LEGAL STUDIES

Rationale

The Australian legal and political systems are a cornerstone of the structure and function of society. An understanding of Australian legal and political systems – their operation and influences upon our society – are essential for any person who wants to contribute in an informed and effective way in our society. Legal Studies gives learners core knowledge and equips them to assess essential features and institutions of our legal and political systems. The course promotes understanding of the dynamic nature Australia’s liberal democracy, its interactive processes and the pursuit of equity and justice under the rule of law.

Study of this course will develop research and communication skills as learners identify and assess: structures and processes of government; sources of law; how disputes are resolved; and how crime is dealt with in society. Learners will develop an understanding of the complexity of law and challenges faced by law makers. Understanding of course concepts will be deepened during inquiry into topical legal and political issues.

Legal Studies enables learners to apply knowledge, skills, and values they acquire to make sound and well informed judgements in their role as active citizens at local, state, national and global levels.

Learning Outcomes

On successful completion of this course, learners will be able to:

• communicate legal and political information
• describe and assess structures and processes of Australia’s federal and parliamentary systems of government
• describe how statute and common law are made in Australia, and assess interactions between parliament and courts as lawmakers
• describe and assess law reform agents and processes
• describe and assess Australian dispute resolution systems and processes
• describe and assess Australia’s criminal justice system
• correctly use terms and concepts relevant to Australia’s legal and political system
• use research skills and apply time management, planning and negotiation skills to legal studies inquiries
• apply the principles of academic integrity and correctly use referencing (citation) methodology.
Pathways

Legal Studies – Foundation, Level 2, provides a pathway to this course. Legal Studies, Level 3, prepares learners for tertiary studies in areas such as law, government, police studies, and journalism. It also provides links to employment pathways in vocations such as: government positions, the legal profession; policing; journalism; court administration; and social work.

Course Size and Complexity

This course has a complexity level of 3.

At Level 3, the learner is expected to acquire a combination of theoretical and/or technical and factual knowledge and skills and use judgment when varying procedures to deal with unusual or unexpected aspects that may arise. Some skills in organising self and others are expected. Level 3 is a standard suitable to prepare learners for further study at tertiary level. VET competencies at this level are often those characteristic of an AQF Certificate III.

This course has a size value of 3.

Course Description

Legal Studies explores the main structures and processes of the Australian legal and political systems. The legal processes in Australia involve individual rights, responsibilities and participation in our legal and political systems to ensure that governments and individuals work within a framework of justice and freedom, based upon the rule of law, separation of powers and procedural fairness. The focus is on understanding and assessing our system of government (Part 1 Government), the different ways of making our laws (Part 2 Sources of Law), adjudication (Part 3 Dispute Resolutions) and enforcing our criminal law (Part 4 Crime in Society). Changing the law is highlighted through study of topical legal and political issues, giving learners an opportunity to gauge the law in action, with a strong applied dimension to their learning. Learners also explore nature, function and limitations of law within the context of each Part of the course.

Course Requirements

The course has FOUR parts

• Part 1 – Government and Governance
• Part 2 – Sources of Law
• Part 3 – Dispute Resolution Processes
• Part 4 – Crime in Society.

All parts are compulsory. There is also a compulsory Work Requirement. The order in which parts are delivered and assessed is not mandated.

Some Parts contain optional, additional material with topics that are not explicitly aligned with knowledge-based Learning Outcomes and are not explicitly aligned with assessment criteria/standards that assess knowledge and understanding. Providers may choose to deliver such optional content. This may provide learners with additional opportunities to develop skills required to attain skill-based Learning Outcomes.
Course Content

PART 1 – GOVERNMENT AND GOVERNANCE

Introduction

Nature and function of law (Why do we have law, categories of law)

1.1 PARLIAMENTARY SYSTEM OF GOVERNMENT

• What are some main features of the Westminster system adopted by Australia?
  o Constitutional Monarchy
  o rule of law and its significance
  o Doctrine of Separation of Powers
  o representative and responsible government
  o bicameral parliament
  o courts ensure executive and parliament function within their given powers
  o conventions such as Cabinet and two party system

• What is understood by the independence of the judiciary and why is it important?

