

Legal Studies 2019 v1.1

IA2 sample assessment instrument

September 2019

Investigation — inquiry report (25%)

This sample has been compiled by the QCAA to assist and support teachers in planning and developing assessment instruments for individual school settings.

Assessment objectives

This assessment instrument is used to determine student achievement in the following objectives:

1. comprehend legal concepts, principles and/or processes of a current legal issue that may require reform to Australian and/or Queensland legislation
2. select legal information from sources relevant to Australian and/or Queensland law reform
3. analyse a legal issue involving law reform to Australian and/or Queensland legislation
4. evaluate a legal situation relevant to law reform to Australian and/or Queensland legislation
5. create a response that communicates meaning to suit the intended purpose in an inquiry report.

Subject	Legal Studies	Instrument no.	IA2
Technique	Investigation — inquiry report		
Unit	3: Law, governance and change		
Topic	2: Law reform within a dynamic society		

Conditions			
Duration	<ul style="list-style-type: none"> • 4 weeks, including 10 hours of the time allocated for Unit 3 • students may use class time and their own time to develop a response. 		
Mode	Written response	Length	1500–2000 words.
Individual/group	Individual	Other	—
Resources available	A variety of extracts from case law, legal databases, legislation, government and other institutional websites, published reports, media and expert commentaries, and lobbyist statements.		
Context			
<p>'Fertility professionals and advocacy groups say surrogacy is experiencing a quiet boom in Australia after several Asian countries banned foreigners from paying women to carry babies for them. ...</p> <p>'There have been no prosecutions under Australian surrogacy laws in the last 10 years, but it's clear they are being flouted. ...</p> <p>'But now that India, Cambodia and Thailand have closed shop, surrogacy advocates like Sam Everingham say it's time for the government to change the rules when it comes to surrogacy.'</p> <p>Cohen, H 2017, 'Surrogacy booming in Australia despite legal issues', <i>ABC News</i>, 10 February, www.abc.net.au/news/2017-02-10/surrogacy-booming-in-australia-despite-legal-issues/8255966</p>			
Task			
Create an inquiry report analysing the nature and scope of the legal issue of surrogacy in Queensland. Using this analysis, evaluate two legal alternatives and make one recommendation to reform existing laws in Queensland.			
To complete this task, you must:			
<ul style="list-style-type: none"> • select legal information from sources, including legislation, and provide a reference list and citations • demonstrate comprehension of relevant legal concepts, principles and/or processes within the report • analyse and examine viewpoints of two significant stakeholder groups regarding the commercialisation of surrogacy • evaluate using legal criteria and discuss the implications of your recommendation • format the inquiry report appropriately, including a cover page, headings and subheadings. <p>Read the following articles, which provide background information about the similarities and differences in surrogacy laws across Australia. These articles cannot be cited in your response or in your reference list:</p> <ul style="list-style-type: none"> • Barrett, A & Barrett, J 2016, 'Surrogacy: Who can have your baby in Australia?', <i>Brisbane Times</i>, 2 December, www.brisbanetimes.com.au/national/queensland/surrogacy-who-can-have-your-baby-in-australia-20161202-gt2rbb.html • Webeck, D 2016, 'A guide to Australia's surrogacy laws', <i>Essential Baby</i>, 25 February, www.essentialbaby.com.au/conception/surrogacy/a-guide-to-australias-surrogacy-laws-20160224-gn2u0p 			
Stimulus			
—			

Checkpoints		
<input type="checkbox"/> Week 1: Planning — An outline of your report, including structural elements such as headings.		
<input type="checkbox"/> Week 1: Progress check — A list of possible sources that contain legal information.		
<input type="checkbox"/> Week 2: Progress check — Analysing and evaluating main points.		
<input type="checkbox"/> Week 3: Progress check — Draft response.		
<input type="checkbox"/> Week 4: Final response.		
Criterion	Marks allocated	Result
Comprehending Assessment objective 1	5	
Selecting Assessment objective 2	4	
Analysing Assessment objective 3	6	
Evaluating Assessment objective 4	6	
Creating a response Assessment objective 5	4	
Total	25	
Authentication strategies		
<ul style="list-style-type: none"> • The teacher will provide class time for task completion. 		
<ul style="list-style-type: none"> • The teacher will collect copies of the student response and monitor at key junctures. 		
<ul style="list-style-type: none"> • The teacher will collect and annotate drafts. 		
<ul style="list-style-type: none"> • Students must submit a declaration of authenticity. 		
<ul style="list-style-type: none"> • The teacher will ensure class cross-marking occurs. 		

