

# Legal Studies 2019 v1.1

## General Senior Syllabus

This syllabus is for implementation with Year 11 students in 2019.

# Contents

<b>1</b>	<b>Course overview</b> _____	<b>1</b>
1.1	Introduction.....	1
1.1.1	Rationale.....	1
1.1.2	Learning area structure.....	2
1.1.3	Course structure .....	3
1.2	Teaching and learning .....	4
1.2.1	Syllabus objectives .....	4
1.2.2	Underpinning factors.....	5
1.2.3	Aboriginal perspectives and Torres Strait Islander perspectives.....	8
1.2.4	Pedagogical and conceptual frameworks.....	8
1.2.5	Subject matter.....	11
1.3	Assessment — general information.....	11
1.3.1	Formative assessments — Units 1 and 2.....	11
1.3.2	Summative assessments — Units 3 and 4.....	12
1.4	Reporting standards .....	13
<b>2</b>	<b>Unit 1: Beyond reasonable doubt</b> _____	<b>15</b>
2.1	Unit description.....	15
2.2	Unit objectives .....	15
2.3	Topic 1: Legal foundations .....	16
2.4	Topic 2: Criminal investigation process .....	17
2.5	Topic 3: Criminal trial process .....	18
2.6	Topic 4: Punishment and sentencing.....	19
2.7	Assessment guidance .....	20
<b>3</b>	<b>Unit 2: Balance of probabilities</b> _____	<b>21</b>
3.1	Unit description.....	21
3.2	Unit objectives .....	21
3.3	Topic 1: Civil law foundations .....	22
3.4	Topic 2: Contractual obligations .....	23
3.5	Topic 3: Negligence and the duty of care .....	24
3.6	Assessment guidance .....	25

<b>4</b>	<b>Unit 3: Law, governance and change</b>	<b>26</b>
4.1	Unit description.....	26
4.2	Unit objectives .....	27
4.3	Topic 1: Governance in Australia.....	28
4.4	Topic 2: Law reform within a dynamic society .....	29
4.5	Assessment.....	31
4.5.1	Summative internal assessment 1 (IA1): Examination — combination response (25%).....	31
4.5.2	Summative internal assessment 2 (IA2): Investigation — inquiry report (25%).....	36
<b>5</b>	<b>Unit 4: Human rights in legal contexts</b>	<b>41</b>
5.1	Unit description.....	41
5.2	Unit objectives .....	42
5.3	Topic 1: Human rights .....	42
5.4	Topic 2: The effectiveness of international law.....	43
5.5	Topic 3: Human rights in Australian contexts .....	44
5.6	Assessment.....	45
5.6.1	Summative internal assessment 3 (IA3): Investigation — argumentative essay (25%).....	45
5.6.2	Summative external assessment (EA): Examination — combination response (25%).....	50
<b>6</b>	<b>Glossary</b>	<b>52</b>
<b>7</b>	<b>References</b>	<b>72</b>
<b>8</b>	<b>Version history</b>	<b>73</b>

# 1 Course overview

## 1.1 Introduction

### 1.1.1 Rationale

Legal Studies focuses on the interaction between society and the discipline of law. Students study the legal system and how it regulates activities and aims to protect the rights of individuals, while balancing these with obligations and responsibilities. An understanding of legal processes and concepts enables citizens to be better informed and able to constructively question and contribute to the improvement of laws and legal processes. This is important as the law is dynamic and evolving, based on values, customs and norms that are challenged by technology, society and global influences.

Legal Studies explores the role and development of law in response to current issues. The subject starts with the foundations of law and explores the criminal justice process through to punishment and sentencing. Students then study the civil justice system, focusing on contract law and negligence. With increasing complexity, students critically examine issues of governance that are the foundation of the Australian and Queensland legal systems, before they explore contemporary issues of law reform and change. The study finishes with considering Australian and international human rights issues. Throughout the course, students analyse issues and evaluate how the rule of law, justice and equity can be achieved in contemporary contexts.

The primary skills of inquiry, critical thinking, problem-solving and reasoning empower Legal Studies students to make informed and ethical decisions and recommendations. Learning is based on an inquiry approach that develops reflection skills and metacognitive awareness. Through inquiry, students identify and describe legal issues, explore information and data, analyse, evaluate to make decisions or propose recommendations, and create responses that convey legal meaning. They improve their research skills by using information and communication technology (ICT) and databases to access case law and legislation. Students analyse legal information to determine the nature and scope of the legal issue, examine different or opposing views, which are evaluated against legal criteria. These are critical skills that allow students to think strategically in the 21st century.

Knowledge of the law enables students to have confidence in approaching and accessing the legal system, and provides them with an appreciation of the influences that shape the system. Legal knowledge empowers students to make constructive judgments on, and knowledgeable commentaries about, the law and its processes. Students examine and justify viewpoints involved in legal issues, while also developing respect for diversity. Legal Studies satisfies interest and curiosity as students question, explore and discuss tensions between changing social values, justice and equitable outcomes.

Legal Studies enables students to appreciate how the legal system is relevant to them and their communities. The subject enhances students' abilities to contribute in an informed and considered way to legal challenges and change, both in Australia and globally.

### Pathways

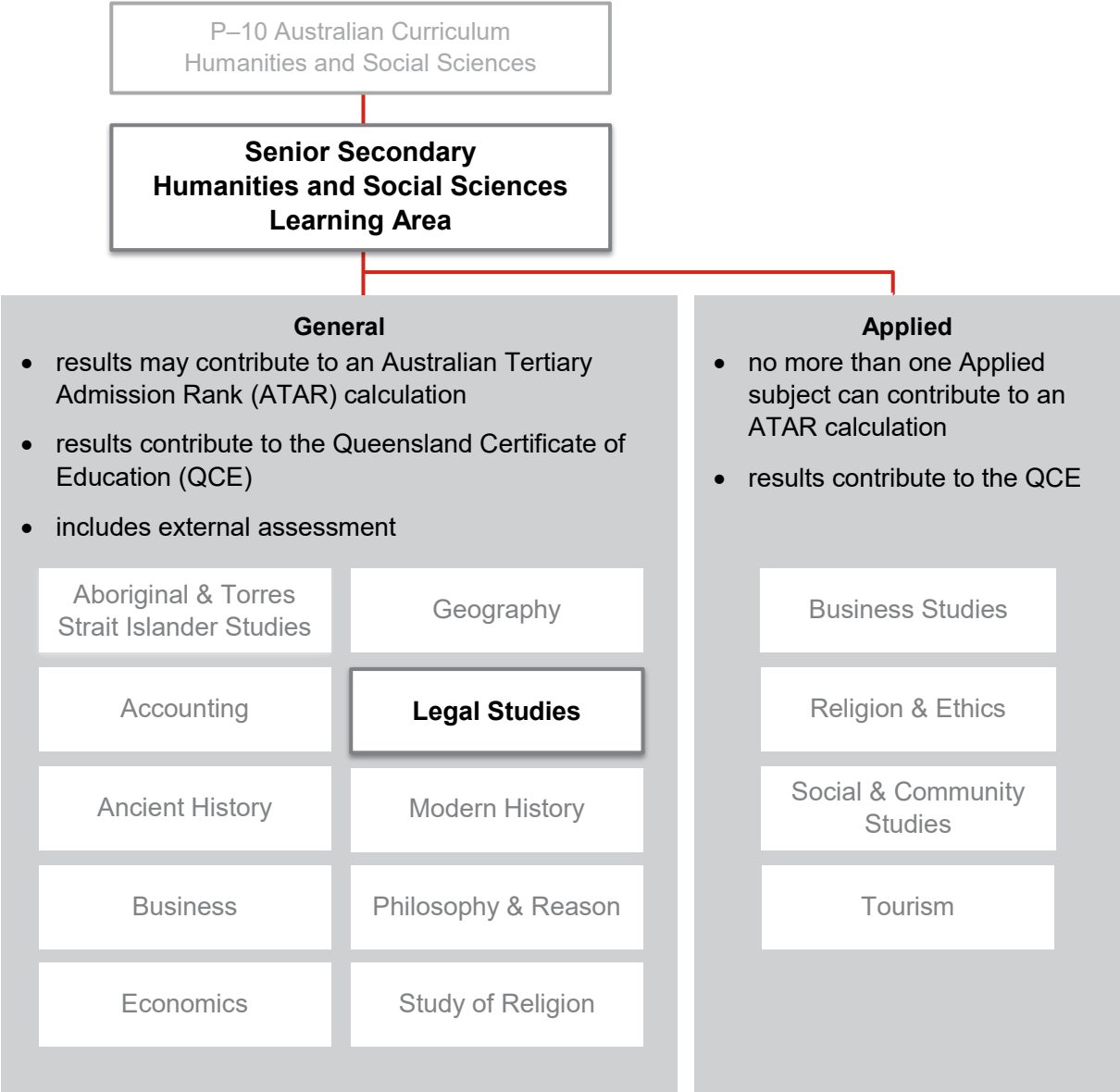
Legal Studies is a General subject suited to students who are interested in pathways beyond school that lead to tertiary studies, vocational education or work. A course of study in Legal Studies can establish a basis for further education and employment in the fields of law, law enforcement, criminology, justice studies and politics. The knowledge, skills and attitudes Legal Studies students gain are transferable to all discipline areas and post-schooling tertiary pathways.

The research and analytical skills this course develops are universally valued in business, health, science and engineering industries.

### 1.1.2 Learning area structure

All learning areas build on the P–10 Australian Curriculum.

Figure 1: Learning area structure



### 1.1.3 Course structure

Legal Studies is a course of study consisting of four units. Subject matter, learning experiences and assessment increase in complexity from Units 1 and 2 to Units 3 and 4 as students develop greater independence as learners.

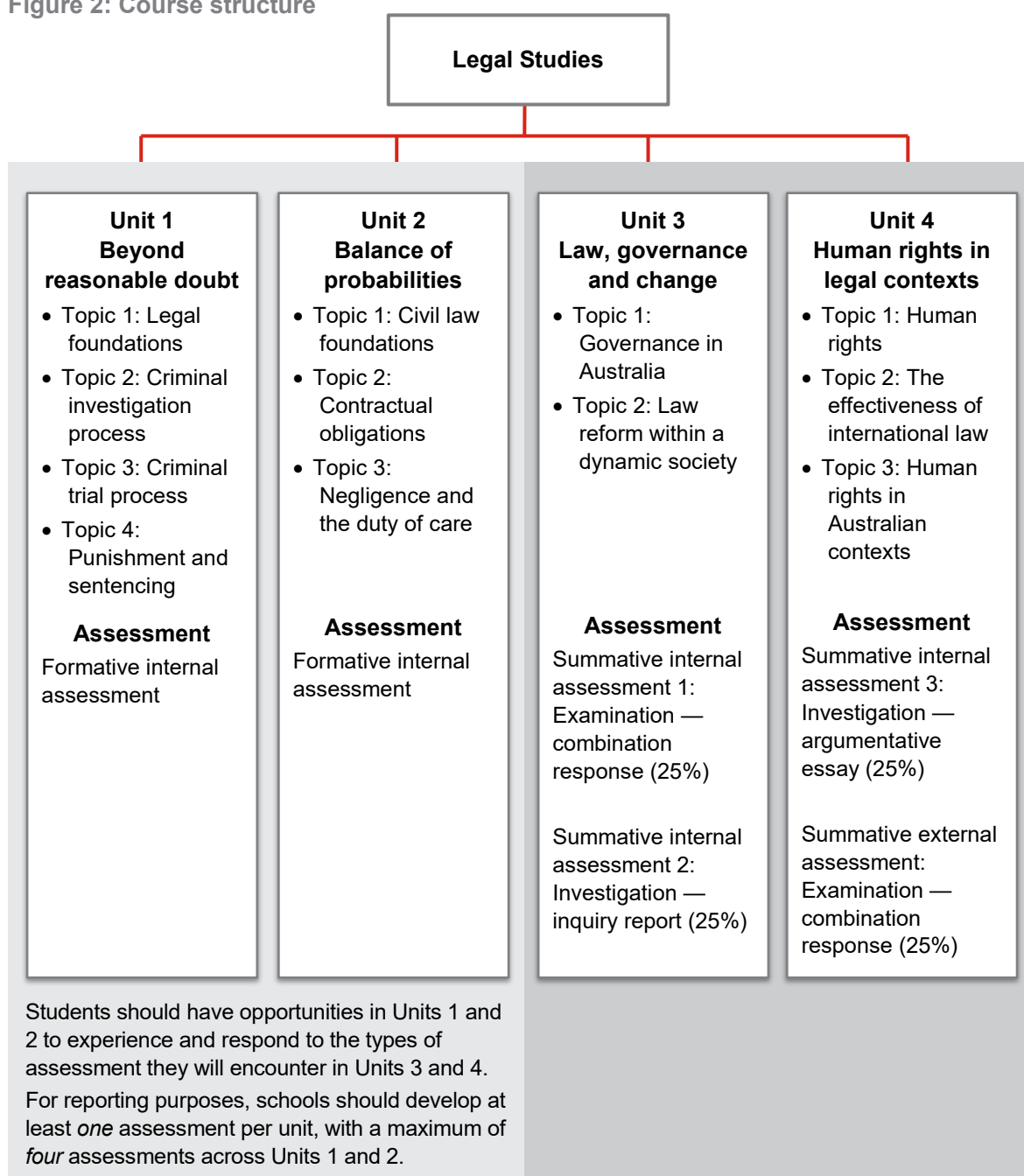
Units 1 and 2 provide foundational learning, which allows students to experience all syllabus objectives and begin engaging with the course subject matter. Students should complete Units 1 and 2 before beginning Unit 3. It is recommended that Unit 3 be completed before Unit 4.

Units 3 and 4 consolidate student learning. Only the results from Units 3 and 4 will contribute to ATAR calculations.

Figure 2 outlines the structure of this course of study.

Each unit has been developed with a notional time of 55 hours of teaching and learning, including assessment.

Figure 2: Course structure



# 1.2 Teaching and learning

## 1.2.1 Syllabus objectives

The syllabus objectives outline what students have the opportunity to learn. Assessment provides evidence of how well students have achieved the objectives.

Syllabus objectives inform unit objectives, which are contextualised for the subject matter and requirements of the unit. Unit objectives, in turn, inform the assessment objectives, which are further contextualised for the requirements of the assessment instruments. The number of each objective remains constant at all levels, i.e. Syllabus objective 1 relates to Unit objective 1 and to Assessment objective 1 in each assessment instrument.

Syllabus objectives are described in terms of actions that operate on the subject matter. Students are required to use a range of cognitive processes in order to demonstrate and meet the syllabus objectives. These cognitive processes are described in the explanatory paragraph following each objective in terms of four levels: retrieval, comprehension, analytical processes (analysis), and knowledge utilisation, with each process building on the previous processes (see Marzano & Kendall 2007, 2008). That is, comprehension requires retrieval, and knowledge utilisation requires retrieval, comprehension and analytical processes (analysis).

By the conclusion of the course of study, students will:

Syllabus objective	Unit 1	Unit 2	Unit 3	Unit 4
1. comprehend legal concepts, principles and processes	•	•	•	•
2. select legal information from sources	•	•	•	•
3. analyse legal issues	•	•	•	•
4. evaluate legal situations	•	•	•	•
5. create responses that communicate meaning	•	•	•	•

### 1. comprehend legal concepts, principles and processes

When students comprehend legal concepts, principles and processes, they identify features and examples to demonstrate understanding. Comprehending includes describing, explaining, translating knowledge into symbolic representations, constructing diagrams, and using legal terminology.

### 2. select legal information from sources

When students select legal information from sources, they choose legal information from primary and/or secondary sources, for example, case law, legal databases, legislation, government and other institutional websites, published reports, media and expert commentaries, and lobbyist statements. Students make these choices based on currency and relevance, and use a recognised system of referencing to document and acknowledge sources.

### 3. analyse legal issues

When students analyse legal issues, they use legal information to apply legal concepts, principles and processes to determine the nature and scope of the issue and to examine viewpoints and consequences.