1.2 FEDERALISM

• What is a federal system of government and why was it adopted in Australia?

• What are some main features of Australia’s federal system?
  o shared sovereignty of law making powers by different levels of government
  o the Constitution to divide the lawmaking powers, between the State Parliaments and the Commonwealth Parliament
  o High Court to interpret the Constitution
  o a strong bicameral system with the Lower House representing the people and the Upper House at Federal level to represent the states.

• In what ways have the division of powers altered over time and what have been the consequences for federalism in Australia?
  o referendums – 1967 referendum as an example
  o referral of power (S51(xxvii))
  o Interpretation of the Constitution (S51(xxix) in particular) by the High Court – Koowarta 1982 and Tasmania Dams Case 1983
  o High Court judgements in favour of the Commonwealth creating vertical fiscal imbalance
  o Complementary legislation and the role of Council Of Australian Governments (COAG).

• Assess strengths and limitations of a federal system of government in Australia.
PART 2 – SOURCES OF LAW

2.1 STATUTE LAW
• Identify processes of initiating, drafting and passing a bill through parliament
• Does parliament keep the executive accountable?
• Assess strengths and limitations of legislation as a source of law.

2.2 COMMON LAW (JUDGES AND THE COURTS)
• Briefly outline the hierarchies and jurisdictions of the Tasmanian and Commonwealth court systems
• What is the Doctrine of Precedent?
• What role do judges have in lawmaking? (case law and interpretation of legislation)
• Assess interaction between the courts and parliament when judges interpret legislation.

2.3 LAW REFORM
• What role do the following groups play in influencing change in law?
  o Political Parties
  o Law Reform Bodies (ALRC, TLRI)
  o Royal Commissions and Commissions of Inquiry
  o Parliamentary Committees (Standing, special purpose, joint committees)
• How do individuals through the Court system influence change in law? (Mabo Case 1992)
• How do Interest / Lobby / Pressure Groups interact with society and law making institutions to influence changes in the law?
• Assess strengths and limitations of law reform processes.

PART 2 – OPTIONAL CONTENT:
Providers may choose to deliver the content below. This content is not aligned with Learning Outcomes or knowledge-based assessment criteria/standards.

Statute Law
• What is delegated legislation?
• What are the checks and balances on delegated legislation?
• What are the characteristics of an effective law?
• How are parliaments and the Executive structured at state and federal levels?
• What are the roles of the parliament and cabinet in law making?
• Identify and assess the roles of the upper houses of Federal and State parliaments.

Common Law (Judges and the Courts)
• Significance of the role of judges in interpreting legislation
• Assess strengths and limitations of judges in the law making process.
PART 3 – DISPUTE RESOLUTION PROCESSES

3.1 ADVERSARY TRIAL
• What is the purpose of the adversary (or adversarial) system?
• What is procedural fairness (natural justice)?
• What are essential differences between a civil and criminal legal action?
• What are features of the adversarial trial process?
  o contest
  o impartial adjudicator
  o party control
  o strict rules of evidence and procedure
  o a single event
• Discuss role of lawyers including legal aid and pro bono services
• What are problems and disadvantages of self representation in court?
  o lack of legal aid
  o court processes
  o role of judge in ensuring fair trial
  o Dietrich v The Queen 1992
• Assess strengths and limitations of the adversary system.

3.2 JURY SYSTEM
• What are roles and composition of criminal and civil juries in Tasmania?
• How are juries selected and empanelled in Tasmania?
• How do juries reach verdicts and what are the verdicts they are able to reach?
• Are juries the cornerstone to the adversary trial?
• Assess reforms, strengths and weaknesses of the jury system.

3.3 ALTERNATIVE DISPUTE RESOLUTION (ADR)
• Identify the different ADR processes
  o Negotiation and Collaborative law
  o Mediation
  o Tribunals
  o Conciliation and Arbitration
  o Ombudsman
• How do civil matters involve ADR?
• Assess strengths and limitations of ADR.
PART 4 – CRIME IN SOCIETY
Introduction: What is the impact of crime on the community? Why do we need a criminal justice system?

