Legal Studies

LEVEL 3	15 TCE CREDIT POINTS
COURSE CODE	LST315117
COURSE SPAN	2017 — 2025
READING AND WRITING STANDARD	YES
MATHEMATICS STANDARD	NO
COMPUTERS AND INTERNET STANDARD	NO

This course was delivered in 2023. Use A-Z Courses to find the current version (if available).

The Australian legal and political systems are the principal institutional cornerstones of our society

An understanding of Australian legal and political systems – their foundational principles, composition, operation and influences upon our way of life – are important for learners who want to contribute in an informed and effective way in our society. Legal Studies Level 3 gives learners core knowledge and equips them to describe and assess essential principles, features and institutions of our legal and political systems, and how they operate locally, nationally and in an international context. The course promotes understanding of the dynamic nature of Australia's liberal democracy, its interactive processes, and the pursuit of equity and justice under the rule of law. Study of this course will develop research and communication skills as learners identify and assess: structures and processes of government; sources of law; how the criminal justice system is structured and works; and how law and politics have both a national and international dimension. Learners will develop an understanding of the complexity of law and challenges faced by law makers both nationally and internationally. Understanding of course concepts will be deepened during inquiry into topical legal and political issues. Legal Studies Level 3 enables learners to apply knowledge, skills, and values they acquire to make sound and well informed judgements in their role as active citizens at local, state, national and global levels.

Course Description

Legal Studies Level 3 explores the main structures and processes of the Australian legal and political systems. The legal and political processes in Australia involve individual rights, responsibilities and participation in our legal and political systems to ensure that governments and individuals work within a framework of justice and freedom, based upon the elements of a liberal democracy including rule of law, separation of powers and procedural fairness. The focus is on understanding and assessing the principles underpinning our system of government (Part 1 – Principles and Practice of Australia's Westminster Parliamentary System of Government), the way Australia's Constitution is framed and its impacts on Australian governance arrangements (Part 2 – Australian Federal Constitutional Government), the origin and basis of Australian and international Law (Part 3 – Australian and International Law), and the ways in which we, as a society, deal with crime, criminal trials, sentencing and protecting the rights of the accused, victim and the community (Part 4 – Dispute Resolution: Civil and Criminal). The contested nature of law and politics is highlighted through study of topical legal and political issues, giving learners an opportunity to gauge the law and political processes in action, with a strong applied dimension to their learning.

Rationale

The Australian legal and political systems are the principal institutional cornerstones of our society. An understanding of Australian legal and political systems – their foundational principles, composition, operation and influences upon our way of life – are important for learners who want to contribute in an informed and effective way in our society. Legal Studies Level 3 gives learners core knowledge and equips them to describe and assess essential principles, features and institutions of our legal and political systems, and how they operate locally, nationally and in an international context. The course promotes understanding of the dynamic nature of Australia's liberal democracy, its interactive processes, and the pursuit of equity and justice under the rule of law.

Study of this course will develop research and communication skills as learners identify and assess: structures and processes of government; sources of law; how the criminal justice system is structured and works; and how law and politics have both a national and international dimension. Learners will develop an understanding of the complexity of law and challenges faced by law makers both nationally and internationally. Understanding of course concepts will be deepened during inquiry into topical legal and political issues.

Legal Studies Level 3 enables learners to apply knowledge, skills, and values they acquire to make sound and well informed judgements in their role as active citizens at local, state, national and global levels.

Learning Outcomes

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

1. communicate legal and political information
2. describe the principles of a liberal democracy
3. describe and assess features and processes of Australia’s Westminster parliamentary system of government
4. describe and assess federal constitutional government in Australia
5. describe issues of Aboriginal and Torres Strait Islander peoples in the Australian legal and political systems
6. describe how statute and common law are made in Australia, the process of Australian law reform and assess interactions between parliament and courts as lawmakers
7. describe how international law differs from Australian law, and why international law is obeyed, and how it is enforced
8. describe and evaluate Australia’s criminal and civil justice system and dispute resolution system
9. correctly use terms and concepts relevant to Australia’s and to international legal and political systems
10. apply research, time management, planning and negotiation strategies to a legal and political studies inquiry
11. apply the principles of academic integrity and correctly use referencing (citation) methodology.

Pathways

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

Course Size And Complexity

This course has a complexity level of 3.

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

This course has a size value of 15.

Course Delivery

The order in which parts are delivered and assessed is as follows: Part 1 must be studied first, Part 2 must be studied second. Parts 3 and 4 may be studied in either order, provided Parts 1 and 2 have already been studied.

Course Requirements

The course has **four (4)** parts:

- Part 1 – Principles and Practices of Australia's Westminster Parliamentary System of Government
- Part 2 – Australian Federal Constitutional Government
- Part 3 – Australian and International Law
- Part 4 – Dispute Resolution: Civil and Criminal.

All parts are **compulsory**. There is also a **compulsory** Work Requirement.

Course Content

PART 1 – PRINCIPLES AND PRACTICES OF AUSTRALIA'S WESTMINSTER PARLIAMENTARY SYSTEM OF GOVERNMENT (15% OF COURSE CONTENT – 22.5 HOURS)

The focus of this Unit is a consideration of the fundamental elements of liberal democracy, including legitimacy, separation of powers and institutional protection of human rights. The Unit considers the practical manifestation of liberal democratic principles in Australia's Westminster parliamentary system of government.

1.1 AN INTRODUCTION TO THE PRINCIPLES OF LIBERAL DEMOCRACY

Learners will study:
An introduction to the principles of a liberal democracy.