#### 4. evaluate legal situations

When students evaluate legal situations, they use knowledge from their analysis to present legal alternatives then make a decision or propose recommendation/s to resolve the situation. Students synthesise information to justify the decision or recommendation/s using legal criteria, and discuss their implications.

#### 5. create responses that communicate meaning

When students create a response, they use their knowledge to communicate meaning according to the intended purpose. Students use language conventions and genres that suit the context and convey legal meaning.

### 1.2.2 Underpinning factors

There are three skill sets that underpin senior syllabuses and are essential for defining the distinctive nature of subjects:

- literacy — the set of knowledge and skills about language and texts essential for understanding and conveying Legal Studies content
- numeracy — the knowledge, skills, behaviours and dispositions that students need to use mathematics in a wide range of situations, to recognise and understand the role of mathematics in the world, and to develop the dispositions and capacities to use mathematical knowledge and skills purposefully
- 21st century skills — the attributes and skills students need to prepare them for higher education, work and engagement in a complex and rapidly changing world.

These skill sets, which overlap and interact, are derived from current education, industry and community expectations. They encompass the knowledge, skills, capabilities, behaviours and dispositions that will help students live and work successfully in the 21st century.

Together these three skill sets shape the development of senior subject syllabuses. Although coverage of each skill set may vary from syllabus to syllabus, students should be provided with opportunities to learn through and about these skills over the course of study. Each skill set contains identifiable knowledge and skills that can be directly assessed.



## Literacy in Legal Studies

Ongoing systematic teaching and learning focused on the literacy knowledge and skills specific to Legal Studies is essential for student achievement.

Students need to learn and use knowledge and skills of reading, viewing and listening to understand and learn the content of Legal Studies. Students need to learn and use the knowledge and skills of writing, composing and speaking to convey the Legal Studies content they have learnt.

To understand and use Legal Studies content, teaching and learning strategies include:

- developing familiarity with the syntax of Legal Studies, that is, the use of terminology and specialised language of the Australian legal system
- comprehending legal texts, graphs, symbols and visual information from a range of sources to stimulate learning, including case law, legal databases, legislation, government and other institutional websites, published reports, media and expert commentaries, and lobbyist statements
- transforming legal ideas and situations from a range of sources to develop understanding
- using language and text to convey legal meaning in written and non-written formats.

These aspects of literacy knowledge and skills are embedded in the syllabus objectives, unit objectives and subject matter, and instrument-specific marking guides (ISMGs) for Legal Studies.

## Numeracy in Legal Studies

Although much of the explicit teaching of numeracy skills occurs in Mathematics, being numerate involves using mathematical skills across the curriculum. Therefore, numeracy development is an essential component of teaching and learning across the curriculum and a responsibility for all teachers.

To understand and use Legal Studies content, teaching and learning strategies include:

- extracting, converting and translating data and information given in numerical forms
- representing and interpreting data and information using statistics and calculations
- identifying patterns and trends in data and information
- communicating meaning through the application of numeracy.

These aspects of numeracy knowledge and skills are embedded in the syllabus objectives, unit objectives and subject matter, and ISMGs for Legal Studies.

## 21st century skills

The 21st century skills identified in the following table reflect a common agreement, both in Australia and internationally, on the skills and attributes students need to prepare them for higher education, work and engagement in a complex and rapidly changing world.

21st century skills	Associated skills	21st century skills	Associated skills
critical thinking	<ul style="list-style-type: none"> <li>• analytical thinking</li> <li>• problem-solving</li> <li>• decision-making</li> <li>• reasoning</li> <li>• reflecting and evaluating</li> <li>• intellectual flexibility</li> </ul>	creative thinking	<ul style="list-style-type: none"> <li>• innovation</li> <li>• initiative and enterprise</li> <li>• curiosity and imagination</li> <li>• creativity</li> <li>• generating and applying new ideas</li> <li>• identifying alternatives</li> <li>• seeing or making new links</li> </ul>
communication	<ul style="list-style-type: none"> <li>• effective oral and written communication</li> <li>• using language, symbols and texts</li> <li>• communicating ideas effectively with diverse audiences</li> </ul>	collaboration and teamwork	<ul style="list-style-type: none"> <li>• relating to others (interacting with others)</li> <li>• recognising and using diverse perspectives</li> <li>• participating and contributing</li> <li>• community connections</li> </ul>
personal and social skills	<ul style="list-style-type: none"> <li>• adaptability/flexibility</li> <li>• management (self, career, time, planning and organising)</li> <li>• character (resilience, mindfulness, open- and fair-mindedness, self-awareness)</li> <li>• leadership</li> <li>• citizenship</li> <li>• cultural awareness</li> <li>• ethical (and moral) understanding</li> </ul>	information & communication technologies (ICT) skills	<ul style="list-style-type: none"> <li>• operations and concepts</li> <li>• accessing and analysing information</li> <li>• being productive users of technology</li> <li>• digital citizenship (being safe, positive and responsible online)</li> </ul>

Legal Studies helps develop the following 21st century skills:

- critical thinking and reasoning skills by breaking complex aspects into component parts to construct understanding, then using this understanding to make and verify findings, and to critically reflect, evaluate and justify decisions
- creative thinking by encouraging curiosity and posing questions about legal issues, the consequent impacts on individuals, groups and society, and considering solutions
- communication by cultivating specialised language, terminology, symbols and diagrams associated with effective and efficient communication
- collaboration and teamwork by promoting opportunities to work constructively in groups to maximise their own understanding of legal concepts through peer discussions

- personal and social skills including management during assessment and inquiry tasks, and cultural awareness and ethical understanding concerning legal concepts, principles and processes
- ICT skills using digital technologies to research and interrogate primary and secondary source information, and to manipulate data to ascertain relationships, patterns and trends.

These elements of 21st century skills are embedded in the syllabus objectives, unit objectives and subject matter, and ISMGs for Legal Studies.

### 1.2.3 Aboriginal perspectives and Torres Strait Islander perspectives

The QCAA is committed to reconciliation in Australia. As part of its commitment, the QCAA affirms that:

- Aboriginal peoples and Torres Strait Islander peoples are the first Australians, and have the oldest living cultures in human history
- Aboriginal peoples and Torres Strait Islander peoples have strong cultural traditions and speak diverse languages and dialects, other than Standard Australian English
- teaching and learning in Queensland schools should provide opportunities for students to deepen their knowledge of Australia by engaging with the perspectives of Aboriginal peoples and Torres Strait Islander peoples
- positive outcomes for Aboriginal students and Torres Strait Islander students are supported by successfully embedding Aboriginal perspectives and Torres Strait Islander perspectives across planning, teaching and assessing student achievement.

Guidelines about Aboriginal perspectives and Torres Strait Islander perspectives and resources for teaching are available at [www.qcaa.qld.edu.au/k-12-policies/aboriginal-torres-strait-islander-perspectives](http://www.qcaa.qld.edu.au/k-12-policies/aboriginal-torres-strait-islander-perspectives).

Where appropriate, Aboriginal perspectives and Torres Strait Islander perspectives have been embedded in the subject matter.

### 1.2.4 Pedagogical and conceptual frameworks

#### An approach to inquiry

Learning in the 21st century is dynamic, and is enhanced by an inquiry approach that applies discipline knowledge and skills to real-world situations and contemporary events (Masters 2016). An inquiry approach involves a range of instructional practices that stimulate student learning and give precedence to students' investigative work (Aditomo et al 2013).

#### Inquiry-based learning

An inquiry approach involves:

- a method of learning, initiated by questions or problems
- personal construction of a student's own knowledge, i.e. knowledge that is new to the student
- an active approach to learning where students have the central role
- the teacher acting as a facilitator
- developing self-directed learning over time, as students assume increasing responsibility for their learning.

These core elements are stated by Spronken-Smith and Walker (2010, p. 726), and supported by references to Justice et al (2007), Khan and O'Rourke (2004) and Weaver (1989).

The following table describes three different approaches to teaching inquiry along the continua between teaching *for* and *through*. This is based on Spronken-Smith and Walker (2010, p. 726), who built on the problem-solving approach of Staver and Bay (1987).

Inquiry approach	Description	Teaching <i>for</i> or <i>through</i> inquiry
<b>Structured</b>	Teacher provides students with an issue, problem or question and an outline for addressing it. The inquiry components are structured and each component may be the focus of class activities either in isolation or through connections structured by the teacher.	For
<b>Guided</b>	Teacher provides questions to stimulate inquiry, and students are self-directed in terms of exploring these questions. Teacher provides guidance with some or all inquiry components.	Through
<b>Open</b>	Teacher cedes control and students work more independently to formulate their own questions and problems and progress through the full inquiry cycle, with the teacher monitoring this progress.	Through

Classroom learning may involve activities and experiences that focus on particular components of an inquiry process so that these are explicitly taught — it is not necessary that students undertake all components of an inquiry approach in order to develop mastery, confidence and independence. Figure 3 depicts the four components of an inquiry approach.

Figure 3: Stages of an inquiry approach

### An inquiry approach illustrated

**Reflecting** is the crucial metacognitive activity that connects the four inquiry components of forming, finding, analysing, and evaluating. As students progress in their inquiry, they develop meaning about previous understandings and inquiry decisions. Consequently, students should be encouraged to view all key decisions and activities as formative and therefore worthy of reflection and revision (see Marzano & Kendall 2007, 2008).

#### Forming

- Describing the task and its components
- Developing questions about the task
- Writing the methodology

#### Finding

- Exploring sources
- Informing
- Locating and gathering data, information and sources



#### Evaluating

- Making decisions and judgments
- Drawing conclusions
- Synthesising findings
- Verifying findings

#### Analysing

- Matching
- Comparing
- Interpreting relationships, patterns and trends

## 1.2.5 Subject matter

Subject matter is the body of information, mental procedures and psychomotor procedures (see Marzano & Kendall 2007, 2008) that are necessary for students' learning and engagement with Legal Studies. It is particular to each unit in the course of study and provides the basis for student learning experiences.

Subject matter has a direct relationship to the unit objectives, but is of a finer granularity and is more specific. These statements of learning are constructed in a similar way to objectives. Each statement:

- describes an action (or combination of actions) — what the student is expected to do
- describes the element — expressed as information, mental procedures and/or psychomotor procedures
- is contextualised for the topic or circumstance particular to the unit.

When interpreting the subject matter and assessment specifications, it is important to understand the intent of the terms 'including' and 'for example'.

When preceding a list, 'including' refers to the aspects, elements or contexts that must be covered when teaching topics in the units; additional aspects, elements or contexts may be used at the teacher's discretion. In instances when 'for example' is used, teachers may select examples from the provided content or choose other relevant examples that are not stated. There is no expectation that all examples must be covered.

## 1.3 Assessment — general information

Assessments are formative in Units 1 and 2, and summative in Units 3 and 4.

Assessment	Unit 1	Unit 2	Unit 3	Unit 4
Formative assessments	•	•		
Summative internal assessment 1			•	
Summative internal assessment 2			•	
Summative internal assessment 3				•
Summative external assessment				•

### 1.3.1 Formative assessments — Units 1 and 2

Formative assessments provide feedback to both students and teachers about each student's progress in the course of study.

Schools develop internal assessments for each senior subject, based on the learning described in Units 1 and 2 of the subject syllabus. Each unit objective must be assessed at least once.

For reporting purposes, schools should devise at least *two* but no more than *four* assessments for Units 1 and 2 of this subject. At least *one* assessment must be completed for *each* unit.

The sequencing, scope and scale of assessments for Units 1 and 2 are matters for each school to decide and should reflect the local context.

Teachers are encouraged to use the A–E descriptors in the reporting standards (Section 1.4) to provide formative feedback to students and to report on progress.

### 1.3.2 Summative assessments — Units 3 and 4

Students will complete a total of *four* summative assessments — three internal and one external — that count towards their final mark in each subject.

Schools develop *three* internal assessments for each senior subject, based on the learning described in Units 3 and 4 of the syllabus.

The three summative internal assessments will be endorsed and the results confirmed by the QCAA. These results will be combined with a single external assessment developed and marked by the QCAA. The external assessment results for Legal Studies will contribute 25% towards a student's result.

#### Summative internal assessment — instrument-specific marking guides

This syllabus provides ISMGs for the three summative internal assessments in Units 3 and 4.

The ISMGs describe the characteristics evident in student responses and align with the identified assessment objectives. Assessment objectives are drawn from the unit objectives and are contextualised for the requirements of the assessment instrument.

#### Criteria

Each ISMG groups assessment objectives into criteria. An assessment objective may appear in multiple criteria, or in a single criterion of an assessment.

#### Making judgments

Assessment evidence of student performance in each criterion is matched to a performance-level descriptor, which describes the typical characteristics of student work.

Where a student response has characteristics from more than one performance level, a best-fit approach is used. Where a performance level has a two-mark range, it must be decided if the best fit is the higher or lower mark of the range.

#### Authentication

Schools and teachers must have strategies in place for ensuring that work submitted for internal summative assessment is the student's own. Authentication strategies outlined in QCAA guidelines, which include guidance for drafting, scaffolding and teacher feedback, must be adhered to.

#### Summative external assessment

The summative external assessment adds valuable evidence of achievement to a student's profile. External assessment is:

- common to all schools
- administered under the same conditions at the same time and on the same day
- developed and marked by the QCAA according to a commonly applied marking scheme.

The external assessment contributes 25% to the student's result in Legal Studies. It is not privileged over the school-based assessment.

## 1.4 Reporting standards

Reporting standards are summary statements that succinctly describe typical performance at each of the five levels (A–E). They reflect the cognitive taxonomy and objectives of the course of study.

The primary purpose of reporting standards is for twice-yearly reporting on student progress. These descriptors can also be used to help teachers provide formative feedback to students and to align ISMGs.

### Reporting standards

A
<p>The student demonstrates <u>accurate</u> and <u>detailed</u> comprehension of a <u>significant</u> range of legal concepts, principles and processes, using <u>sophisticated</u> legal terminology.</p> <p>The student provides a <u>discerning</u> selection of a <u>wide</u> variety of <u>relevant</u> legal information and acknowledges sources <u>accurately</u> and <u>systematically</u>. The analysis of legal issues demonstrates sophisticated application of legal concepts, principles and processes to determine their nature and scope, and <u>perceptive</u> examination of viewpoints and consequences.</p> <p>The student evaluates legal situations by discerningly making decisions and proposing recommendation/s, using <u>critical</u> legal reasoning. They create responses that communicate meaning through <u>concise</u> and <u>accomplished</u> control of language conventions and genre.</p>
B
<p>The student demonstrates <u>considerable</u> comprehension of a <u>substantial</u> range of legal concepts, principles and processes, using <u>effective</u> legal terminology.</p> <p>The student provides an effective selection of a wide variety of <u>relevant</u> legal information and acknowledges sources <u>systematically</u>. The analysis of legal issues demonstrates <u>detailed</u> application of legal concepts, principles and processes to determine their nature and scope, and effective examination of viewpoints and consequences.</p> <p>The student evaluates legal situations by effectively making decisions and proposing recommendation/s, using <u>purposeful</u> legal reasoning. They create responses that communicate meaning through <u>considerable</u> control of language conventions and genre.</p>
C
<p>The student demonstrates <u>sufficient</u> comprehension of a range of legal concepts, principles and processes, using <u>adequate</u> legal terminology.</p> <p>The student provides a selection of a variety of relevant legal information and acknowledges sources. The analysis of legal issues demonstrates <u>suitable</u> application of legal concepts, principles and processes to determine their nature and scope, and adequate examination of viewpoints and consequences.</p> <p>The student evaluates legal situations by adequately making decisions and proposing recommendation/s, using <u>feasible</u> legal reasoning. They create responses that communicate meaning through sufficient control of language conventions and genre.</p>



## D

The student demonstrates partial comprehension of legal concepts, principles and/or processes, with few uses of legal terminology.

The student provides a selection of a narrow range of legal information and partially acknowledges sources. There is superficial analysis of legal issues evident in rudimentary descriptions and a partial examination of viewpoints and consequences.

The student evaluates legal situations by making obvious decisions and/or recommendation/s, using some reasons. They create responses that superficially communicate meaning through partial control of language conventions and genre.

## E

The student identifies aspects of legal concepts, principles and/or processes.