4.1 CRIME AND CRIMINAL PROCEDURE
• What are the elements of a crime?
  o mens rea
  o actus reus
  o strict liability
• What are some common categories of crime?
  o juvenile
  o organised, white collar, technology
  o terrorism
  o summary vs indictable
• What safeguards are built into the criminal justice system to protect the accused?
  o police procedures
  o bail
  o preliminary proceedings
• How are the rights of victims and the community protected in the criminal justice system?
• Assess strengths and limitations of the criminal justice system.

4.2 SENTENCING AND AIMS OF PUNISHMENT
• What laws regulate punishment and sentencing in Tasmania?
• What are the purposes and aims of punishment / sentencing?
• What are general principles considered in sentencing? (offence and offender)
• What are the sentencing options (including proposed reforms) available to judges and magistrates?
• To what extent do these sentencing options fulfil the aims of punishment?

PART 4 – OPTIONAL CONTENT:
Providers may choose to deliver the content below. This content is not aligned with Learning Outcomes or knowledge-based assessment criteria/standards.

Police Roles and Powers
• What powers do Tasmania Police have to investigate crime?
  o to arrest
  o detain; and
  o charge suspects
• How do Tasmania Police deal with juvenile offenders?
• What differences in policing are there between Tasmania Police and Australian Federal Police?
  o types of crimes
  o jurisdictions
  o powers
  o emergency and security issues
• Assess powers of police to maintain law and order and whether they need increased powers.
WORK REQUIREMENTS – Approximately 20% of course delivery

During this course learners will research and assess **TWO** topical legal issues current in the year of study. These two topics will be selected from a set of topics determined and published by TASC.

Learners will:

- undertake initial research to identify the two research topics they propose to study from the given set and negotiate the final research topics with the course provider
- develop and use research plans, including timelines
- undertake research using appropriate methodologies
- reflect on progress towards meeting goals (including meeting timelines and task characteristics), and take appropriate actions.

Each inquiry will result in a formal report (of approximately 900 words / 3 pages each) that includes:

- identification of current political and legal institutions / processes related to the topic
- identification of differing views on the issues while ensuring focus is on legal and political dimensions (and not the sociological, economic aspects etc of the issue)
- assessment of issues through relevant aspects of the nature and function of law, and processes of changing the law and, if applicable
- assessment of the issues through relevant aspects of public international law in terms of its formation, enforcement and effect on domestic law.
Assessment

Criterion-based assessment is a form of outcomes assessment that identifies the extent of learner achievement at an appropriate end-point of study. Although assessment – as part of the learning program – is continuous, much of it is formative, and is done to help learners identify what they need to do to attain the maximum benefit from their study of the course. Therefore, assessment for summative reporting to TASC will focus on what both teacher and learner understand to reflect end-point achievement.

The standard of achievement each learner attains on each criterion is recorded as a rating ‘A’, ‘B’, or ‘C’, according to the outcomes specified in the standards section of the course.

A ‘t’ notation must be used where a learner demonstrates any achievement against a criterion less than the standard specified for the ‘C’ rating.

A ‘z’ notation is to be used where a learner provides no evidence of achievement at all.

Providers offering this course must participate in quality assurance processes specified by TASC to ensure provider validity and comparability of standards across all awards. Further information on quality assurance processes, as well as on assessment, is available in the TASC Senior Secondary Handbook or on the website at http://www.tasc.tas.gov.au.

Internal assessment of all criteria will be made by the provider. Providers will report the learner’s rating for each criterion to TASC.

TASC will supervise the external assessment of designated criteria which will be indicated by an asterisk (*). The ratings obtained from the external assessments will be used in addition to internal ratings from the provider to determine the final award.

Quality Assurance Processes

The following processes will be facilitated by TASC to ensure there is:

- a match between the standards of achievement specified in the course and the skills and knowledge demonstrated by learners
- community confidence in the integrity and meaning of the qualification.

