareness of influences on the Australian legal system.</p> <p>Limited awareness of any legal principles, processes, or structures.</p> <p>Emerging awareness of one or more ways in which the Australian legal system responds to diverse groups in the community.</p>	<p>Attempted location, selection, documentation, or application of sources that may be relevant.</p> <p>Limited awareness of legal processes or structures.</p>	<p>Brief description of an aspect of global influence on the Australian legal system.</p> <p>Some description of one way in which a legal issue shapes or is shaped by society now, or how it may do so in the future.</p> <p>Brief description of one or more principles, structures, or processes in legal systems.</p> <p>Limited consideration of a legal issue or concept through observation of a discussion.</p>	<p>Limited accuracy in communication through a selected form, with few observations or opinions on contemporary legal issues.</p> <p>Restricted use of legal terminology, indicating limited awareness of the need for appropriate use.</p> <p>Limited acknowledgment of sources.</p>

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## **ASSESSMENT INTEGRITY**

The SACE Assuring Assessment Integrity Policy outlines the principles and processes that teachers and assessors follow to assure the integrity of student assessments. This policy is available on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)) as part of the SACE Policy Framework.

The SACE Board uses a range of quality assurance processes so that the grades awarded for student achievement, in both the school-based assessment and the external assessment, are applied consistently and fairly against the performance standards for a subject, and are comparable across all schools.

Information and guidelines on quality assurance in assessment at Stage 2 are available on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)).

# **SUPPORT MATERIALS**

## **SUBJECT-SPECIFIC ADVICE**

Online support materials are provided for each subject and updated regularly on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)). Examples of support materials are sample learning and assessment plans, annotated assessment tasks, annotated student responses, and recommended resource materials.

## **ADVICE ON ETHICAL STUDY AND RESEARCH**

Advice for students and teachers on ethical study and research practices is available in the guidelines on the ethical conduct of research in the SACE on the SACE website ([www.sace.sa.edu.au](http://www.sace.sa.edu.au)).