The student selects unrelated or irrelevant legal information from sources. There are aspects of analysis provided in statements about legal issues.

The student shows aspects of evaluation using broad statements and/or personal opinions about the legal situation. They create responses that impede the communication of meaning through inconsistent use of language conventions.

# 2 Unit 1: Beyond reasonable doubt

## 2.1 Unit description

In Unit 1, students are introduced to the Australian legal system, the sources of law, and the roles of parliament and the courts. The unit focuses on legal principles and criteria, for example just and equitable outcomes. Students will consider how criminal law attempts to safeguard individuals' right to freedom from interference, with society's need for order. They examine the consequences of alleged criminal behaviour in terms of trial processes, punishment and sentences.

Where appropriate and possible, current contexts based on relevant and contemporary issues are used in this unit. Examples of issues include acts causing injury or death; property offences (for example, extortion and theft), wilful damage (for example, graffiti and arson), and environmental pollution; cybercrime; business, credit card and social security fraud and deception; drug and public order offences; and traffic and vehicle regulatory offences.

### Unit requirements

The learning for this unit is divided into four separate and interrelated topics. Each is of equal importance in providing students with the required knowledge and skills.

The table below outlines the notional time between topics.

Topics	Notional hours
Topic 1: Legal foundations	13
Topic 2: Criminal investigation process	13
Topic 3: Criminal trial process	14
Topic 4: Punishment and sentencing	15

## 2.2 Unit objectives

Unit objectives are drawn from the syllabus objectives and are contextualised for the subject matter and requirements of the unit. Each unit objective must be assessed at least once.

Students will:

1. comprehend legal concepts, principles and processes of the Australian and Queensland legal systems, with a focus on criminal law
2. select legal information from sources relevant to the Australian and/or Queensland criminal justice systems
3. analyse legal issues involving the Australian and/or Queensland criminal justice systems
4. evaluate legal situations relevant to the Australian and/or Queensland criminal justice systems
5. create responses that communicate meaning to suit the intended purpose.

## 2.3 Topic 1: Legal foundations

**Notional time:** 13 hours

In Topic 1, and with a focus on criminal law, students are introduced to the foundations, features and processes of Australia's legal system. They investigate the difference between legal and non-legal rules through a consideration of who makes, interprets and enforces the rule of law.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including jurisdiction, code, justice, equitable outcomes, rule of law, crime, statute law, common law, customary law, onus of proof, standard of proof, arms of government (legislative, judicial and executive), powers (residual, concurrent and exclusive), the Australian Constitution, adversarial systems and inquisitorial systems
- describe the
  - concept of the rule of law
  - sources of law in the Australian legal system
  - separation of powers doctrine in the Australian legal system
  - difference between onus of proof and standard of proof
  - court hierarchy in Australia
  - difference between adversarial and inquisitorial systems of criminal justice
- explain
  - the purpose of laws within society
  - the difference between a rule and a law
  - concepts of just and equitable outcomes as a foundation principle of criminal law in Australia
  - characteristics of an effective law, e.g. known to the public, acceptable in the community, able to be enforced, and carry specific penalties or punishment that apply to all
  - the process of statutory law-making, and the role of states, territories and the Australian Government
  - the process of statutory interpretation and the role of courts
  - legal criteria for decisions
- analyse a range of criminal legal issues to determine the nature and scope of the issue and then examine different viewpoints, e.g. scenarios that include crimes that are overt, e.g. wilful damage and assault
- analyse the role of customary law in Australia's legal system to determine the nature and scope of the issues involved, then examine different viewpoints
- describe the links between the legal foundations to the criminal justice system as a general overview, including the investigative process, the trial process, and punishment and sentencing
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 2.4 Topic 2: Criminal investigation process

**Notional time:** 13 hours

In Topic 2, students develop an appreciation of criminal law by investigating its principles, the types of crimes it involves and how criminal law is enforced. They explore the individual's rights and responsibilities in dealing with the police and others with designated authority.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including summary and indictable offences, criminal act (*actus reus*), criminal intent (*mens rea*), alleged, accused, witness, suspect, victim, evidence, offender, warrants, arrest, charge, and summons
- explain
  - what constitutes criminal behaviour, and identify the different roles in an alleged criminal situation
  - the criminal investigation process and the features that contribute to just and equitable outcomes, including reasonable suspicion and the right to silence
  - the types of evidence police may collect at a crime scene and during an investigation process
- contrast summary and indictable offences, and classify offences into categories (e.g. against the person, property and the public interest) in reference to the Criminal Code<sup>1</sup>
- explain the
  - role police play in the criminal investigation process
  - rights and responsibilities of police (*Police Powers and Responsibilities Act 2000 (Qld)*), suspects, accused and victims
- analyse and apply elements of offences to a range of criminal scenarios
- explain
  - situations where search and arrest warrants are required
  - police discretionary powers
  - legal processes regarding juveniles (*Youth Justice Act 1992 (Qld)*)
- select legal information and data about Australian crime rates and criminal offences, choosing current and relevant sources to analyse crime rates over type, time, age and place in Australia to ascertain relationships, patterns and trends. (Note: Students should apply the calculation for change, if required.)
- analyse and evaluate the extent to which the criminal investigation process balances individuals' rights with society's need for order (e.g. deoxyribonucleic acid (DNA) testing and storage, databases and data banks, and fingerprints, whether evidence should be destroyed at the completion of a trial, the collection of metadata, and telecommunications data), justify using legal criteria and discuss implications
- describe the links between the legal investigation process and the commencement of a criminal trial
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

<sup>1</sup> The various offences are set out in the Criminal Code in Schedule 1 to the *Criminal Code Act 1899 (Qld)*.

## 2.5 Topic 3: Criminal trial process

**Notional time:** 14 hours

In Topic 3, students examine the role and jurisdiction of the courts in hearing criminal matters. They consider a range of criminal cases to help them in their understanding of trial processes, defences and excuses. Students focus on the concept of a fair trial and discuss the extent to which features of the criminal trial contribute to the achievement of justice.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including the Crown, prosecutor, defendant, double jeopardy, defences and excuses, committal hearing, arraignment, jury, bail, bailiff, judge, verdict, adjournment, remand, conviction, hand-up committal, solicitor, barrister, and counsel
- explain the trial process, including
  - the court hierarchy as it applies to trials
  - key personnel
  - court processes, including mentions, committal hearing, arraignment, pleas and appeals
  - presumption of innocence and the burden of proof as a legal right to fairness
- use scenarios to explain
  - bail conditions and decisions under the *Bail Act 1980* (Qld)
  - jury selection under the *Jury Act 1995* (Qld)
  - unanimous verdict, majority verdict, and standard of proof — beyond reasonable doubt
  - rules of evidence, including direct, indirect, admissible and inadmissible, and circumstantial
- explain the attributes of a fair trial, including due process, natural justice and procedural fairness
- analyse a recent, relevant or hypothetical criminal case to examine legal concepts and principles, including those relating to the presumption of innocence and burden of proof
- analyse and apply defences on a range of criminal scenarios
- select legal information and analyse the legal issues concerning court processes as experienced by different groups (e.g. women, youth, children, Aboriginal peoples and Torres Strait Islander peoples, migrants and those with a disability) that may create barriers to justice and equity or impede a right to a fair trial, including access to legal aid, bail and appeals by
  - determining the nature and scope of the issue
  - examining viewpoints and consequences
- evaluate the above legal situations by
  - presenting alternatives to propose recommendations
  - justifying using legal criteria and discussing implications
- analyse and evaluate legal issues where justice may be impeded during a criminal trial process (e.g. because of language, culture or capacity) by presenting alternatives, proposing recommendations, justifying recommendations using legal criteria and discussing implications
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 2.6 Topic 4: Punishment and sentencing

**Notional time:** 15 hours

In Topic 4, students study theories of punishment and the consequences of a criminal conviction. They discuss the purposes of sentencing, the types of sentences that may be imposed, and sentencing trends and approaches. Students evaluate the effectiveness of sentencing from different viewpoints.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including concurrent and cumulative sentencing, custodial and non-custodial sentences, obiter dicta, ratio decidendi, customary law, deterrence, retribution, rehabilitation, incarceration, denunciation, prevention, restorative justice, and recidivism
- describe the range of sentencing options, including fines, good behaviour bonds, probation, suspended sentences, community service orders, intensive correction orders and imprisonment
- explain the principles that affect sentencing decisions in Part 2 of the *Penalties and Sentences Act 1992* (Qld), including the purposes of punishment, the nature and gravity of the offence, current sentencing practices, the relevance of prior convictions, mitigating/aggravating circumstances, and the impact on the victim
- analyse the principles of sentencing as they apply to scenarios to predict an outcome
- evaluate, using legal criteria, the effectiveness of sentencing and punishment
- select legal information, analyse legal issues about criminal justice, and evaluate legal situations involving
  - punishments in Australian law and customary law
  - sentencing trends over time
  - the rates of incarceration of the general population compared to the number of Aboriginal peoples, Torres Strait Islander peoples and specific groups, e.g. women, children, people with disabilities
  - reasons for the rate of criminal reoffending by different groups within Australia
  - the appeals process where a sentence is not considered to be appropriate
- analyse legal issues concerning the aim to reduce the rate of reoffending by
  - determining the nature and scope of the issue
  - examining viewpoints and consequences
- using the analysis (above), evaluate this legal situation by
  - presenting alternatives to propose recommendations
  - justifying using legal criteria and discussing implications
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 2.7 Assessment guidance

In constructing assessment instruments for Unit 1, schools should ensure that the objectives cover, or are chosen from, the unit objectives. If one assessment instrument is developed for a unit, it must assess all the unit objectives; if more than one assessment instrument is developed, the unit objectives must be covered across those instruments.

For Unit 1, suggested assessment instruments include an Examination (combination response) and an Investigation (inquiry report).

# 3 Unit 2: Balance of probabilities

## 3.1 Unit description

In Unit 2, students consider legal concepts, principles and processes within the Australian and Queensland civil justice systems. They develop an understanding that civil law regulates the rights and responsibilities that exist between individuals, groups, organisations and governments. They explore dispute resolution methods, including judicial determination and alternatives in and out of courts. Through a consideration of contemporary cases and legal issues, students evaluate the effectiveness of civil law and how it affects individuals within society.

### Unit requirements

The learning for this unit is divided into three separate and interrelated topics. Each is of equal importance in providing students with the required knowledge and skills.

The table below outlines the notional time between topics. Topics 2 and 3 may be taught in reverse order.

Topics	Notional hours
Topic 1: Civil law foundations	14
Topic 2: Contractual obligations	21
Topic 3: Negligence and the duty of care	20

## 3.2 Unit objectives

Unit objectives are drawn from the syllabus objectives and are contextualised for the subject matter and requirements of the unit. Each unit objective must be assessed at least once.

Students will:

1. comprehend legal concepts, principles and processes of the Australian and Queensland civil justice systems, and in legal interactions that are planned (contract) and unplanned (the concept of negligence)
2. select legal information from sources relevant to the Australian and/or Queensland civil justice systems
3. analyse legal issues involving the Australian and/or Queensland civil justice systems
4. evaluate legal situations relevant to the Australian and/or Queensland civil justice systems
5. create responses that communicate meaning to suit the intended purpose.



## 3.3 Topic 1: Civil law foundations

**Notional time:** 14 hours

In Topic 1, students gain insight into the foundations of the Australian and Queensland legal systems in the context of civil law. They consider the importance of civil law in their lives and distinguish between civil and criminal law matters. Students will appreciate the role civil law plays in resolving disputes between parties through various processes, including the court system, tribunals and other dispute resolution methods.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including precedent, ombudsman, balance of probabilities, burden of proof, plaintiff, defendant, tribunal, alternative dispute resolution, class action, counter claim, damages, and injunction
- explain
  - rights that are protected by civil law, and link these to obligations imposed by laws
  - sources of civil law, and the relationship between common law and statute
  - the doctrine of precedent
  - the civil jurisdiction and the court hierarchy for civil matters
- compare civil and criminal actions, including pre-trial procedures and court processes
- describe the different methods of resolving civil disputes, through judicial determination and alternative methods in courts, tribunals and independent bodies
- explain and compare
  - forms of alternative dispute resolution
  - the role of dispute resolution processes and structures, including tribunals and ombudsmen, and restorative justice, e.g. the financial ombudsman and telecommunications ombudsman
- distinguish the role of civil courts from the criminal system, including key roles and persons, civil trial procedure, and burden of proof and standard of proof
- explain
  - the objectives of the *Civil Dispute Resolution Act 2011* (Cth) and discuss its role with respect to Part 6 of the *Civil Proceedings Act 2011* (Qld)
  - types of alternative dispute resolution processes, e.g. facilitative process, i.e. mediation; advisory process, i.e. conciliation; and determinative process, i.e. arbitration
  - the relationship between courts and alternative dispute resolution processes
- analyse and evaluate equitable access to the civil justice system, and how personal, social or economic circumstances or background can present legal barriers for groups within society
- select legal information and analyse legal issues concerning a civil issue taken to an independent authority, e.g. the Queensland Civil and Administrative Tribunal (QCAT), Administrative Appeals Tribunal (AAT) or Ombudsman) by
  - determining the nature and scope of the issue
  - examining viewpoints and consequences
- evaluate the above legal situations by
  - presenting alternatives to make a decision or propose recommendations
  - justifying using legal criteria and discussing implications
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 3.4 Topic 2: Contractual obligations

**Notional time:** 21 hours

In Topic 2, students develop an understanding of the key concepts, principles and processes of contract law. They have opportunities to apply their understandings of these concepts, principles and processes to a variety of real-life situations and evaluate the effect of them on citizens.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including warranties, conditions, terms, clause, exemption clauses, valid, void, illegal, ratification, repudiation, necessities, and caveat emptor
- describe the elements of a legal contract using examples or cases and legal terminology, including agreement (certainty), offer and acceptance, intention, consideration, mutuality, capacity, formalities, and breach of contract
- explain
  - the need for contract law, and why consumer protection provisions are needed in addition to the general law of contract
  - the role of the Australian Consumer Law (Schedule 2 of the *Competition and Consumer Act 2010* (Cth)) in providing consumer protection
  - legal defences available to the defendant (and consumers), and remedies available to the plaintiff, including statutory protection
- analyse and apply
  - the elements of a valid contract and precedents to determine legal outcomes of contractual disagreements
  - situations where contracts may be terminated through performance, agreement, breach, frustration, and/or illegality, e.g. employment contract, a housing purchase or rental agreement, and consumer contract
- analyse the role of the Australian Competition & Consumer Commission (ACCC) in consumer contractual arrangements and the viewpoints of involved stakeholders
- analyse and evaluate the mechanisms and avenues of dispute resolution using case studies, e.g. the housing industry (rental agreements) or the consumer industry (mobile phone contracts)
- analyse and evaluate the ability of contract law to find acceptable balances between competing interests, and include a justification using legal criteria and a discussion of implications
- select legal information, then analyse and evaluate to resolve a contract law issue, e.g.
  - sporting contracts and obligations
  - financial agreements and consumer protection, e.g. Australian consumer law and mobile phones
  - vulnerable groups and capacity to enter into contractual arrangements, e.g. minors
  - employment agreements
  - online contracts and transactions
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 3.5 Topic 3: Negligence and the duty of care

**Notional time:** 20 hours

In Topic 3, students develop an understanding of the key concepts, principles and processes of negligence and duty of care. They are provided with opportunities to apply their understandings of these concepts, principles and processes to a variety of real-life situations and evaluate the effect of them on citizens.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including proximity, causation, foreseeability, reasonableness, vicarious liability, assumption of risk, contributory negligence, omission, and remoteness
- describe the elements of negligence, including duty of care, breach of duty of care, injury/damage and the effect of the *Civil Liability Act 2003* (Qld) on those elements
- explain
  - the legal concept of ‘neighbour’ through relevant case law, including *Donoghue v. Stevenson* [1932] AC 562
  - defences available to the defendant and remedies available to a plaintiff in a civil negligence action
- analyse and apply the elements and precedents to evaluate legal outcomes in civil negligence scenarios
- select legal information and data to analyse the extent to which Australians seek legal action, including patterns and trends over time and barriers experienced by socioeconomic and other groups with respect to negligence issues
- analyse and evaluate the ability of the law of negligence to find just and equitable outcomes for parties, then justify using legal criteria and discuss implications
- select legal information, then analyse and evaluate the effectiveness of negligence laws in contemporary contexts, e.g.
  - duty of care to players, officials, spectators and between players in sport
  - duty of care with regards to motorists
  - professional liability, e.g. medical, legal and school
  - workplace in terms of vicarious liability or duty of care
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 3.6 Assessment guidance

In constructing assessment instruments for Unit 2, schools should ensure that the objectives cover, or are chosen from, the unit objectives. If one assessment instrument is developed for a unit, it must assess all the unit objectives. If more than one assessment instrument is developed, the unit objectives must be covered across those instruments.