Process – TASC gives course providers feedback about any systematic differences in the relationship of their internal and external assessments and, where appropriate, seeks further evidence through audit and requires corrective action in the future.

External Assessment Requirements

The external assessment for this course will comprise:

- a three (3) hour written examination used to assess criteria: 1, 2, 3, 4, 5 and 6.

For further information see the current external assessment specifications and guidelines for this course available on the TASC website.

Criteria

The assessment for Legal Studies, Level 3, will be based on the degree to which the learner can:

1. *communicate legal and political information
2. *describe and assess structures and processes of Australia’s federal, Westminster system
3. *describe and assess Australian law making processes
4. *describe and assess Australian dispute resolution systems and processes
5. *describe and assess Australia’s criminal justice system
6. *describe and assess topical legal issues
7. apply inquiry skills to plan and undertake investigations into legal issues

* = externally assessed criteria
## Standards

### CRITERION 1: *COMMUNICATE LEGAL AND POLITICAL INFORMATION*

<table>
<thead>
<tr>
<th>RATING ‘C’</th>
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<tbody>
<tr>
<td><strong>The learner:</strong></td>
<td><strong>The learner:</strong></td>
<td><strong>The learner:</strong></td>
</tr>
<tr>
<td>• communicates using methods, formats and styles as directed</td>
<td>• communicates using methods, formats and styles appropriate to task</td>
<td>• communicates using methods, formats and styles appropriate to task and audience</td>
</tr>
<tr>
<td>• composes structured analytical essays</td>
<td>• composes structured and coherent analytical essays</td>
<td>• composes clearly structured, coherent and cohesive analytical essays</td>
</tr>
<tr>
<td>• uses grammatical conventions, spelling and punctuation to achieve clarity in written responses</td>
<td>• accurately uses grammatical conventions, spelling and punctuation in written responses</td>
<td>• accurately uses complex grammatical conventions, spelling and punctuation in written responses</td>
</tr>
<tr>
<td>• uses a limited range of appropriate terms to support discussion</td>
<td>• uses a range of appropriate terms to explain ideas and concepts to support discussion</td>
<td>• uses a wide range of appropriate terms to explain ideas and concepts to clearly support discussion and communicate meaning</td>
</tr>
<tr>
<td>• differentiates information, images, ideas and words of others from the learner’s own</td>
<td>• clearly identifies information, images, ideas and words of others used in the learner’s work</td>
<td>• clearly identifies information, images, ideas and words of others used in the learner’s work</td>
</tr>
<tr>
<td>• identifies the sources of information, images, ideas and words that are not the learner’s own. Referencing conventions and methodologies are generally followed correctly</td>
<td>• clearly identifies sources of the information, images, ideas and words that are not the learner’s own. Referencing conventions and methodologies are followed correctly</td>
<td>• clearly identifies sources of the information, images, ideas and words that are not the learner’s own. Referencing conventions and methodologies are followed with a high degree of accuracy</td>
</tr>
<tr>
<td>• creates appropriate reference lists/bibliographies.</td>
<td>• creates appropriate, structured reference lists/bibliographies.</td>
<td>• creates appropriate, well structured reference lists/bibliographies.</td>
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<td>RATING 'C'</td>
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<td>The learner:</td>
<td>The learner:</td>
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</tr>
<tr>
<td>• correctly identifies • features of the Westminster system adopted in Australia</td>
<td>• correctly describes • features of the Westminster system adopted in Australia</td>
<td>• explains • features of the Westminster system adopted in Australia</td>
</tr>
<tr>
<td>• assesses • legal and political significance of features of the Westminster system adopted in Australia</td>
<td>• analyses • legal and political significance of features of the Westminster system adopted in Australia</td>
<td>• analyses and evaluates • legal and political significance of features of the Westminster system adopted in Australia</td>
</tr>
<tr>
<td>• correctly identifies features of Australia’s federal system and legal roles of different levels of government</td>
<td>• correctly describes features of Australia’s federal system and legal roles of different levels of government</td>
<td>• explains features of Australia’s federal system and legal roles of different levels of government</td>
</tr>
<tr>
<td>• assesses advantages and disadvantages of federalism in Australia</td>
<td>• analyses advantages and disadvantages of federalism in Australia, and assesses impact of changes to division of powers</td>
<td>• analyses and evaluates advantages and disadvantages of federalism in Australia, and analyses impact of changes to division of powers</td>
</tr>
<tr>
<td>• uses a limited range • of appropriate sources of evidence to support arguments and reach conclusions.</td>
<td>• uses a range of appropriate sources of evidence to develop interpretations and arguments, and to reach valid conclusions.</td>
<td>• synthesises a wide range of appropriate sources of evidence to develop detailed, analytical interpretations and arguments, and to reach valid, logical conclusions.</td>
</tr>
</tbody>
</table>