Instrument-specific marking guide

Criterion: Comprehending

Assessment objective

1. comprehend legal concepts, principles and/or processes of a current legal issue that may require reform to Australian and/or Queensland legislation

The student work has the following characteristics:	Marks
<ul style="list-style-type: none">• comprehensive identification of the features of an Australian and/or Queensland law reform issue• perceptive description of legal concepts, principles and/or processes of the Australian and/or Queensland law reform issue• precise use of legal terminology.	4–5
<ul style="list-style-type: none">• effective identification of the features of an Australian and/or Queensland law reform issue• effective description of legal concepts, principles and/or processes of the Australian and/or Queensland law reform issue• adequate use of legal terminology.	2–3
<ul style="list-style-type: none">• identification of some legal concepts, principles or processes of an Australian and/or Queensland law reform issue.	1
<ul style="list-style-type: none">• does not satisfy any of the descriptors above.	0

Criterion: Selecting

Assessment objective

2. select legal information from sources relevant to Australian and/or Queensland law reform

The student work has the following characteristics:	Marks
<ul style="list-style-type: none">• discerning choice of current and relevant legal information from primary and/or secondary sources relevant to Australian and/or Queensland law reform• perceptive use of legal information• consistent and accurate documentation of legal information in the form of a reference list and citations.	3–4
<ul style="list-style-type: none">• adequate choice of current and/or relevant legal information from primary and/or secondary sources relevant to Australian and/or Queensland law reform• adequate use of legal information• some documentation of legal information in the form of a reference list and/or citations.	2
<ul style="list-style-type: none">• limited choice of primary and/or secondary sources relevant to Australian and/or Queensland law reform• use of some legal information• limited documentation of sources.	1
<ul style="list-style-type: none">• does not satisfy any of the descriptors above.	0

Criterion: Analysing

Assessment objective

3. analyse a legal issue involving law reform to Australian and/or Queensland legislation

The student work has the following characteristics:	Marks
<ul style="list-style-type: none">perceptive application of relevant legal concepts, principles and/or processes, to determine the nature and scope of a law reform issue that involves Australian and/or Queensland legislationinterpretation of legal information to perceptively examine different viewpoints and their consequencesdiscerning use of evidence to support the analysis.	5–6
<ul style="list-style-type: none">effective application of relevant legal concepts, principles and/or processes, to determine the nature and scope of a law reform issue that involves Australian and/or Queensland legislationinterpretation of legal information to effectively examine different viewpoints and their consequencessufficient use of evidence within the analysis.	3–4
<ul style="list-style-type: none">superficial description of legal concepts, principles and/or processes, that link to a law reform issue that involves Australian and/or Queensland legislationdescription or identification of superficial viewpoints and/or consequencesnarrow use of evidence.	1–2
<ul style="list-style-type: none">does not satisfy any of the descriptors above.	0

Criterion: Evaluating

Assessment objective

4. evaluate a legal situation relevant to law reform to Australian and/or Queensland legislation

The student work has the following characteristics:	Marks
<ul style="list-style-type: none">relevant legal alternatives presented from the analysis and insightful recommendation/s proposedsynthesis of information that justifies the recommendation/s through the discerning use of legal criteriafluent discussion of the implications of the recommendation/s.	5–6
<ul style="list-style-type: none">relevant legal alternatives presented from the analysis and effective recommendation/s proposedsynthesis of information that justifies the recommendation/s through the effective use of legal criteriaclear discussion of the implications of the recommendation/s.	3–4
<ul style="list-style-type: none">legal alternatives presented and/or recommendation/s proposedsome justification of the recommendation/sdiscussion identifies some implications of the alternatives or recommendation/s.	1–2
<ul style="list-style-type: none">does not satisfy any of the descriptors above.	0

Criterion: Creating a response

Assessment objectives

5. create a response that communicates meaning to suit the intended purpose in an inquiry report

The student work has the following characteristics:	Marks
<ul style="list-style-type: none">• concise expression and logical development of relevant ideas that enhance legal meaning• features of a report genre are consistently demonstrated• minimal errors in spelling, grammar and punctuation.	3–4
<ul style="list-style-type: none">• adequate expression and development of ideas that convey legal meaning• features of a report genre are demonstrated• some errors in spelling, grammar and punctuation.	2
<ul style="list-style-type: none">• some elements of report formatting and/or inconsistent use of language conventions.	1
<ul style="list-style-type: none">• does not satisfy any of the descriptors above.	0