In Unit 2, suggested assessment instruments include an Investigation (argumentative essay) and an Examination (combination response).

# 4 Unit 3: Law, governance and change

## 4.1 Unit description

In Unit 3, students examine the complexities of the Australian legal system and its capacity to deal with the diversity of competing needs. They explore the role of legal institutions and law-making bodies in creating laws that reflect the views of society. Students consider the range of forces that create catalysts for change and reform, and how laws are changed or reformed to reflect shifting societal demands. This unit encourages and informs critical thinking about Australian and Queensland laws, and the importance of society and individuals engaging in law-making processes.

Students will study law, governance and change through relevant contemporary issues involving matters of governance and law reform. Examples of issues could arise from areas, for example, family law, technology law, criminal law, counter-terrorism laws, employment law, and corporate law.

### Unit requirements

The learning for this unit is divided into two separate and interrelated topics. Each topic is of equal importance in providing students with the required knowledge and skills.

The table below outlines the notional time between topics, including assessments.

There are two assessment instruments in this unit.

Topics and assessments	Notional hours
Topic 1: Governance in Australia	28
Summative internal assessment 1: Examination — combination response	2
Topic 2: Law reform within a dynamic society	15
Summative internal assessment 2: Investigation — inquiry report	10

**Note:** There is a potential for overlap of topical issues between law reform (Unit 3) and human rights (Unit 4). Teachers will ensure individual students do not choose the same topical issue for assessment in Unit 3 and Unit 4.

## 4.2 Unit objectives

Unit objectives are drawn from the syllabus objectives and are contextualised for the subject matter and requirements of the unit. Each unit objective must be assessed at least once.

Students will:

Unit objective	IA1	IA2
1. <u>comprehend</u> legal <u>concepts</u> , <u>principles</u> and <u>processes</u> of Australian and Queensland governance and law reform	•	•
2. <u>select legal information</u> from sources relevant to law reform issues		•
3. <u>analyse legal issues</u> involving Australian and/or Queensland governance and law reform	•	•
4. <u>evaluate legal situations</u> relevant to Australian and/or Queensland governance and law reform	•	•
5. <u>create</u> responses that <u>communicate</u> meaning to suit the intended purpose.		•

## 4.3 Topic 1: Governance in Australia

**Notional time:** 28 hours

In Topic 1, students consider the processes and roles of government in shaping law in Australia and Queensland. They examine how federal and state or territory legal institutions respond to forces of change and the impact of landmark cases.

### Subject matter

In this topic, students will:

- describe key terms using legal terminology, including democracy, the rule of law, representative government, responsible government, the Australian Constitution, separation of powers doctrine, referendum, double dissolution, joint sitting, unicameral and bicameral, and bureaucratic procedures
- describe
  - key features of the Australian Constitution, e.g. s 51, s 109, s 128
  - division of powers
  - role of the High Court of Australia (HCA)
- analyse and apply features of the Australian Constitution, e.g.
  - challenges of changing the Australian Constitution, using past referenda as examples
  - separation of powers and the importance of an independent judicial system
  - role of s 51 of the Australian Constitution, and residual powers with reference to current and/or landmark cases, e.g. the Tasmanian Dam Case (*Commonwealth v. Tasmania* (1983) 158 CLR 1)
- describe
  - the structure and function of the three levels of government in Australia
  - concepts of representative and responsible government
  - accountability of parliament and the rule of law
- explain the
  - role of the Crown (Governor-General, state Governors and territory Administrators), and the upper and lower houses of parliament
  - differing legislative powers of federal and state parliaments under the Constitution, e.g. in the areas of health, education, immigration or the environment
  - implications of the unicameral parliament in Queensland
  - implications of single majority, double majority and minority governments
  - function of parliament as a law-making body and describe the legislative process
- explain and analyse the strengths and weaknesses of parliament as a law-making body
- describe and explain the
  - relationship between legislation and case law
  - relationship of specialist courts and tribunals with state and federal jurisdictions, e.g. the Family Court, the Children's Court, Murri Court, Administrative Appeals Tribunal (AAT), Queensland Civil and Administrative Tribunal (QCAT)
  - role of landmark court decisions in influencing legal change or law reform, e.g.
    - *Mabo v. Queensland (No. 2)* (1992) 175 CLR 1; [1992] HCA 23
    - *Wik Peoples v. Queensland* (1996) 187 CLR 1; [1996] HCA 40
    - *New South Wales v. Commonwealth* (2006) 229 CLR 1; [2006] HCA 52
    - *Roadshow Films v. iiNet Limited* (2012) 248 CLR 42; [2012] HCA 16
    - *R v. Bayliss & Cullen* (1986) 9 Qld Lawyer Reps 8; [1986]
    - *Al Masri v. Minister for Immigration & Multicultural and Indigenous Affairs* (2002) 192 ALR 609; [2002] FCA 1009
    - *The Attorney-General for the Commonwealth v 'Kevin and Jennifer' & Human Rights and Equal Opportunity Commission* (2003) 172 FLR 300; [2003] FamCA 94
    - *Dietrich v. the Queen* (1992) 177 CLR 292; and [1992] HCA 57
- analyse legal issues by
  - determining the nature and scope of the issue
  - examining viewpoints and consequences

## Subject matter

- evaluate the legal situation using the analysis (above) by
  - presenting alternatives to make a decision or propose recommendations
  - justifying using legal criteria and discussing implications
- analyse and evaluate the
  - role of courts in law-making through the interpretation of statutes and the development of legal principles through the application of the doctrine of precedent, e.g. *Donoghue v. Stevenson* [1932] AC 562 and *Carlill v. Carbolic Smoke Ball Co* [1893] 1 QB 256
  - ability of the Australian legal system to achieve just and equitable outcomes in a range of real-life situations, e.g., the division of powers, the role of the Senate, constitutional protection of rights, and the separation of powers
  - accountability of government, e.g. *The Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct* (Fitzgerald Inquiry 1987–1989)
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 4.4 Topic 2: Law reform within a dynamic society

**Notional time:** 15 hours

In Topic 2, students explore issues and situations where Australian society's changing values, needs, morality, ethics, technology and significant events have acted as impetus for legal change and reform. The focus is on identifying changing Australian values and pressures on legal freedoms, and how the application of law creates a balance between competing interests. This topic offers scope to examine current and emerging legal issues in Australia and Queensland that create authentic discussions of viewpoints regarding the need for change.

## Subject matter

In this topic, students will:

- describe key terms using legal terminology, including commissions, inquiries, law reform, lobby, advocacy, utilitarianism, terms of reference, consultations, issues papers, and submissions
- describe why laws and related processes require change because of a range of impetus, e.g.
  - society's changing values, needs, morality and ethics
  - the influence of lobby and advocacy groups and the media, e.g. in relation to double jeopardy and same-sex marriage
  - patterns of crimes and civil offences, e.g. domestic and family violence, medical negligence, privacy, restraining orders and alcohol-fuelled violence
  - technological advances, both to assist in the investigative process such as developments in forensic science and to facilitate criminal activity, e.g. online fraud, cyberstalking and digital piracy (s 115A of the *Copyright Act 1968* (Cth))
  - increased transnational and organised crime
  - the change impetus of significant events, e.g. the Port Arthur massacre (1996) and September 11 terrorist attacks (2001)
  - a current issue
- explain the role of
  - the law reform commissions, and examine the guiding criteria of making laws and related processes more equitable, modern, fair and efficient, e.g.
    - *Royal Commission into Institutional Responses to Child Sexual Abuse*
    - *Royal Commission into the Child Protection and Youth Detention Systems of the Government of the Northern Territory*
    - *Royal Commission into the Home Insulation Program*
    - *Royal Commission into Trade Union Governance and Corruption*
  - parliamentary inquiries



## Subject matter

- coronial inquests, e.g. Gabe Watson (the 'Honeymoon Killer')
- specialist task force, e.g. *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland Report (2015)*
- the Australian Institute of Criminology in communicating patterns and costs of crimes and how this can influence law reform
- select legal information and analyse the challenges to law reform, e.g. social divisions, government budgetary constraints, political pressures, the 'nanny state' and other barriers to legal change and evaluate possible alternatives to propose recommendations
- select legal information and analyse legal issues then evaluate the situation to propose recommendations. The issue must be current, e.g. domestic and family violence, elder abuse, consumer fraud, defamation, privacy, cybercrime and forensics
- select legal information, analyse and evaluate legal issues to propose recommendations (e.g. specific new legislation) that improve outcomes for those affected by the Australian or Queensland legal system, justify using legal criteria and discuss implications
- create responses that communicate meaning to suit the intended purpose in paragraphs and extended responses.

## 4.5 Assessment

### 4.5.1 Summative internal assessment 1 (IA1): Examination — combination response (25%)

#### Description

The examination assesses the application of a range of cognitions to multiple provided items — questions, scenarios and problems.

Student responses must be completed individually, under supervised conditions, and in a set timeframe.

#### Assessment objectives

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

1. comprehend legal concepts, principles and processes of Australian and Queensland governance
3. analyse a legal issue involving Australian and/or Queensland governance
4. evaluate a legal situation relevant to Australian and/or Queensland governance.

**Note:** Objectives 2 and 5 are not assessed in this instrument.

#### Specifications

The examination includes a combination of short-response and extended-response items relating to Unit 3 Topic 1: Governance in Australia.

To maintain the validity of the examination, the items cannot have been specifically practised or rehearsed in class. Unseen materials or items must not be copied from information or texts that students have previously been exposed to or have directly used in class.

#### Part A — Comprehending

Six to eight short-response items that:

- may include explaining, drawing, labelling and annotating diagrams and graphs
- may take the form of creating diagrams, sentences and/or paragraphs as required by each item
- do not include stimulus materials.

#### Part B — Analysing and evaluating

One extended-response item in response to unseen stimulus:

- with appropriate scope and scale to allow students to demonstrate their skills of analysis and evaluation
- with multiple possible responses from the stimulus provided
- that requires a decision to be made.

Stimulus materials are unseen, and:

- are succinct enough to engage with in the planning time and fit on one side of an A3 page or equivalent

- should consist of a minimum of four different stimuli from a range of visual texts, e.g. graphs, diagrams, infographics, images, statistics and minimal text (no greater than 150 words in any text stimuli).

### Conditions

- Time: 2 hours plus 15 minutes planning time.
- Length:
  - short-response items — 50–100 words per item
  - extended-response item — 400–500 words
  - examination in its entirety — 800–1000 words
- Non-programmable calculator permitted.

### Summary of the instrument-specific marking guide

The following table summarises the criteria, assessment objectives and mark allocation for the Examination — combination response.

Criterion	Objectives	Marks
Part A — Comprehending	1	10
Part B — Analysing	3	8
Part B — Evaluating	4	7
<b>Total</b>		<b>25</b>

## Instrument-specific marking guide

### Criterion: Part A — Comprehending

#### Assessment objective

1. comprehend legal concepts, principles and processes of Australian and Queensland governance

The student work has the following characteristics:	Marks
<ul style="list-style-type: none"><li>• <u>accurate</u> and <u>detailed</u> identification of the essential features of Australian and Queensland governance</li><li>• <u>thorough</u> explanation of legal concepts, principles and processes of Australian and Queensland governance</li><li>• <u>precise</u> use of legal terminology.</li></ul>	9–10
<ul style="list-style-type: none"><li>• <u>effective</u> identification of the essential features of Australian and Queensland governance</li><li>• effective explanation of legal concepts, principles and processes of Australian and Queensland governance</li><li>• effective use of legal terminology.</li></ul>	7–8
<ul style="list-style-type: none"><li>• <u>adequate</u> identification of the features of Australian and Queensland governance</li><li>• adequate explanation of legal concepts, principles and processes of Australian and Queensland governance</li><li>• adequate use of legal terminology.</li></ul>	5–6
<ul style="list-style-type: none"><li>• <u>partial</u> identification of features of Australian and Queensland governance</li><li>• partial description of legal concepts, principles and processes of Australian and/or Queensland governance</li><li>• <u>narrow</u> use of legal terminology.</li></ul>	3–4
<ul style="list-style-type: none"><li>• <u>identification of aspects</u> of governance</li><li>• identification of aspects of concepts, principles or processes of governance</li><li>• <u>inconsistent</u> or <u>unclear</u> use of terminology.</li></ul>	1–2
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	0

## Criterion: Part B — Analysing

Assessment objective

3. analyse a legal issue involving Australian and/or Queensland governance

The student work has the following characteristics:	Marks
<ul style="list-style-type: none"><li>• <u>perceptive</u> application of legal concepts, principles and/or processes to determine the nature and scope of a legal issue involving Australian and/or Queensland governance</li><li>• interpretation of legal information to perceptively examine different viewpoints and their consequences</li><li>• <u>discerning</u> use of evidence to support the analysis.</li></ul>	7–8
<ul style="list-style-type: none"><li>• <u>effective</u> application of legal concepts, principles and/or processes to determine the nature and scope of a legal issue involving Australian and/or Queensland governance</li><li>• interpretation of legal information to effectively examine different viewpoints and their consequences</li><li>• effective use of evidence to support the analysis.</li></ul>	5–6
<ul style="list-style-type: none"><li>• <u>adequate</u> application of some legal concepts, principles and/or processes to determine the nature and scope of a legal issue involving Australian and/or Queensland governance</li><li>• interpretation of legal information to adequately examine viewpoints and their consequences</li><li>• <u>sufficient</u> use of evidence in the analysis.</li></ul>	3–4
<ul style="list-style-type: none"><li>• description of the nature and/or scope of the issue</li><li>• identification of viewpoints and/or consequences</li><li>• <u>narrow</u> use of evidence.</li></ul>	1–2
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	0

## Criterion: Part B — Evaluating

Assessment objective

4. evaluate a legal situation relevant to Australian and/or Queensland governance

The student work has the following characteristics:	Marks
<ul style="list-style-type: none"><li>• <u>relevant</u> legal alternatives presented leading to an <u>insightful</u> decision</li><li>• justification of the decision through the <u>discerning</u> use of legal criteria</li><li>• <u>fluent</u> discussion of relevant implications of the decision.</li></ul>	6–7
<ul style="list-style-type: none"><li>• <u>relevant</u> legal alternatives presented leading to an <u>effective</u> decision</li><li>• justification of the decision through the effective use of legal criteria</li><li>• discussion of relevant implications of the decision.</li></ul>	4–5
<ul style="list-style-type: none"><li>• alternatives presented and/or decision</li><li>• <u>some</u> justification of the decision</li><li>• discussion identifies some implications.</li></ul>	2–3
<ul style="list-style-type: none"><li>• <u>superficial</u> alternatives and/or a decision or <u>narrow</u> discussion based on personal opinions.</li></ul>	1
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	0

## 4.5.2 Summative internal assessment 2 (IA2): Investigation — inquiry report (25%)

### Description

The assessment requires students to research a current legal issue by collecting, analysing and synthesising primary and secondary information, data and sources. An inquiry report uses research practices to assess a range of cognitions in a particular context. Research practices include locating and using information beyond students' own knowledge and the information they have been given.

Students are encouraged to use technology, for example, word processors, spreadsheet programs and legal databases, to increase their productivity during the investigation:

- as a means of locating information
- as an aid in recording sources and notes
- assisting analytical processes, for example, graphing and/or exposing patterns or trends
- assisting with the drafting process or production of the final response.