*See glossary of terms used in standards at the end of this section of the course document.*
**CRITERION 3: DESCRIBE AND ASSESS AUSTRALIAN LAW MAKING PROCESSES**

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<tr>
<th>RATING ‘C’</th>
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<tr>
<td>The learner:</td>
<td>The learner:</td>
<td>The learner:</td>
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<tr>
<td>• correctly identifies legislative processes for creation of law, and assesses advantages and limitations of legislation as a source of law</td>
<td>• correctly describes legislative processes for creation of law, and analyses advantages and limitations of legislation as a source of law</td>
<td>• explains legislative processes for creation of law, and evaluates effectiveness of legislation as a source of law</td>
</tr>
<tr>
<td>• correctly identifies features of Federal and Tasmanian court hierarchies and processes for creation of common law, and assesses advantages and limitations of judges as lawmakers</td>
<td>• correctly describes Federal and Tasmanian court hierarchies and processes for creation of common law, and analyses advantages and limitations of judges as lawmakers</td>
<td>• explains jurisdictions of Federal and Tasmanian court hierarchies and processes for creation of common law, and evaluates effectiveness of judges as lawmakers</td>
</tr>
<tr>
<td>• correctly identifies reasons for interpretation of legislation by judges, and assesses interactions of parliament and courts as lawmakers</td>
<td>• correctly describes reasons for interpretation of legislation by judges, and analyses interactions between legislatures and judiciary as lawmakers</td>
<td>• explains reasons for interpretation of legislation by judges, and evaluates dynamics of interactions between legislatures and judiciary as lawmakers</td>
</tr>
<tr>
<td>• correctly identifies principles and processes of law reform</td>
<td>• correctly describes principles and processes of law reform</td>
<td>• explains principles and processes of law reform</td>
</tr>
<tr>
<td>• assesses effectiveness of some agents of law reform and ability of individuals and interest groups to influence lawmaking</td>
<td>• analyses effectiveness of ways in which agents for reform influence law reform processes and ability of individuals and interest groups to influence lawmaking</td>
<td>• analyses methods, significance and barriers to law reform, and evaluates ability of individuals and interest groups to influence social attitudes to legal issues and lawmaking</td>
</tr>
<tr>
<td>• uses a limited range of appropriate sources of evidence to support arguments and reach conclusions.</td>
<td>• uses a range of appropriate sources of evidence to develop interpretations and arguments, and to reach valid conclusions.</td>
<td>• synthesises a wide range of appropriate sources of evidence to develop detailed, analytical interpretations and arguments, and to reach valid, logical conclusions.</td>
</tr>
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*See glossary of terms used in standards at the end of this section of the course document.*
CRITERION 4: DESCRIBE AND ASSESS AUSTRALIAN DISPUTE RESOLUTION SYSTEMS AND PROCESSES

