

# Legal Studies

## Units 1 & 2

Students who undertake VCE Legal Studies will have the opportunity to examine the institutions and principles which are essential to Australia's legal system in everyday life. Students will also develop an understanding of the rule of law and its connection to people in society, law-makers, key legal institutions, the protection of human rights in Australia, and the justice system.

### **UNIT 1: The presumption of innocence**

AOS1 – Legal foundations

AOS2 - Proving guilt

AOS3 – Sanctions

In this unit, students develop an understanding of legal foundations, such as the different types and sources of law, the characteristics of an effective law, and an overview of parliament and the courts. Students are introduced to and apply the principles of justice. They investigate key concepts of criminal law and apply these to actual and/or hypothetical scenarios to determine whether an accused may be found guilty of a crime. In doing this, students develop an appreciation of the manner in which legal principles and information are used in making reasoned judgments and conclusions about the culpability of an accused. Students also develop an appreciation of how a criminal case is determined, and the types and purposes of sanctions. Students apply their understanding of how criminal cases are resolved and the effectiveness of sanctions through consideration of recent criminal cases from the past four years.

### **UNIT 2: Wrongs and rights**

AOS1 – Civil liability

AOS2 - Remedies

AOS3 – Human Rights

Civil law aims to protect the rights of individuals. When rights are infringed, a dispute may arise requiring resolution, and remedies may be awarded. In this unit, students investigate key concepts of civil law and apply these to actual and/or hypothetical scenarios to determine whether a party is liable in a civil dispute. Students explore different areas of civil law, and the methods and institutions that may be used to resolve a civil dispute and provide remedies. They apply knowledge through an investigation of civil cases from the past four years. Students also develop an understanding of how human rights are protected in Australia and possible reforms to the protection of rights, and investigate a contemporary human rights issue in Australia, with a specific focus on one case study.

### **LEARNING ACTIVITIES**

Students will have the opportunity to engage in a range of learning activities. This includes learning from different case studies, report writing and class discussions. Students will also hear guest speakers; participate in excursions including a visit to Parliament, the County Court, the Supreme Court and a prison.

### **KEY SKILLS**

Students should have an interest in and awareness of current legal issues and a willingness to unpack recent and relevant cases and laws during classroom discussion. Students will move towards employing high level thinking, synthesis and analysis skills. Students will argue their points and apply their knowledge of the law to legal cases. Writing skills will also be developed with a specific focus on writing under a legal framework.

### **ASSESSED TASKS**

Students undertake a range of assessments throughout units 1 and 2 and these may include: Structured questions, tests, essays, case study reports, classroom presentations and an end of semester written examination.

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## Units 3 & 4

Students who undertake VCE Legal Studies will have the opportunity to examine the criminal and civil justice system in Victoria, learn about the Commonwealth Constitution and evaluate how individual rights are protected in the process of law-making through parliament and courts.

### **UNIT 3: Rights and Justice**

AOS1 – The Victorian criminal justice system

AOS2 - The Victorian civil justice system

The Victorian justice system, which includes the criminal and civil justice systems, aims to protect the rights of individuals and uphold the principles of justice: fairness, equality and access. In this unit, students examine the methods and institutions in the criminal and civil justice system, and consider their appropriateness in determining criminal cases and resolving civil disputes. Students consider the Magistrates' Court, County Court and Supreme Court within the Victorian court hierarchy, as well as other means and institutions used to determine and resolve cases. Students investigate the extent to which the principles of justice are upheld in the justice system. Throughout this unit, students apply legal reasoning and information to actual and/or hypothetical scenarios.

### **UNIT 4: People and the Law**

AOS1 – The people and the law-makers

AOS2 - The people and reform

The study of Australia's laws and legal system includes an understanding of institutions that make and reform our laws. In this unit, students explore how the Australian Constitution establishes the law-making powers of the Commonwealth and state parliaments, and how it protects the Australian people through structures that act as a check on parliament in law-making. Students develop an understanding of the significance of the High Court in protecting and interpreting the Australian Constitution. They investigate parliament and the courts, and the relationship between the two in law-making, and consider the roles of the individual, the media and law reform bodies in influencing changes to the law, and past and future constitutional reform. Throughout this unit, students apply legal reasoning and information to actual and/or hypothetical scenarios.

### **LEARNING ACTIVITIES**

Students will have the opportunity to engage in a range of learning activities, including learning from different case studies, report writing, class discussions, use of Edrolo, plus individual and group work. Students will also hear from guest speakers; participate in excursions including a visit to Parliament, the County Court, the Supreme Court and visit Barwon and Loddon prisons.

### **KEY SKILLS REQUIRED**

Define key terms and use proper legal terminology in their writing. Discuss, interpret and analyse legal principles and information. Explain and evaluate features of the legal system. Provide examples from key cases to justify their responses. Synthesise and apply legal principles to actual scenarios. Engage in discussion and debate.

### **ASSESSED TASKS**

Students undertake assessments throughout units 3 and 4 which are designed to prepare them for the end of year exam (worth 50% of the study score). Task include Structured questions in long and short answer form, case study reports and extended written responses.

Course work for this unit is worth 50% of the overall study score.

**VCAA ASSESSMENT** - The overall Study Score will consist of: School Assessed Coursework Unit 3 (25%), School Assessed Coursework Unit 4 (25%), 2 hour written examination in November (50%).

### **NOTE:**

Students do not have to have completed Units 1/2 Legal Studies as a pre-requisite, however it is advised that they look over this content in preparation for the commencement of the class to have an understanding of the need for law, legal foundations and the difference between civil and criminal law.