### Assessment objectives

This assessment technique 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.

### Specifications

The inquiry report focuses on Unit 3 Topic 2: Law reform within a dynamic society. The context of the assessment is an area of law that requires reform, change, or a new legislative instrument. The issue must refer to the Australian and/or Queensland jurisdiction.

The response must refer to legislation and/or case law. Students are required to locate and select legal information from other current and relevant primary and/or secondary sources to support their analysis and legal reasoning, e.g. a variety of extracts from case law, legal databases, legislation, government and other institutional websites, published reports, media and expert commentaries, and lobbyist statements.

In the evaluation, the number of recommendation/s must be considered carefully so responses focus on depth rather than breadth.

The extended-response item given to students should elicit a variety of possible responses.

Teachers will ensure individual students do not choose the same topical issue for assessment in IA2 (Unit 3) and IA3 (Unit 4).

### Conditions

- Time:
  - 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.
- Length: 1500–2000 words.

### Summary of the instrument-specific marking guide

The following table summarises the criteria, assessment objectives and mark allocation for the Investigation — inquiry report.

Criterion	Objectives	Marks
Comprehending	1	5
Selecting	2	4
Analysing	3	6
Evaluating	4	6
Creating a response	5	4
<b>Total</b>		<b>25</b>



## 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"><li>• <u>comprehensive</u> identification of the features of an Australian and/or Queensland law reform issue</li><li>• <u>perceptive</u> description of legal concepts, principles and/or processes of the Australian and/or Queensland law reform issue</li><li>• <u>precise</u> use of legal terminology.</li></ul>	4–5
<ul style="list-style-type: none"><li>• <u>effective</u> identification of the features of an Australian and/or Queensland law reform issue</li><li>• <u>effective</u> description of legal concepts, principles and/or processes of the Australian and/or Queensland law reform issue</li><li>• <u>adequate</u> use of legal terminology.</li></ul>	2–3
<ul style="list-style-type: none"><li>• identification of <u>some</u> legal concepts, principles or processes of an Australian and/or Queensland law reform issue.</li></ul>	1
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	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"><li>• <u>discerning</u> choice of current and relevant legal information from primary and/or secondary sources relevant to Australian and/or Queensland law reform</li><li>• <u>perceptive</u> use of legal information</li><li>• <u>consistent</u> and <u>accurate</u> documentation of legal information in the form of a reference list and citations.</li></ul>	3–4
<ul style="list-style-type: none"><li>• <u>adequate</u> choice of current and/or relevant legal information from primary and/or secondary sources relevant to Australian and/or Queensland law reform</li><li>• <u>adequate</u> use of legal information</li><li>• <u>some</u> documentation of legal information in the form of a reference list and/or citations.</li></ul>	2
<ul style="list-style-type: none"><li>• <u>narrow</u> choice of primary and/or secondary sources relevant to Australian and/or Queensland law reform</li><li>• use of <u>some</u> legal information</li><li>• <u>narrow</u> documentation of sources.</li></ul>	1
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	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"><li>• <u>perceptive</u> application of <u>relevant</u> legal concepts, principles and/or processes, to determine the nature and scope of a law reform issue that involves Australian and/or Queensland legislation</li><li>• interpretation of legal information to perceptively examine different viewpoints and their consequences</li><li>• <u>discerning</u> use of evidence to support the analysis.</li></ul>	5–6
<ul style="list-style-type: none"><li>• <u>effective</u> application of <u>relevant</u> legal concepts, principles and/or processes, to determine the nature and scope of a law reform issue that involves Australian and/or Queensland legislation</li><li>• interpretation of legal information to effectively examine different viewpoints and their consequences</li><li>• <u>sufficient</u> use of evidence within the analysis.</li></ul>	3–4
<ul style="list-style-type: none"><li>• <u>superficial</u> description of legal concepts, principles and/or processes, that link to a law reform issue that involves Australian and/or Queensland legislation</li><li>• description or identification of superficial viewpoints and/or consequences</li><li>• <u>narrow</u> use of evidence.</li></ul>	1–2
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	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"><li>• <u>relevant</u> legal alternatives presented from the analysis and <u>insightful</u> recommendation/s proposed</li><li>• synthesis of information that justifies the recommendation/s through the <u>discerning</u> use of legal criteria</li><li>• <u>fluent</u> discussion of the implications of the recommendation/s.</li></ul>	5–6
<ul style="list-style-type: none"><li>• <u>relevant</u> legal alternatives presented from the analysis and <u>effective</u> recommendation/s proposed</li><li>• synthesis of information that justifies the recommendation/s through the effective use of legal criteria</li><li>• <u>clear</u> discussion of the implications of the recommendation/s.</li></ul>	3–4
<ul style="list-style-type: none"><li>• legal alternatives presented and/or recommendation/s proposed</li><li>• <u>some</u> justification of the recommendation/s</li><li>• discussion identifies some implications of the alternatives or recommendation/s.</li></ul>	1–2
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	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"><li>• <u>concise</u> expression and <u>logical</u> development of <u>relevant</u> ideas that enhance legal meaning</li><li>• features of a report genre are <u>consistently</u> demonstrated</li><li>• <u>minimal</u> errors in spelling, grammar and punctuation.</li></ul>	3–4
<ul style="list-style-type: none"><li>• <u>adequate</u> expression and development of ideas that convey legal meaning</li><li>• features of a report genre are demonstrated</li><li>• <u>some</u> errors in spelling, grammar and punctuation.</li></ul>	2
<ul style="list-style-type: none"><li>• some elements of report formatting and/or <u>inconsistent</u> use of language conventions.</li></ul>	1
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	0

# 5 Unit 4: Human rights in legal contexts

## 5.1 Unit description

In Unit 4, students consider legal concepts, principles and contemporary issues studied in previous units to consider fundamental human rights concepts and analyse Australia's participation within the global community. They recognise how human rights create challenges in national and international contexts, and for minority groups, and examine the impact of international law on the Australian legal system and those who are subject to it.

This unit features contemporary contexts involving human rights matters in Australia and where Australia has an interest internationally. Examples of issues include:

- Australian Aboriginal peoples' and Torres Strait Islander peoples' access to health and other community services
- parents' and children's human rights in surrogacy and artificial conception agreements
- the right to marry and create a family
- people smuggling and the treatment of asylum seekers
- war and peace issues, for example, the Geneva Conventions and peacekeeping forces
- environmental issues, for example, climate change and the rights of future generations.

### Unit requirements

The learning for this unit is divided into three separate and interrelated topics. Each topic is of equal importance in providing students with the required knowledge and skills.

The table below outlines the notional time between topics, including assessments.

There are two assessments instruments in this unit and Topic 1 contributes to both assessments.

Topics and assessment	Notional hours	
Topic 1: Human rights	20	
Topic 2: The effectiveness of international law	8	
Summative internal assessment 3: Investigation — argumentative essay	10	
Topic 3: Human rights in Australian contexts		15
Summative external assessment: Examination — combination response		2

There is a potential for overlap of topical issues between law reform (Unit 3) and human rights (Unit 4). Teachers will ensure individual students do not choose the same topical issue for assessment in Unit 3 and Unit 4.

## 5.2 Unit objectives

Unit objectives are drawn from the syllabus objectives and are contextualised for the subject matter and requirements of the unit. Each unit objective must be assessed at least once.

Students will:

Unit objective	IA3	EA
1. <u>comprehend</u> legal <u>concepts</u> , <u>principles</u> and <u>processes</u> of Australian human rights laws and obligations in national and international contexts	•	•
2. <u>select legal information</u> from sources relevant to Australian human rights laws and obligations in international contexts	•	
3. <u>analyse legal issues</u> involving Australian human rights laws and obligations in national and international legal contexts	•	•
4. <u>evaluate legal situations</u> relevant to Australian human rights laws and obligations in national and international legal contexts	•	•
5. <u>create</u> responses that <u>communicate</u> meaning to suit the intended purpose.	•	

## 5.3 Topic 1: Human rights

**Notional time:** 20 hours

In Topic 1, students explore the global context for human rights and how international laws and institutions affect Australia.

Subject matter
<p>In this topic, students will:</p> <ul style="list-style-type: none"> <li>• <u>describe</u> key terms using legal terminology, including human rights, covenants, treaties, states, sovereignty, signatory treaty, convention, multilateral, bilateral, ratification, bill of rights, and royal commission</li> <li>• describe the main features of <u>international law</u> developed from the International Bill of Human Rights, consisting of the <ul style="list-style-type: none"> <li>– Universal Declaration of Human Rights</li> <li>– International Covenant on Civil and Political Rights (ICCPR)</li> <li>– International Covenant on Economic, Social and Cultural Rights (ICESCR)</li> </ul> </li> <li>• describe the main features of principal treaties, including the <ul style="list-style-type: none"> <li>– Convention Relating to the Status of Refugees 1951 and the Protocol Relating to the Status of Refugees 1967</li> <li>– International Convention on the Elimination of All Forms of Racial Discrimination 1966 (ICERD)</li> <li>– Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW)</li> <li>– Convention on the Rights of the Child 1991</li> </ul> </li> <li>• <u>explain</u> the <ul style="list-style-type: none"> <li>– process by which treaty obligations translate into domestic law through accession or ratification, the role of reservations, and the effect of the <i>Human Rights (Parliamentary Scrutiny) Act 2011</i> (Cth)</li> <li>– rights of states (sovereignty, equality, political independence and territorial integrity), including Articles 2.1, 2.4 and 2.7 of the <i>United Nations Charter</i></li> <li>– role of the UN, its agencies and other organisations, including the United Nations High Commissioner for Refugees</li> </ul> </li> <li>• describe key human rights initiated or promoted in the following important legal documents <ul style="list-style-type: none"> <li>– <i>Magna Carta 1215</i></li> <li>– <i>Racial Discrimination Act 1975</i> (Cth)</li> </ul> </li> </ul>

### Subject matter

- *Sex Discrimination Act 1984* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- describe and explain the role of the Australian Constitution (including the foreign affairs power within s 51) in protecting express and implied human rights in Australia.

## 5.4 Topic 2: The effectiveness of international law

**Notional time:** 8 hours

In Topic 2, students examine the effectiveness of international law and legal institutions in upholding human rights globally. Students focus on legal issues and international situations in which Australia has a legal interest.

### Subject matter

In this topic, students will:

- explain how human rights are monitored, including the reporting system, United Nations Special Rapporteurs, inter-State complaints, ancillary bodies and individuals
- explain the role of international legal institutions in upholding rights, including those within the International Court of Justice (ICJ) and the International Criminal Court (ICC)
- examine the legal implications of becoming a signatory to various internationally recognised treaties and conventions related to the protection of global citizens and property, e.g.
  - Universal Declaration of Human Rights 1948
  - Protocol Relating to the Status of Refugees 1967
  - Hague Convention on the Civil Aspects of International Child Abduction 1980 (the 'Hague Abduction Convention')
  - United Nations Declaration on the Rights of Indigenous Peoples 2006
  - Geneva Conventions 1949 and The Hague Conventions of 1899 and 1907
- select legal information, then analyse and evaluate the present effectiveness of international law and legal institutions in protecting human rights, focusing on a contemporary legal issue, e.g.
  - Universal Declaration of Human Rights 1948
  - Convention Relating to the Status of Refugees 1951
  - Hague Convention on the Civil Aspects of International Child Abduction 1980 (the 'Hague Abduction Convention')
  - United Nations Declaration on the Rights of Indigenous Peoples 2006
  - Geneva Conventions 1949 and The Hague Conventions of 1899 and 1907
  - International Court of Justice (ICJ)
  - International Criminal Court (ICC)
- create responses that communicate meaning to suit the intended purpose in paragraphs and argumentative essay responses.

## 5.5 Topic 3: Human rights in Australian contexts

**Notional time:** 15 hours

In Topic 3, students continue to focus on human rights and also explore how this area of law is addressed in Australia and Queensland. They explore the role of different groups in both protecting rights and influencing just and equitable outcomes.

### Subject matter

In this topic, students will:

- explain and analyse the rights that Australians have in criminal and civil contexts, including the role of express and implied rights in ensuring equality under the law, e.g.
  - right to free speech
  - right to protest and the freedom of assembly
  - freedom from discrimination
  - right to democratic representation
  - freedom of religion
  - right to trial by jury
- explain the legal processes available to citizens for resolving human rights complaints in Australia, including protesting, lobbying, lodging complaints, tribunal/court actions
- explain and analyse the role of the following groups in protecting and/or advocating for human rights in Australia
  - Australian Human Rights Commission, Australian Law Reform Commission, and state and territory Law Reform bodies
  - the courts
  - Queensland Council for Civil Liberties, Australian Human Rights Centre, Australian Lawyers for Human Rights
  - special interest groups, e.g. Amnesty International, church groups, International Federation of Red Cross and Red Crescent Societies (IFRC)
  - the media
- analyse and apply human rights principles to a variety of Queensland and/or Australian case studies by
  - determining the nature and scope of the issue
  - examining viewpoints and consequences
- evaluate the legal situation using the analysis (above) by
  - presenting alternatives to make a decision or propose recommendations
  - justifying using legal criteria and discussing implications
- analyse and evaluate legal issues to resolve or improve human rights in Australia and Queensland.

## 5.6 Assessment

### 5.6.1 Summative internal assessment 3 (IA3): Investigation — argumentative essay (25%)

#### Description

The assessment requires students to research a current legal issue through collection, analysis and synthesis of primary and secondary information, data and sources. An argumentative essay uses research practices to assess a range of cognitions in a particular context. Research practices include locating and using information beyond students' own knowledge and the information they have been given.

Students are encouraged to use technology, for example, word processing, spreadsheet programs and accessing legal databases to increase their productivity during the investigation. This may be as:

- a means of locating information
- an aid in recording sources and notes
- assisting analytical processes, for example, graphing and/or patterns or exposing trends
- assisting with the drafting process and the production of the final response.

#### Assessment objectives

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

1. comprehend legal concepts, principles and/or processes of Australian laws and international obligations of a current international human rights issue where Australia has a legal interest
2. select legal information from sources relevant to current international human rights where Australia has a legal interest
3. analyse a legal issue involving international human rights where Australia has a legal interest
4. evaluate a legal situation relevant to international human rights where Australia has a legal interest
5. create a response that communicates meaning to suit the intended purpose in an argumentative essay.

#### Specifications

The argumentative essay focuses on Unit 4 Topic 1: Human rights and Unit 4 Topic 2: The effectiveness of international law. The context of the assessment is a contemporary international human rights issue in which Australia has a legal interest.

The response must refer to legislation and/or case law. Students are required to locate and select legal information from other current and relevant primary and/or secondary sources to support their analysis and legal reasoning, e.g. extracts from case law, legal databases, legislation, government and other institutional websites, published reports, media and expert commentaries, and lobbyist statements.

In the evaluation, the number of recommendation/s must be considered carefully so responses focus on depth rather than breadth.

The extended-response item given to students must elicit a variety of possible responses.



Teachers will ensure individual students do not choose the same topical issue for assessment in IA2 (Unit 3) and IA3 (Unit 4).

### Conditions

- Time:
  - 4 weeks, including 10 hours of the time allocation for Unit 4
  - students may use class time and their own time to develop a response.
- Length: 1500–2000 words.

### Summary of the instrument-specific marking guide

The following table summarises the criteria, assessment objectives and mark allocation for the Investigation — argumentative essay.