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<tr>
<td>The learner:</td>
<td>The learner:</td>
<td>The learner:</td>
</tr>
<tr>
<td>• correctly identifies features of adversary system, and describes role of adjudicator, parties and legal representation in trial process and assesses some advantages and limitations of the adversary system</td>
<td>• correctly describes features of adversary system, and analyses effectiveness of adversary system as a means of dispute resolution</td>
<td>• explains features of adversary system, and critically analyses effectiveness of adversary system as a means of dispute resolution</td>
</tr>
<tr>
<td>• correctly identifies features of jury system in civil and criminal courts, describes role of jury, and assesses advantages and limitations of the jury system</td>
<td>• correctly describes features of jury system in civil and criminal courts, and analyses effectiveness of jury system as a means of dispute resolution</td>
<td>• explains features of jury system in civil and criminal courts, and critically analyses effectiveness of jury system as a means of dispute resolution</td>
</tr>
<tr>
<td>• correctly identifies and describes alternative dispute resolution process appropriate to given disputes, and assesses advantages and limitations of process</td>
<td>• correctly describes alternative dispute resolution processes, and analyses effectiveness of processes as a means of dispute resolution in court and out-of-court contexts</td>
<td>• explains alternative dispute resolution processes, and critically analyses processes as a means of dispute resolution in court and out of-court contexts</td>
</tr>
<tr>
<td>• uses a limited range of appropriate sources of evidence to support arguments and reach conclusions.</td>
<td>• uses a range of appropriate sources of evidence to develop interpretations and arguments, and to reach valid conclusions.</td>
<td>• synthesises a wide range of appropriate sources of evidence to develop detailed, analytical interpretations and arguments, and to reach valid, logical conclusions.</td>
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</table>

*See glossary of terms used in standards at the end of this section of the course document.*
CRITERION 5: *DESCRIBE AND ASSESS AUSTRALIA’S CRIMINAL JUSTICE SYSTEM

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<tr>
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<tbody>
<tr>
<td>The learner:</td>
<td>The learner:</td>
<td>The learner:</td>
</tr>
<tr>
<td>• correctly identifies elements and categories of crime</td>
<td>• correctly describes elements and categories of crime</td>
<td>• explains elements and categories of crime</td>
</tr>
<tr>
<td>• correctly identifies impact of crime on community, and assesses relation between criminal justice system and crime reduction</td>
<td>• correctly describes impact of crime on community, and assesses effectiveness of criminal justice system in reducing crime</td>
<td>• explains impact of crime on community, and evaluates effectiveness of criminal justice system in reducing crime</td>
</tr>
<tr>
<td>• correctly describes rights of accused, victim and community in criminal cases and assesses processes to safeguard rights</td>
<td>• correctly describes rights of accused, victim and community in criminal cases, and assesses effectiveness of processes to safeguard rights</td>
<td>• correctly describes rights of accused, victim and community in criminal cases, and evaluates effectiveness of processes to safeguard rights</td>
</tr>
<tr>
<td>• correctly identifies laws, principles, procedures and options concerning sentencing offenders</td>
<td>• correctly describes laws, principles, procedures and options concerning sentencing offenders</td>
<td>• explains laws, principles, procedures and options concerning sentencing offenders</td>
</tr>
<tr>
<td>• assesses effectiveness of sentencing in achieving aims of punishment</td>
<td>• analyses effectiveness of sentencing in achieving aims of punishment</td>
<td>• critically analyses effectiveness of sentencing in achieving aims of punishment</td>
</tr>
<tr>
<td>• uses a limited range of appropriate sources of evidence to support arguments and reach conclusions.</td>
<td>• uses a range of appropriate sources of evidence to develop interpretations and arguments, and to reach valid conclusions.</td>
<td>• synthesises a wide range of appropriate sources of evidence to develop detailed, analytical interpretations and arguments, and to reach valid, logical conclusions.</td>
</tr>
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•See glossary of terms used in standards at the end of this section of the course document.
**CRITERION 6: DESCRIBE AND ASSESS TOPICAL LEGAL ISSUES**