Criterion	Objectives	Marks
Comprehending	1	5
Selecting	2	4
Analysing	3	6
Evaluating	4	6
Creating a response	5	4
<b>Total</b>		<b>25</b>

## Instrument-specific marking guide

### Criterion: Comprehending

#### Assessment objective

1. comprehend legal concepts, principles and/or processes of Australian laws and international obligations of a current international human rights issue where Australia has a legal interest

The student work has the following characteristics:	Marks
<ul style="list-style-type: none"><li>• <u>comprehensive</u> identification of the <u>essential</u> legal features of a current international human rights issue where Australia has a legal interest</li><li>• <u>perceptive</u> description of legal concepts, principles and/or processes of Australian human rights laws and international obligations</li><li>• <u>precise</u> use of legal terminology.</li></ul>	4–5
<ul style="list-style-type: none"><li>• <u>effective</u> identification of the legal features of a current international human rights issue where Australia has a legal interest</li><li>• effective description of legal concepts, principles and/or processes of Australian human rights laws and international obligations</li><li>• <u>adequate</u> use of legal terminology.</li></ul>	2–3
<ul style="list-style-type: none"><li>• identification of <u>some</u> concepts, principles or processes of Australian human rights laws and/or international obligations.</li></ul>	1
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	0

### Criterion: Selecting

#### Assessment objective

2. select legal information from sources relevant to current international human rights where Australia has a legal interest

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

## Criterion: Analysing

### Assessment objective

3. analyse a legal issue involving international human rights where Australia has a legal interest

The student work has the following characteristics:	Marks
<ul style="list-style-type: none"><li>• <u>perceptive</u> application of <u>relevant</u> legal concepts, principles and/or processes to determine the nature and scope of an international human rights issue where Australia has a legal interest</li><li>• interpretation of legal information to perceptively examine different viewpoints and their consequences</li><li>• <u>discerning</u> use of evidence to support the analysis.</li></ul>	5–6
<ul style="list-style-type: none"><li>• <u>effective</u> application of <u>relevant</u> legal concepts, principles and/or processes to determine the nature and scope of an international human rights issue where Australia has a legal interest</li><li>• interpretation of legal information to effectively examine different viewpoints and their consequences</li><li>• <u>sufficient</u> use of evidence within the analysis.</li></ul>	3–4
<ul style="list-style-type: none"><li>• <u>superficial</u> description of legal concepts, principles and/or processes that link to the nature and/or scope of an international human rights issue</li><li>• description or identification of superficial viewpoints and/or consequences</li><li>• <u>narrow</u> use of evidence.</li></ul>	1–2
<ul style="list-style-type: none"><li>• does not satisfy any of the descriptors above.</li></ul>	0

## Criterion: Evaluating

### Assessment objective

4. evaluate a legal situation relevant to international human rights where Australia has a legal interest

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

## Criterion: Creating a response

### Assessment objective

5. create a response that communicates meaning to suit the intended purpose in an argumentative essay

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

## 5.6.2 Summative external assessment (EA): Examination — combination response (25%)

### General information

Summative external assessment is developed and marked by the QCAA. In Legal Studies, it contributes 25% to a student's overall subject result.

The external assessment in Legal Studies is common to all schools and administered under the same conditions, at the same time, on the same day.

### Description

The examination assesses the application of a range of cognitions to multiple provided items — questions, scenarios and problems.

Student responses must be completed individually, under supervised conditions, and in a set timeframe.

### Assessment objectives

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

1. comprehend legal concepts, principles and processes of Australian human rights laws
3. analyse a legal issue involving human rights in Australia
4. evaluate a legal situation relevant to human rights in Australia.

**Note:** Objectives 2 and 5 are not assessed in this instrument.

### Specifications

The examination includes a combination of short-response and extended-response items relating to Unit 4 Topic 1: Human rights and Unit 4 Topic 3: Human rights in Australian contexts.

Students respond to:

- short-response items which assesses the comprehension objective. Responses may take the form of diagrams, sentences and/or paragraphs as required by each item
- unseen stimulus for one extended-response item which assesses analysis and evaluation objectives and require a decision to be made. The stimulus will include text and/or visual stimulus.

### Conditions

- Time: 2 hours plus 15 minutes planning time.
- Length:
  - short-response items — 50–250 words per item
  - extended-response item — 400–600 words
  - examination in its entirety — 800–1000 words.
- Non-programmable calculator permitted.

## Summary of the external assessment

The following table summarises the criteria, assessment objectives and approximate weighting of items within the examination.

Criterion	Objectives	Approximate weighting of items
Comprehending	1	40%
Analysing	3	30%
Evaluating	4	30%
<b>Total</b>		<b>100%</b>

## Instrument-specific marking guide

No ISMG is provided for the external assessment.

## 6 Glossary

Term	Explanation
<b>A</b>	
<b>accomplished</b>	highly trained or skilled in a particular activity; perfected in knowledge or training; expert
<b>accuracy</b>	the condition or quality of being true, correct or exact; freedom from error or defect; precision or exactness; correctness; in science, the extent to which a measurement result represents the quantity it purports to measure; an accurate measurement result includes an estimate of the true value and an estimate of the uncertainty
<b>accurate</b>	precise and exact; to the point; consistent with or exactly conforming to a truth, standard, rule, model, convention or known facts; free from error or defect; meticulous; correct in all details
<b>adept</b>	very/highly skilled or proficient at something; expert
<b>adequate</b>	satisfactory or acceptable in quality or quantity equal to the requirement or occasion
<b>alternatives</b>	a choice limited to one of two or more possibilities; a course of action the selection of which precludes any other possibility
<b>analyse</b>	dissect to ascertain and examine constituent parts and/or their relationships; break down or examine in order to identify the essential elements, features, components or structure; determine the logic and reasonableness of information; examine or consider something in order to explain and interpret it, for the purpose of finding meaning or relationships and identifying patterns, similarities and differences
<b>applied learning</b>	the acquisition and application of knowledge, understanding and skills in real-world or lifelike contexts that may encompass workplace, industry and community situations; it emphasises learning through doing and includes both theory and the application of theory, connecting subject knowledge and understanding with the development of practical skills
<b>Applied subject</b>	a subject whose primary pathway is work and vocational education; it emphasises Applied learning and community connections; a subject for which a syllabus has been developed by the QCAA with the following characteristics: results from courses developed from Applied syllabuses contribute to the QCE; results may contribute to ATAR calculations
<b>apply</b>	use knowledge and understanding in response to a given situation or circumstance; carry out or use a procedure in a given or particular situation
<b>appraise</b>	evaluate the worth, significance or status of something; judge or consider a text or piece of work
<b>appreciate</b>	recognise or make a judgment about the value or worth of something; understand fully; grasp the full implications of

Term	Explanation
<b>appropriate</b>	acceptable; suitable or fitting for a particular purpose, circumstance, context, etc.
<b>apt</b>	suitable to the purpose or occasion; fitting, appropriate
<b>area of study</b>	a division of, or a section within a unit
<b>argue</b>	give reasons for or against something; challenge or debate an issue or idea; persuade, prove or try to prove by giving reasons
<b>argumentative essay</b>	takes a position on a topic, such as a particular legal reform issue, decision or policy, then presents arguments that support that position; the essay can be structured either by presenting the opposing view first then counter this view with stronger evidence, or vice versa
<b>aspect</b>	a particular part of a feature of something; a facet, phase or part of a whole
<b>assess</b>	measure, determine, evaluate, estimate or make a judgment about the value, quality, outcomes, results, size, significance, nature or extent of something
<b>assessment</b>	purposeful and systematic collection of information about students' achievements
<b>assessment instrument</b>	a tool or device used to gather information about student achievement
<b>assessment objectives</b>	drawn from the unit objectives and contextualised for the requirements of the assessment instrument (see also 'syllabus objectives', 'unit objectives')
<b>assessment technique</b>	the method used to gather evidence about student achievement, (e.g. examination, project, investigation)
<b>astute</b>	showing an ability to accurately assess situations or people; of keen discernment
<b>ATAR</b>	Australian Tertiary Admission Rank
<b>authoritative</b>	able to be trusted as being accurate or true; reliable; commanding and self-confident; likely to be respected and obeyed
<b>B</b>	
<b>balanced</b>	keeping or showing a balance; not biased; fairly judged or presented; taking everything into account in a fair, well-judged way
<b>basic</b>	fundamental
<b>C</b>	
<b>calculate</b>	determine or find (e.g. a number, answer) by using mathematical processes; obtain a numerical answer showing the relevant stages in the working; ascertain/determine from given facts, figures or information



Term	Explanation
<b>calculation for change</b>	formula for determining change from one period to the next: $\frac{Y_2 - Y_1}{Y_1} \times 100 = X\%$
<b>categorise</b>	place in or assign to a particular class or group; arrange or order by classes or categories; classify, sort out, sort, separate
<b>challenging</b>	difficult but interesting; testing one's abilities; demanding and thought-provoking; usually involving unfamiliar or less familiar elements
<b>characteristic</b>	a typical feature or quality
<b>citation</b>	a reference to an authority to show the source and authorship of data, ideas or a quotation that occurs within the body of the response or text; typically expressed as (corporate author–date) or (author–date), and the full bibliographical details are listed in the reference list; in legal citations, references to case law and legislation will use a recognised system of legal citation, as nominated by the school or teacher
<b>clarify</b>	make clear or intelligible; explain; make a statement or situation less confused and more comprehensible
<b>clarity</b>	clearness of thought or expression; the quality of being coherent and intelligible; free from obscurity of sense; without ambiguity; explicit; easy to perceive, understand or interpret
<b>classify</b>	arrange, distribute or order in classes or categories according to shared qualities or characteristics
<b>clear</b>	free from confusion, uncertainty, or doubt; easily seen, heard or understood
<b>clearly</b>	in a clear manner; plainly and openly, without ambiguity
<b>coherent</b>	having a natural or due agreement of parts; connected; consistent; logical, orderly; well-structured and makes sense; rational, with parts that are harmonious; having an internally consistent relation of parts
<b>cohesive</b>	characterised by being united, bound together or having integrated meaning; forming a united whole
<b>comment</b>	express an opinion, observation or reaction in speech or writing; give a judgment based on a given statement or result of a calculation
<b>committal</b>	a hearing before a Magistrate of the Local Court for the purpose of deciding whether or not the person charged with an indictable offence should be committed for trial or sentence
<b>communicate</b>	convey knowledge and/or understandings to others; make known; transmit
<b>compare</b>	display recognition of similarities and differences and recognise the significance of these similarities and differences
<b>competent</b>	having suitable or sufficient skills, knowledge, experience, etc. for some purpose; adequate but not exceptional; capable; suitable or

Term	Explanation
	sufficient for the purpose; having the necessary ability, knowledge or skill to do something successfully; efficient and capable (of a person); acceptable and satisfactory, though not outstanding
<b>competently</b>	in an efficient and capable way; in an acceptable and satisfactory, though not outstanding, way
<b>complex</b>	composed or consisting of many different and interconnected parts or factors; compound; composite; characterised by an involved combination of parts; complicated; intricate; a complex whole or system; a complicated assembly of particulars
<b>comprehend</b>	understand the meaning or nature of; grasp mentally
<b>comprehensive</b>	inclusive; of large content or scope; including or dealing with all or nearly all elements or aspects of something; wide-ranging; detailed and thorough, including all that is relevant
<b>concept</b>	in Legal Studies, legal concepts and principles may be used interchangeably; a legal idea
<b>concise</b>	expressing much in few words; giving a lot of information clearly and in a few words; brief, comprehensive and to the point; succinct, clear, without repetition of information
<b>concisely</b>	in a way that is brief but comprehensive; expressing much in few words; clearly and succinctly
<b>conduct</b>	direct in action or course; manage; organise; carry out
<b>consider</b>	think deliberately or carefully about something, typically before making a decision; take something into account when making a judgment; view attentively or scrutinise; reflect on
<b>considerable</b>	fairly large or great; thought about deliberately and with a purpose
<b>considered</b>	formed after careful and deliberate thought
<b>consistent</b>	agreeing or accordant; compatible; not self-opposed or self-contradictory, constantly adhering to the same principles; acting in the same way over time, especially so as to be fair or accurate; unchanging in nature, standard, or effect over time; not containing any logical contradictions (of an argument); constant in achievement or effect over a period of time
<b>construct</b>	create or put together (e.g. an argument) by arranging ideas or items; display information in a diagrammatic or logical form; make; build
<b>contrast</b>	display recognition of differences by deliberate juxtaposition of contrary elements; show how things are different or opposite; give an account of the differences between two or more items or situations, referring to both or all of them throughout
<b>controlled</b>	shows the exercise of restraint or direction over; held in check; restrained, managed or kept within certain bounds
<b>convincing</b>	persuaded by argument or proof; leaving no margin of doubt; clear; capable of causing someone to believe that something is true or real; persuading or assuring by argument or evidence;

Term	Explanation
	appearing worthy of belief; credible or plausible
<b>course</b>	a defined amount of learning developed from a subject syllabus or alternative sequence
<b>create</b>	bring something into being or existence; produce or evolve from one's own thought or imagination; reorganise or put elements together into a new pattern or structure or to form a coherent or functional whole
<b>creative</b>	resulting from originality of thought or expression; relating to or involving the use of the imagination or original ideas to create something; having good imagination or original ideas
<b>credible</b>	capable or worthy of being believed; believable; convincing
<b>criminal investigation process</b>	process by which the perpetrator of a crime, or intended crime, is identified through the gathering of facts (or evidence); aspects to be considered include the admissibility of evidence (use of warrants and special circumstances in which a warrant is not required), arrest procedure and bail application
<b>criterion</b>	the property or characteristic by which something is judged or appraised
<b>critical</b>	involving skilful judgment as to truth, merit, etc.; involving the objective analysis and evaluation of an issue in order to form a judgment; expressing or involving an analysis of the merits and faults of a work of literature, music, or art; incorporating a detailed and scholarly analysis and commentary (of a text); rationally appraising for logical consistency and merit
<b>critique</b>	review (e.g. a theory, practice, performance) in a detailed, analytical and critical way
<b>cursory</b>	hasty, and therefore not thorough or detailed; performed with little attention to detail; going rapidly over something, without noticing details; hasty; superficial
<b>customary law</b>	the way Aboriginal peoples and Torres Strait Islander peoples live and their rules, including ceremonies, songs, stories; a way of life governed by a system of beliefs
<b>D</b>	
<b>decide</b>	reach a resolution as a result of consideration; make a choice from a number of alternatives
<b>deduce</b>	reach a conclusion that is necessarily true, provided a given set of assumptions is true; arrive at, reach or draw a logical conclusion from reasoning and the information given
<b>defensible</b>	justifiable by argument; capable of being defended in argument
<b>define</b>	give the meaning of a word, phrase, concept or physical quantity; state meaning and identify or describe qualities
<b>demonstrate</b>	prove or make clear by argument, reasoning or evidence, illustrating with practical example; show by example; give a practical exhibition

Term	Explanation
<b>derive</b>	arrive at by reasoning; manipulate a mathematical relationship to give a new equation or relationship; in mathematics, obtain the derivative of a function
<b>describe</b>	give an account (written or spoken) of a situation, event, pattern or process, or of the characteristics or features of something
<b>design</b>	produce a plan, simulation, model or similar; plan, form or conceive in the mind; in English, select, organise and use particular elements in the process of text construction for particular purposes; these elements may be linguistic (words), visual (images), audio (sounds), gestural (body language), spatial (arrangement on the page or screen) and multimodal (a combination of more than one)
<b>detailed</b>	executed with great attention to the fine points; meticulous; including many of the parts or facts
<b>determine</b>	establish, conclude or ascertain after consideration, observation, investigation or calculation; decide or come to a resolution
<b>develop</b>	elaborate, expand or enlarge in detail; add detail and fullness to; cause to become more complex or intricate
<b>development</b>	(regarding communication) central idea and main points are identifiable and advanced throughout the response
<b>devise</b>	think out; plan; contrive; invent
<b>differentiate</b>	identify the difference/s in or between two or more things; distinguish, discriminate; recognise or ascertain what makes something distinct from similar things; in mathematics, obtain the derivative of a function
<b>discerning</b>	discriminating; showing intellectual perception; showing good judgment; making thoughtful and astute choices; selected for value or relevance
<b>discriminate</b>	note, observe or recognise a difference; make or constitute a distinction in or between; differentiate; note or distinguish as different
<b>discriminating</b>	differentiating; distinctive; perceiving differences or distinctions with nicety; possessing discrimination; perceptive and judicious; making judgments about quality; having or showing refined taste or good judgment
<b>discuss</b>	examine by argument; sift the considerations for and against; debate; talk or write about a topic, including a range of arguments, factors or hypotheses; consider, taking into account different issues and ideas, points for and/or against, and supporting opinions or conclusions with evidence
<b>disjointed</b>	disconnected; incoherent; lacking a coherent order/sequence or connection
<b>distinguish</b>	recognise as distinct or different; note points of difference between; discriminate; discern; make clear a difference/s between two or more concepts or items
<b>diverse</b>	of various kinds or forms; different from each other