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<tr>
<th>RATING ‘C’</th>
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<tbody>
<tr>
<td>The learner:</td>
<td>The learner:</td>
<td>The learner:</td>
</tr>
<tr>
<td>• outlines the facts of an issue, using appropriate political and legal terminology</td>
<td>• describes an issue, using appropriate political and legal terminology</td>
<td>• explains an issue, using appropriate political and legal terminology</td>
</tr>
<tr>
<td>• outlines connections between an issue and relevant political and legal institutions and processes of the current Australian and political and legal system, and relevant aspects of international law</td>
<td>• describes connections between an issue and relevant political and legal institutions and processes of the current Australian political and legal system, and relevant aspects of international law</td>
<td>• explains connections between an issue and relevant political and legal institutions and processes of the current Australian political and legal system, and relevant aspects of international law</td>
</tr>
<tr>
<td>• assesses differing legal and political views that exist in Australian society about an issue</td>
<td>• analyses differing legal and political views that exist in Australian society about an issue</td>
<td>• evaluates differing legal and political views that exist in Australian society about an issue</td>
</tr>
<tr>
<td>• assesses an issue using relevant aspects of the nature and function of law</td>
<td>• analyses an issue using relevant aspects of the nature and function of law</td>
<td>• evaluates an issue using relevant aspects of the nature and function of law</td>
</tr>
<tr>
<td>• assesses an issue using relevant processes of changing law</td>
<td>• analyses an issue using relevant processes of changing law</td>
<td>• evaluates an issue using relevant processes of changing law</td>
</tr>
<tr>
<td>• uses a limited range of evidence to reach conclusions.</td>
<td>• uses a range of evidence to develop interpretations and to reach valid conclusions.</td>
<td>• synthesises a wide range of evidence to develop detailed, analytical interpretations and to reach valid, logical conclusions.</td>
</tr>
</tbody>
</table>

*See glossary of terms used in standards at the end of this section of the course document.*
**CRITERION 7: APPLY INQUIRY SKILLS TO PLAN AND UNDERTAKE INVESTIGATIONS INTO LEGAL ISSUES**

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<tr>
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<tbody>
<tr>
<td><strong>The learner:</strong></td>
<td><strong>The learner:</strong></td>
<td><strong>The learner:</strong></td>
</tr>
<tr>
<td>• uses given inquiry questions, designs inquiry, clearly stating aims and appropriate methodology</td>
<td>• expresses inquiry questions, discussing their connections to observations; designs inquiry, clearly stating aims and describing appropriate methodology</td>
<td>• composes clearly structured inquiry questions, explaining their connections to observations; designs comprehensive inquiry, clearly stating aims and explaining appropriate methodology in details</td>
</tr>
<tr>
<td>• locates and records a limited range of primary and secondary sources related to an investigation</td>
<td>• locates and accurately records a range of primary and secondary sources relevant to an investigation</td>
<td>• locates and accurately records a wide range of primary and secondary sources relevant to an investigation</td>
</tr>
<tr>
<td>• assesses relevance and reliability of selected information to issue and identifies position presented</td>
<td>• analyses relevance and reliability of selected information to issue and identifies position presented</td>
<td>• evaluates relevance and reliability of selected information to issue and identifies position presented</td>
</tr>
<tr>
<td>• identifies time, resources and equipment needed to complete inquiry, and develops and employs a research plan</td>
<td>• identifies time, resources and equipment needed to complete inquiry, and develops and employs a coherent research plan</td>
<td>• identifies time, resources and equipment needed to complete activities, and develops a systematic and coherent research plan</td>
</tr>
<tr>
<td>• reflects – orally and in writing – on progress towards meeting goals and timelines, articulating some ways in which goals may be met in the future</td>
<td>• reflects – orally and in writing – on progress towards meeting goals and timelines; analyses progress to plan future actions</td>
<td>• reflects – orally and in writing – on progress towards meeting goals and timelines; critically evaluates progress to plan future actions</td>
</tr>
<tr>
<td>• meets specified/negotiated timelines and addresses most task characteristics.</td>
<td>• meets specified/negotiated timelines and addresses all task characteristics.</td>
<td>• meets specified/negotiated timelines and addresses all required task characteristics with a high degree of accuracy.</td>
</tr>
</tbody>
</table>