Term	Explanation
<b>division of powers</b>	refers to the allocation of governing (legislative) responsibility by the Australian Constitution between the Federal and State Governments; the powers can be further categorised into Exclusive (as stated in section 51 — Powers allocated to the Federal Government), Concurrent (both State and Federal can make laws regarding matters) and Residual (whereby the States retain legislative powers over matters not specifically listed in the Constitution)
<b>document</b>	support (e.g. an assertion, claim, statement) with evidence (e.g. decisive information, written references, citations)
<b>draw conclusions</b>	make a judgment based on reasoning and evidence
<b>E</b>	
<b>effective</b>	successful in producing the intended, desired or expected result; meeting the assigned purpose
<b>efficient</b>	working in a well-organised and competent way; maximum productivity with minimal expenditure of effort; acting or producing effectively with a minimum of waste, expense or unnecessary effort
<b>element</b>	a component or constituent part of a complex whole; a fundamental, essential or irreducible part of a composite entity
<b>elementary</b>	simple or uncompounded; relating to or dealing with elements, rudiments or first principles (of a subject); of the most basic kind; straightforward and uncomplicated
<b>equitable</b>	even and impartial; balance between the rule of law, and the rights and freedoms of individuals and society; impartial and fair outcome or result where the statute law is silent, e.g. remedies in civil issues
<b>erroneous</b>	based on or containing error; mistaken; incorrect
<b>essential</b>	absolutely necessary; indispensable; of critical importance for achieving something
<b>evaluate</b>	make an appraisal by weighing up or assessing strengths, implications and limitations; make judgments about ideas, works, solutions or methods in relation to selected criteria; examine and determine the merit, value or significance of something, based on criteria
<b>examination</b>	a supervised test that assesses the application of a range of cognitions to one or more provided items such as questions, scenarios and/or problems; student responses are completed individually, under supervised conditions, and in a set timeframe
<b>examine</b>	investigate, inspect or scrutinise; inquire or search into; consider or discuss an argument or concept in a way that uncovers the assumptions and interrelationships of the issue
<b>example</b>	used in the subject matter to provide ideas about aspects, elements or contexts that could be covered when teaching topics in the units; teachers may choose to use another example/s to substitute for the example stated

Term	Explanation
<b>experiment</b>	try out or test new ideas or methods, especially in order to discover or prove something; undertake or perform a scientific procedure to test a hypothesis, make a discovery or demonstrate a known fact
<b>explain</b>	make an idea or situation plain or clear by describing it in more detail or revealing relevant facts; give an account; provide additional information
<b>explicit</b>	clearly and distinctly expressing all that is meant; unequivocal; clearly developed or formulated; leaving nothing merely implied or suggested
<b>explore</b>	look into both closely and broadly; scrutinise; inquire into or discuss something in detail
<b>express</b>	convey, show or communicate (e.g. a thought, opinion, feeling, emotion, idea or viewpoint); in words, art, music or movement, convey or suggest a representation of; depict
<b>extended response</b>	an open-ended assessment technique that focuses on the interpretation, analysis, examination and/or evaluation of ideas and information in response to a particular situation or stimulus; while students may undertake some research when writing of the extended response, it is not the focus of this technique; an extended response occurs over an extended and defined period of time
<b>Extension subject</b>	a two-unit subject for which a syllabus has been developed by QCAA, that is an extension of one or more General or alternative sequence subject/s, studied concurrently with, the final two units of that subject or after completion of, the final two units of that subject
<b>extensive</b>	of great extent; wide; broad; far-reaching; comprehensive; lengthy; detailed; large in amount or scale
<b>external assessment</b>	summative assessment that occurs towards the end of a course of study and is common to all schools; developed and marked by the QCAA according to a commonly applied marking scheme
<b>external examination</b>	a supervised test, developed and marked by the QCAA, that assesses the application of a range of cognitions to multiple provided items such as questions, scenarios and/or problems; student responses are completed individually, under supervised conditions, and in a set timeframe
<b>extrapolate</b>	infer or estimate by extending or projecting known information; conjecture; infer from what is known; extend the application of something (e.g. a method or conclusion) to an unknown situation by assuming that existing trends will continue or similar methods will be applicable
<b>F</b>	
<b>factual</b>	relating to or based on facts; concerned with what is actually the case; actually occurring; having verified existence
<b>familiar</b>	well-acquainted; thoroughly conversant with; well-known from long or close association; often encountered or experienced; common;

Term	Explanation
	(of materials, texts, skills or circumstances) having been the focus of learning experiences or previously encountered in prior learning activities
<b>feasible</b>	capable of being achieved, accomplished or put into effect; reasonable enough to be believed or accepted; probable; likely
<b>fluent</b>	spoken or written with ease; able to speak or write smoothly, easily or readily; articulate; eloquent; in artistic performance, characteristic of a highly developed and excellently controlled technique; flowing; polished; flowing smoothly, easily and effortlessly
<b>fluently</b>	in a graceful and seemingly effortless manner; in a way that progresses smoothly and readily
<b>formative assessment</b>	assessment whose major purpose is to improve teaching and student achievement
<b>fragmented</b>	disorganised; broken down; disjointed or isolated
<b>frequent</b>	happening or occurring often at short intervals; constant, habitual, or regular
<b>fundamental</b>	forming a necessary base or core; of central importance; affecting or relating to the essential nature of something; part of a foundation or basis
<b>G</b>	
<b>General subject</b>	a subject for which a syllabus has been developed by the QCAA with the following characteristics: results from courses developed from General syllabuses contribute to the QCE; General subjects have an external assessment component; results may contribute to ATAR calculations
<b>generate</b>	produce; create; bring into existence
<b>H</b>	
<b>hypothesise</b>	formulate a supposition to account for known facts or observed occurrences; conjecture, theorise, speculate; especially on uncertain or tentative grounds
<b>I</b>	
<b>identify</b>	distinguish; locate, recognise and name; establish or indicate who or what someone or something is; provide an answer from a number of possibilities; recognise and state a distinguishing factor or feature
<b>illogical</b>	lacking sense or sound reasoning; contrary to or disregarding the rules of logic; unreasonable
<b>implement</b>	put something into effect, e.g. a plan or proposal
<b>implications</b>	effects, result or consequences that may happen in the future; implied, not explicitly stated
<b>implicit</b>	implied, rather than expressly stated; not plainly expressed; capable of being inferred from something else

Term	Explanation
<b>improbable</b>	not probable; unlikely to be true or to happen; not easy to believe
<b>inaccurate</b>	not accurate
<b>inappropriate</b>	not suitable or proper in the circumstances
<b>including</b>	(when preceding a list) refers to the aspects, elements or contexts that must be covered when teaching topics in the units; additional aspects, elements or contexts may be used at the teacher's discretion
<b>inconsistent</b>	lacking agreement, as one thing with another, or two or more things in relation to each other; at variance; not consistent; not in keeping; not in accordance; incompatible, incongruous
<b>independent</b>	thinking or acting for oneself, not influenced by others
<b>in-depth</b>	comprehensive and with thorough coverage; extensive or profound; well-balanced or fully developed
<b>infer</b>	derive or conclude something from evidence and reasoning, rather than from explicit statements; listen or read beyond what has been literally expressed; imply or hint at
<b>informed</b>	knowledgeable; learned; having relevant knowledge; being conversant with the topic; based on an understanding of the facts of the situation (of a decision or judgment)
<b>innovative</b>	new and original; introducing new ideas; original and creative in thinking
<b>insightful</b>	showing understanding of a situation or process; understanding relationships in complex situations; informed by observation and deduction
<b>instrument-specific marking guide</b>	ISMG; a tool for marking that describes the characteristics evident in student responses and aligns with the identified objectives for the assessment (see 'assessment objectives')
<b>integral</b>	adjective necessary for the completeness of the whole; essential or fundamental; noun in mathematics, the result of integration; an expression from which a given function, equation, or system of equations is derived by differentiation
<b>intended</b>	designed; meant; done on purpose; intentional
<b>internal assessment</b>	assessments that are developed by schools; summative internal assessments are endorsed by the QCAA before use in schools and results externally confirmed contribute towards a student's final result
<b>interpret</b>	use knowledge and understanding to recognise trends and draw conclusions from given information; make clear or explicit; elucidate or understand in a particular way; bring out the meaning of, e.g. a dramatic or musical work, by performance or execution; bring out the meaning of an artwork by artistic representation or performance; give one's own



Term	Explanation
	interpretation of; identify or draw meaning from, or give meaning to, information presented in various forms, such as words, symbols, pictures or graphs
<b>international law</b>	the body of law that governs the legal relations between or among states or nations
<b>investigation</b>	an assessment technique that requires students to research a specific problem, question, issue, design challenge or hypothesis through the collection, analysis and synthesis of primary and/or secondary data; it uses research or investigative practices to assess a range of cognitions in a particular context; an investigation occurs over an extended and defined period of time
<b>investigate</b>	carry out an examination or formal inquiry in order to establish or obtain facts and reach new conclusions; search, inquire into, interpret and draw conclusions about data and information
<b>irrelevant</b>	not relevant; not applicable or pertinent; not connected with or relevant to something
<b>ISMG</b>	instrument-specific marking guide; a tool for marking that describes the characteristics evident in student responses and aligns with the identified objectives for the assessment (see 'assessment objectives')
<b>isolated</b>	detached, separate, or unconnected with other things; one-off; something set apart or characterised as different in some way
<b>J</b>	
<b>judge</b>	form an opinion or conclusion about; apply both procedural and deliberative operations to make a determination
<b>just</b>	legally right, conforming that which is lawful or fair that which is fair and proper in the (or all) circumstances
<b>justified</b>	sound reasons or evidence are provided to support an argument, statement or conclusion
<b>justify</b>	give reasons or evidence to support an answer, response or conclusion; show or prove how an argument, statement or conclusion is right or reasonable
<b>L</b>	
<b>learning area</b>	a grouping of subjects, with related characteristics, within a broad field of learning, e.g. the Arts, sciences, languages
<b>legal criteria</b>	examples can be drawn from the following: elements of the rule of law; common law and/or statutory law; just and/or equitable outcomes
<b>legal information</b>	information, and data where appropriate, that is used for analysing legal issues
<b>legal issue</b>	a subject or matter involving the law that is worthy of investigation or debate
<b>legal situation</b>	(for the purpose of this syllabus) a legal situation develops from an analysis of a legal issue; a set of circumstances where the

Term	Explanation
	nature, scope and viewpoints have been determined or identified, to enable an evaluation or judgment
<b>logical</b>	rational and valid; internally consistent; reasonable; reasoning in accordance with the principles/rules of logic or formal argument; characterised by or capable of clear, sound reasoning; (of an action, decision, etc.) expected or sensible under the circumstances
<b>logically</b>	according to the rules of logic or formal argument; in a way that shows clear, sound reasoning; in a way that is expected or sensible
<b>M</b>	
<b>make decisions</b>	select from available options; weigh up positives and negatives of each option and consider all the alternatives to arrive at a position
<b>manipulate</b>	adapt or change to suit one's purpose
<b>mental procedures</b>	a domain of knowledge in Marzano's taxonomy, and acted upon by the cognitive, metacognitive and self-systems; sometimes referred to as 'procedural knowledge'; there are three distinct phases to the acquisition of mental procedures — the cognitive stage, the associative stage, and the autonomous stage; the two categories of mental procedures are skills (single rules, algorithms and tactics) and processes (macroprocedures)
<b>methodical</b>	performed, disposed or acting in a systematic way; orderly; characterised by method or order; performed or carried out systematically
<b>minimal</b>	least possible; small, the least amount; negligible
<b>modify</b>	change the form or qualities of; make partial or minor changes to something
<b>multimodal</b>	uses a combination of at least two modes (e.g. spoken, written), delivered at the same time, to communicate ideas and information to a live or virtual audience, for a particular purpose; the selected modes are integrated so that each mode contributes significantly to the response
<b>mutuality</b>	reciprocal understanding or agreement between parties
<b>N</b>	
<b>narrow</b>	limited in range or scope; lacking breadth of view; limited in amount; barely sufficient or adequate; restricted
<b>natural justice</b>	rules of fair play originally developed in the common law courts; rules and procedures to be followed by a person or body with the power to settle disputes; some rules of natural justice are to act fairly, without bias, and the right of all parties to be heard
<b>nature</b>	(of a legal issue) the essence and elements of the legal issue being considered
<b>nuanced</b>	showing a subtle difference or distinction in expression, meaning, response, etc.; finely differentiated;

Term	Explanation
	characterised by subtle shades of meaning or expression; a subtle distinction, variation or quality; sensibility to, awareness of, or ability to express delicate shadings, as of meaning, feeling, or value
<b>O</b>	
<b>objectives</b>	see 'syllabus objectives', 'unit objectives', 'assessment objectives'
<b>obvious</b>	clearly perceptible or evident; easily seen, recognised or understood
<b>optimal</b>	best, most favourable, under a particular set of circumstances
<b>organise</b>	arrange, order; form as or into a whole consisting of interdependent or coordinated parts, especially for harmonious or united action
<b>organised</b>	systematically ordered and arranged; having a formal organisational structure to arrange, coordinate and carry out activities
<b>outstanding</b>	exceptionally good; clearly noticeable; prominent; conspicuous; striking
<b>P</b>	
<b>partial</b>	not total or general; existing only in part; attempted, but incomplete
<b>particular</b>	distinguished or different from others or from the ordinary; noteworthy
<b>perceptive</b>	having or showing insight and the ability to perceive or understand; discerning (see also 'discriminating')
<b>performance</b>	an assessment technique that requires students to demonstrate a range of cognitive, technical, creative and/or expressive skills and to apply theoretical and conceptual understandings, through the psychomotor domain; it involves student application of identified skills when responding to a task that involves solving a problem, providing a solution or conveying meaning or intent; a performance is developed over an extended and defined period of time
<b>persuasive</b>	capable of changing someone's ideas, opinions or beliefs; appearing worthy of approval or acceptance; (of an argument or statement) communicating reasonably or credibly (see also 'convincing')
<b>perusal time</b>	time allocated in an assessment to reading items and tasks and associated assessment materials; no writing is allowed; students may not make notes and may not commence responding to the assessment in the response space/book
<b>planning time</b>	time allocated in an assessment to planning how to respond to items and tasks and associated assessment materials; students may make notes but may not commence responding to the assessment in the response space/book; notes made during planning are not collected, nor are they graded or used as evidence of achievement

Term	Explanation
<b>polished</b>	flawless or excellent; performed with skilful ease
<b>precise</b>	definite or exact; definitely or strictly stated, defined or fixed; characterised by definite or exact expression or execution
<b>precision</b>	accuracy; exactness; exact observance of forms in conduct or actions
<b>predict</b>	give an expected result of an upcoming action or event; suggest what may happen based on available information
<b>present</b>	put forward (e.g. a point of view, idea, argument, suggestion) for consideration or action
<b>primary source</b>	(of sources) information and data generated directly by a student (e.g. from a student designed survey), created directly by a group or organisation (e.g. Australian Bureau of Statistics), and/or from a direct authority (e.g. case transcripts or statute)
<b>principles</b>	in Legal Studies, guiding intentions that underlie the legal system, e.g. the rule of law, equity and fairness, presumptions of innocence, the right to access the law including legal representation, and the right to a fair trial
<b>procedural fairness</b>	a common law duty to act fairly in the making of administrative decisions that affect a person's rights, interests and legitimate expectations; the right to due process; the notion of a flexible obligation to adopt fair procedures that are appropriate and adapted to the circumstances of the particular case ( <i>Kioa v West</i> (1985) 159 CLR 550)
<b>process</b>	a system for conducting activities
<b>product</b>	an assessment technique that focuses on the output or result of a process requiring the application of a range of cognitive, physical, technical, creative and/or expressive skills, and theoretical and conceptual understandings; a product is developed over an extended and defined period of time
<b>proficient</b>	well advanced or expert in any art, science or subject; competent, skilled or adept in doing or using something
<b>project</b>	an assessment technique that focuses on a problem-solving process requiring the application of a range of cognitive, technical and creative skills and theoretical understandings; the response is a coherent work that documents the iterative process undertaken to develop a solution and includes written paragraphs and annotations, diagrams, sketches, drawings, photographs, video, spoken presentations, physical prototypes and/or models; a project is developed over an extended and defined period of time
<b>propose</b>	put forward (e.g. a point of view, idea, argument, suggestion) for consideration or action
<b>prove</b>	use a sequence of steps to obtain the required result in a formal way
<b>psychomotor procedures</b>	a domain of knowledge in Marzano's taxonomy, and acted upon by the cognitive, metacognitive and self-systems; these are physical procedures used to negotiate daily life and to engage in complex physical activities; the two categories of psychomotor procedures are skills (foundational procedures and simple

Term	Explanation
	combination procedures) and processes (complex combination procedures)
<b>purposeful</b>	having an intended or desired result; having a useful purpose; determined; resolute; full of meaning; significant; intentional
<b>Q</b>	
<b>QCE</b>	Queensland Certificate of Education
<b>R</b>	
<b>range</b>	(of sources) a number of sources that may or may not be different types and/or different authors/corporate authors; quantity of sources that may not be distinct in character, quality or information
<b>realise</b>	create or make (e.g. a musical, artistic or dramatic work); actualise; make real or concrete; give reality or substance to
<b>reasonable</b>	endowed with reason; having sound judgment; fair and sensible; based on good sense; average; appropriate, moderate
<b>reasoned</b>	logical and sound; based on logic or good sense; logically thought out and presented with justification; guided by reason; well-grounded; considered
<b>recall</b>	remember; present remembered ideas, facts or experiences; bring something back into thought, attention or into one's mind
<b>recommendation/s</b>	course/s of action suggested as the most suitable for a situation or context
<b>recognise</b>	identify or recall particular features of information from knowledge; identify that an item, characteristic or quality exists; perceive as existing or true; be aware of or acknowledge
<b>reference list</b>	alphabetical list of all references cited in the text; bibliographic details include author, date of publication, name/title, publication address (if printed) or website publication address and date of retrieval; the reference list will adhere to a recognised system of referencing, as nominated by the school or teacher
<b>refined</b>	developed or improved so as to be precise, exact or subtle
<b>reflect on</b>	think about deeply and carefully
<b>rehearsed</b>	practised; previously experienced; practised extensively
<b>related</b>	associated with or linked to
<b>relevance</b>	being related to the matter at hand
<b>relevant</b>	bearing upon or connected with the matter in hand; to the purpose; applicable and pertinent; having a direct bearing on
<b>repetitive</b>	containing or characterised by repetition, especially when unnecessary or tiresome
<b>report</b>	a spoken or written account that describes in detail an event, situation or occurrence, usually as the result of observation, investigation or inquiry; in this subject is typically a formal type of

Term	Explanation
	communication with a particular format, including a cover page, headings and subheadings
<b>reporting</b>	providing information that succinctly describes student performance at different junctures throughout a course of study
<b>resolve</b>	in the Arts, consolidate and communicate intent through a synthesis of ideas and application of media to express meaning
<b>restorative justice</b>	an approach in which the victim/survivor and offender (and in some cases other persons affected by a crime) participate actively together in the resolution of matters arising from the crime, generally with the help of a facilitator
<b>routine</b>	often encountered, previously experienced; commonplace; customary and regular; well-practised; performed as part of a regular procedure, rather than for a special reason
<b>rudimentary</b>	relating to rudiments or first principles; elementary; undeveloped; involving or limited to basic principles; relating to an immature, undeveloped or basic form
<b>rule of law</b>	the doctrine that all people are equal before the law, and that the government is subject to the law; a concept implying the subordination of the three aims of government (the executive, the legislative and the judiciary) to legal process, and the equality of all before the law; the absence of arbitrary executive power
<b>S</b>	
<b>safe</b>	secure; not risky
<b>scope</b>	(of a legal issue) the extent of the components of the legal issue
<b>secondary sources</b>	(of sources) information and data not generated or directly created by the author of the source, such as case law, legal databases, legislation, government and other institutional websites, published reports, media and expert commentaries, and lobbyist statements
<b>secure</b>	sure; certain; able to be counted on; self-confident; poised; dependable; confident; assured; not liable to fail
<b>select</b>	choose in preference to another or others; pick out
<b>sensitive</b>	capable of perceiving with a sense or senses; aware of the attitudes, feelings or circumstances of others; having acute mental or emotional sensibility; relating to or connected with the senses or sensation
<b>separation of powers</b>	a legal principle that establishes discrete and distinct power between the legislative, executive and judicial arms of government. to provide for checks and balances
<b>sequence</b>	place in a continuous or connected series; arrange in a particular order
<b>sequencing</b>	deliberate organisation of ideas
<b>show</b>	provide the relevant reasoning to support a response

Term	Explanation
<b>significant</b>	important; of consequence; expressing a meaning; indicative; includes all that is important; sufficiently great or important to be worthy of attention; noteworthy; having a particular meaning; indicative of something
<b>simple</b>	easy to understand, deal with and use; not complex or complicated; plain; not elaborate or artificial; may concern a single or basic aspect; involving few elements, components or steps
<b>simplistic</b>	characterised by extreme simplification, especially if misleading; oversimplified
<b>sketch</b>	execute a drawing or painting in simple form, giving essential features but not necessarily with detail or accuracy; in mathematics, represent by means of a diagram or graph; the sketch should give a general idea of the required shape or relationship and should include features
<b>skilful</b>	having technical facility or practical ability; possessing, showing, involving or requiring skill; expert, dexterous; demonstrating the knowledge, ability or training to perform a certain activity or task well; trained, practised or experienced
<b>skilled</b>	having or showing the knowledge, ability or training to perform a certain activity or task well; having skill; trained or experienced; showing, involving or requiring skill
<b>solve</b>	find an answer to, explanation for, or means of dealing with (e.g. a problem); work out the answer or solution to (e.g. a mathematical problem); obtain the answer/s using algebraic, numerical and/or graphical methods
<b>some</b>	a number of, but not all or most
<b>sophisticated</b>	of intellectual complexity; reflecting a high degree of skill, intelligence, etc.; employing advanced or refined methods or concepts; highly developed or complicated
<b>specific</b>	clearly defined or identified; precise and clear in making statements or issuing instructions; having a special application or reference; explicit, or definite; peculiar or proper to something, as qualities, characteristics, effects, etc.
<b>sporadic</b>	happening now and again or at intervals; irregular or occasional; appearing in scattered or isolated instances
<b>stakeholder</b>	person, group or organisation that is affected by, can affect, or is concerned with an issue
<b>stakeholder perspectives</b>	viewpoints, opinions and beliefs in regards to the presented situation
<b>straightforward</b>	without difficulty; uncomplicated; direct; easy to do or understand
<b>structure</b>	verb give a pattern, organisation or arrangement to; construct or arrange according to a plan; noun

Term	Explanation
	in languages, arrangement of words into larger units, e.g. phrases, clauses, sentences, paragraphs and whole texts, in line with cultural, intercultural and textual conventions
<b>structured</b>	organised or arranged so as to produce a desired result
<b>subject</b>	a branch or area of knowledge or learning defined by a syllabus; school subjects are usually based in a discipline or field of study (see also 'course')
<b>subject matter</b>	the subject-specific body of information, mental procedures and psychomotor procedures that are necessary for students' learning and engagement within that subject
<b>subject</b>	a branch or area of knowledge or learning defined by a syllabus or alternative sequence; school subjects are usually based in a discipline or field of study (see also 'course')
<b>substantial</b>	of ample or considerable amount, quantity, size, etc.; of real worth or value; firmly or solidly established; of real significance; reliable; important, worthwhile
<b>substantiated</b>	established by proof or competent evidence
<b>subtle</b>	fine or delicate in meaning or intent; making use of indirect methods; not straightforward or obvious
<b>successful</b>	achieving or having achieved success; accomplishing a desired aim or result
<b>succinct</b>	expressed in few words; concise; terse; characterised by conciseness or brevity; brief and clear
<b>sufficient</b>	enough or adequate for the purpose
<b>suitable</b>	appropriate; fitting; conforming or agreeing in nature, condition, or action
<b>summarise</b>	give a brief statement of a general theme or major point/s; present ideas and information in fewer words and in sequence
<b>summative assessment</b>	assessment whose major purpose is to indicate student achievement; summative assessments contribute towards a student's subject result
<b>superficial</b>	concerned with or comprehending only what is on the surface or obvious; shallow; not profound, thorough, deep or complete; existing or occurring at or on the surface; cursory; lacking depth of character or understanding; apparent and sometimes trivial
<b>supported</b>	corroborated; given greater credibility by providing evidence
<b>sustained</b>	carried on continuously, without interruption, or without any diminishing of intensity or extent
<b>syllabus</b>	a document that prescribes the curriculum for a course of study
<b>syllabus objectives</b>	outline what the school is required to teach and what students have the opportunity to learn; described in terms of actions that operate on the subject matter; the overarching objectives for a



Term	Explanation
	course of study (see also 'unit objectives', 'assessment objectives')
<b>symbolise</b>	represent or identify by a symbol or symbols
<b>synthesise</b>	combine different parts or elements (e.g. information, ideas, components) into a whole, in order to create new understanding
<b>systematic</b>	done or acting according to a fixed plan or system; methodical; organised and logical; having, showing, or involving a system, method, or plan; characterised by system or method; methodical; arranged in, or comprising an ordered system
<b>T</b>	
<b>test</b>	take measures to check the quality, performance or reliability of something
<b>thorough</b>	carried out through, or applied to the whole of something; carried out completely and carefully; including all that is required; complete with attention to every detail; not superficial or partial; performed or written with care and completeness; taking pains to do something carefully and completely
<b>thoughtful</b>	occupied with, or given to thought; contemplative; meditative; reflective; characterised by or manifesting thought
<b>topic</b>	a division of, or sub-section within a unit; all topics/sub-topics within a unit are interrelated
<b>trends</b>	the general direction, momentum or observable pattern of behaviour of a variable in a time series
<b>U</b>	
<b>unclear</b>	not clear or distinct; not easy to understand; obscure
<b>understand</b>	perceive what is meant by something; grasp; be familiar with (e.g. an idea); construct meaning from messages, including oral, written and graphic communication
<b>uneven</b>	unequal; not properly corresponding or agreeing; irregular; varying; not uniform; not equally balanced
<b>unfamiliar</b>	not previously encountered; situations or materials that have not been the focus of prior learning experiences or activities
<b>unit</b>	a defined amount of subject matter delivered in a specific context or with a particular focus; it includes unit objectives particular to the unit, subject matter and assessment direction
<b>unit objectives</b>	drawn from the syllabus objectives and contextualised for the subject matter and requirements of a particular unit; they are assessed at least once in the unit (see also 'syllabus objectives', 'assessment objectives')
<b>unrelated</b>	having no relationship; unconnected
<b>use</b>	operate or put into effect; apply knowledge or rules to put theory into practice

Term	Explanation
<b>V</b>	
<b>vague</b>	not definite in statement or meaning; not explicit or precise; not definitely fixed, determined or known; of uncertain, indefinite or unclear character or meaning; not clear in thought or understanding; couched in general or indefinite terms; not definitely or precisely expressed; deficient in details or particulars; thinking or communicating in an unfocused or imprecise way
<b>valid</b>	sound, just or well-founded; authoritative; having a sound basis in logic or fact (of an argument or point); reasonable or cogent; able to be supported; legitimate and defensible; applicable
<b>variable</b>	adjective apt or liable to vary or change; changeable; inconsistent; (readily) susceptible or capable of variation; fluctuating, uncertain; noun in mathematics, a symbol, or the quantity it signifies, that may represent any one of a given set of number and other objects
<b>variety</b>	a number or range of things of different kinds, or the same general class, that are distinct in character or quality; (of sources) a number of different modes or references
<b>viewpoint</b>	an attitude or opinion, or the circumstances of an individual or group that contribute to an attitude
<b>W</b>	
<b>wide</b>	of great range or scope; embracing a great number or variety of subjects, cases, etc.; of full extent
<b>with expression</b>	in words, art, music or movement, conveying or indicating feeling, spirit, character, etc.; a way of expressing or representing something; vivid, effective or persuasive communication

# 7 References

- Aditomo, A, Goodyear, P, Bliuc, AM & Ellis, RA 2013, 'Inquiry-based learning in higher education: Principal forms, educational objectives, and disciplinary variations', *Studies in Higher Education*, vol. 38, no. 9, pp. 1239–1258, <http://dx.doi.org/10.1080/03075079.2011.616584>.
- Justice, C, Rice, J, Warry, W, Inglis, S, Miller, S & Sammon, S 2007, 'Inquiry in higher education: Reflections and directions on course design and teaching methods', *Innovative Higher Education*, vol. 31, no. 4, pp. 201–214.
- Kahn, P & O'Rourke, K 2004, 'Guide to curriculum design: Enquiry-based learning', *Higher Education Academy*, vol. 30, no. 3, [www.researchgate.net/publication/242281830\\_Guide\\_to\\_Curriculum\\_Design\\_Enquiry-Based\\_Learning](http://www.researchgate.net/publication/242281830_Guide_to_Curriculum_Design_Enquiry-Based_Learning).
- Marzano, RJ & Kendall, JS 2007, *The New Taxonomy of Educational Objectives*, 2nd edition, Corwin Press, USA.
- Marzano, RJ & Kendall, JS 2008, *Designing and Assessing Educational Objectives: Applying the new taxonomy*, Corwin Press, USA.
- Masters, GN 2016, 'Five challenges in Australian school education', *Policy Insights*, Issue 5, ACER, Camberwell, VIC.
- Spronken-Smith, R & Walker, R 2010, 'Can inquiry-based learning strengthen the links between teaching and disciplinary research?', *Studies in Higher Education*, vol. 35, no. 6, pp. 723–740, <http://dx.doi.org/10.1080/03075070903315502>.
- Staver, JR & Bay M, 1987, 'Analysis of the project synthesis goal cluster orientation and inquiry emphasis of elementary science textbooks', *Journal of Research in Science Teaching*, vol. 24, pp. 629–643.
- Weaver, FS (ed.) 1989, 'Promoting Inquiry In Undergraduate Learning', *New Directions for Teaching and Learning*, no. 38, Jossey-Bass, San Francisco.

## 8 Version history

Version	Date of change	Update
1.1	July 2018	Editorial edits and minor formatting corrections
		Amendments to syllabus objectives which has been carried through to unit objectives and assessment objectives
		Amendment to reporting standards
		Unit 1 and Unit 2 assessment guidance updated
		Subject matter amendments across Units 1-4
		IA1: Examination — combination response <ul style="list-style-type: none"> <li>• Amendment to assessment objectives</li> <li>• Amendment to specifications and conditions</li> <li>• Amendment to ISMG</li> </ul>
		IA2: Investigation — research report <ul style="list-style-type: none"> <li>• Amendment to assessment objectives</li> <li>• Amendment to specifications and conditions</li> <li>• Amendment to ISMG</li> </ul>
		IA3: Investigation — argumentative essay <ul style="list-style-type: none"> <li>• Amendment to assessment objectives</li> <li>• Amendment to specifications and conditions</li> <li>• Amendment to ISMG</li> </ul>
		EA: Examination — combination response <ul style="list-style-type: none"> <li>• Amendment to assessment objectives</li> <li>• Amendment to specifications and conditions</li> </ul>
		Glossary updated

ISBN: 978-1-74378-024-4

Legal Studies General Senior Syllabus 2019

© The State of Queensland (Queensland Curriculum & Assessment Authority) 2018

Queensland Curriculum & Assessment Authority  
PO Box 307 Spring Hill QLD 4004 Australia  
154 Melbourne Street, South Brisbane

Phone: (07) 3864 0299

Email: [office@qcaa.qld.edu.au](mailto:office@qcaa.qld.edu.au)

Website: [www.qcaa.qld.edu.au](http://www.qcaa.qld.edu.au)