*See glossary of terms used in standards at the end of this section of the course document.*
GLOSSARY OF TERMS USED IN STANDARDS

Analyse: to examine, scrutinise, explore, review, consider in detail for the purpose of finding meaning or relationships, and identifying patterns, similarities and differences

Assess: to make a judgement about, to rate, to weigh up, to form an opinion

Critically analyse: to closely examine, analyse in detail, focus on essence, examine component parts of an issue or information (for example identifying the premise of an argument or ideology, and its plausibility, illogical reasoning or faulty conclusions)

Describe: to recount, tell of/about, chronicle, comment on, give an account of characteristics or features

Evaluate: to appraise, measure, judge, provide a detailed examination and substantiated judgement concerning the merit, significance or value of something

Explain: to make plain, clear, intelligible, to describe in detail, revealing relevant facts

Identify: to point out, name, list, distinguish, recognise, establish or indicate who or what someone or something is

Range of sources: has dimensions of type (primary and secondary), number (how many sources) and scope (books, academic articles, internet, film/video etc.)

Task characteristics may include, but are not limited to: word limits; format of response; mode of response; and presentation requirements

Terms: word or phrase used to describe abstract aspects or features of legal and political systems

Tools and strategies used to collect and organise information include, but are not limited to:
• graphic organisers
• note taking
• use of categories to organise information.
Qualifications Available

Legal Studies, Level 3 (with the award of):
- EXCEPTIONAL ACHIEVEMENT
- HIGH ACHIEVEMENT
- COMMENDABLE ACHIEVEMENT
- SATISFACTORY ACHIEVEMENT
- PRELIMINARY ACHIEVEMENT

Award Requirements

The final award will be determined by the Office of Tasmanian Assessment, Standards and Certification from 13 ratings (7 from the internal assessment, 6 from external assessment).

The minimum requirements for an award in Legal Studies, Level 3, are as follows:
- EXCEPTIONAL ACHIEVEMENT (EA)
  10 ‘A’ ratings, 3 ‘B’ ratings (4 ‘A’ ratings, 2 ‘B’ ratings from external assessment)
- HIGH ACHIEVEMENT (HA)
  5 ‘A’ ratings, 5 ‘B’ ratings, 3 ‘C’ ratings (2 ‘A’ ratings, 4 ‘B’ ratings from external assessment)
- COMMENDABLE ACHIEVEMENT (CA)
  5 ‘B’ ratings, 7 ‘C’ ratings (2 ‘B’ ratings, 3 ‘C’ ratings from external assessment)
- SATISFACTORY ACHIEVEMENT (SA)
  11 ‘C’ ratings (4 ‘C’ ratings from external assessment)
- PRELIMINARY ACHIEVEMENT (PA)
  7 ‘C’ ratings

A learner who otherwise achieves the ratings for a CA (Commendable Achievement) or SA (Satisfactory Achievement) award but who fails to show any evidence of achievement in one or more criteria (‘z’ notation) will be issued with a PA (Preliminary Achievement) award.

Course Evaluation

During the first year of a course’s accreditation the Department of Education’s Curriculum Services Unit will review the course. This evaluation will be informed by the experience of the course’s implementation, delivery and assessment.

In addition, stakeholders may request the Curriculum Services Unit to review a particular aspect of an accredited course.

Requests for amendments to an accredited course will be forward by the Curriculum Services Unit to the Office of TASC for formal consideration.

Such requests for amendment will be considered in terms of the likely improvements to the outcomes for learners, possible consequences for delivery and assessment of the course, and alignment with Australian Curriculum materials.

A course is formally analysed prior to the expiry of its accreditation as part of the process to develop specifications to guide the development of any replacement course.
Expectations Defined by National Standards in Content Statements Developed by ACARA

There are no content statements developed by ACARA that are relevant to this course.

Accreditation

The accreditation period for this course is from 1 January 2016 until 31 December 2016.

Version History

Version 1 – Accredited on 14 December 2015 for use in 2016. This course replaces LST315115 Legal Studies that expired on 31 December 2015.