- Legitimate Authority
    - illustrative examples: free, frequent and fair elections. A competitive and open political process by which political office holders are selected. Government authority is mandated by popular vote, universal suffrage. The concept of social contract.
- Separation of Powers
    - illustrative examples: separation of Legislative, Executive and Judicial branches of government, a suspicion of concentrated forms of power is reflected in the separation of powers. Concept of 'checks and balances.' The judiciary is independent of government interference and control.
- Rule of Law (Constitutionalism)
    - illustrative examples: political and legislative power is limited and prescribed by a constitution which entrenches separation of powers. Restraints on power are documented, accepted and mechanisms for legal and political dispute resolution are transparent and applied equally to all. Government authority is exercised by written, publicly disclosed laws adopted, enforced and subject to reform in accordance with established, predictable and transparent procedure.
- Human Rights
    - illustrative examples: the state is responsible for the adherence to and protection of the rights, privileges and immunities of individuals which are both civil and political in nature and which exist independent of any particular form of government or the state.
- Procedural Fairness
    - illustrative examples: individuals are treated equally and fairly in the resolution of disputes, with equitable access to judicial resources in the resolution of such disputes. There is predictability and accepted, transparent and institutionalised process in the manner in which individuals are held accountable for their actions.
- Pluralism
    - illustrative examples: recognition and both formal and informal affirmation of diversity within a state. Diversity in lifestyles, affiliations, associations, religious, political and personal beliefs are formally recognised and protected by the state. Institutional protection of civil liberties and civil society.

1.2 AUSTRALIA'S WESTMINSTER PARLIAMENTARY SYSTEM OF GOVERNMENT

Learners will study:

- the main features of the Westminster system adopted by Australia:
    - Constitutional Monarchy
    - constitutional conventions including the head of Government, the Prime Minister, who leads a Cabinet which is responsible to the lower House
    - Separation of Powers and Rule of Law in Australia
    - representative and responsible government
    - bicameral parliament, with the House of Representatives being the 'Peoples House' and the Senate being the 'States House' and a 'House of Review'.

PART 2 – AUSTRALIAN FEDERAL CONSTITUTIONAL GOVERNMENT (15% OF COURSE CONTENT – 22.5 HOURS)

The focus of this Unit is the federal constitutional arrangements which provide for the division of powers in Australia between the Australian government and the state and territory governments. The Unit provides learners with an overview of the ways in which the division of power between the national and state and territory governments has changed over time, and considers the status of Aboriginal and Torres Strait Islander peoples in the Constitution of the Commonwealth of Australia.

2.1 THE MAIN FEATURES OF AUSTRALIA'S FEDERAL SYSTEM

Learners will study:

- shared sovereignty of law making powers by different levels of government
- the Constitution to divide the lawmaking powers, between the State Parliaments and the Commonwealth Parliament
- High Court to interpret the Constitution.

2.2 THE ALTERATION TO THE DIVISON OF POWER OVER TIME AND THE CONSEQUENCES FOR FEDERALISM IN AUSTRALIA

Learners will study:

- interpretation of the Constitution (S51(xxix) in particular) by the High Court – illustrative example – Tasmania Dams Case 1983
- High Court judgements in favour of the Commonwealth. Illustrative example: First Uniform Tax Case 1942
- referral of power (S51(xxxvii))
- referendums – 1967 referendum as an example of a successful one and 1999 as an unsuccessful one.

2.3 ABORIGINAL AND TORRES STRAIT ISLANDER CONSTITUTIONAL RECOGNITION

Learners will study:

- the status of Aboriginal and Torres Strait Islander Peoples in the Constitution of the Commonwealth of Australia, and possible constitutional reforms to their status.

PART 3 – AUSTRALIAN AND INTERNATIONAL LAW (30% OF COURSE CONTENT – 45 HOURS)

The focus of this Unit is identifying and assessing the sources and basis of law both in Australia and in an international context. It involves a consideration of Aboriginal and Torres Strait Islander customary law, Australian statute law, law made by parliaments, Australian common law, law made by judges in court rooms, as well as the increasing influence of International law as a source of law. The Unit additionally considers the nature of, and participants in, Australian law reform.

3.1 CUSTOMARY LAW
Learners will study:

- the characteristics of Aboriginal and Torres Strait Islander customary laws
- the impact of the European legal concept of *terra nullius* on the legal status of Aboriginal and Torres Strait Islander peoples and their customary laws.

3.2 AUSTRALIAN STATUTE LAW

Learners will study:

- the basis of Statute Law:
    - the processes of initiating, drafting and passing a bill through parliament
    - the different roles of the parliament and cabinet in law making
    - the advantages and limitations of Statute Law.

3.3 AUSTRALIAN COMMON LAW

Learners will study:

- the hierarchies and jurisdictions of the Tasmanian and Commonwealth court systems
- the Doctrine of Precedent
- the role judges have in lawmaking (case law and interpretation of legislation)
- the advantages and limitations of judges in the law making process.

3.4 AUSTRALIAN LAW REFORM

Learners will study:

- the role the following groups play in influencing change in Australian law. Learners must study two from the following list:
    - Law Reform Bodies (ALRC, TLRI)
    - Royal Commissions and Commissions of Inquiry
    - Parliamentary Committees (Standing, special purpose, joint committees)
    - statutory authorities and commissions (Human Rights Commission, Productivity Commission)
- how individuals through the Court system influence change in law (Mabo Case 1992 overturning of *terra nullius* and recognition of Native Title)
- how Interest/Lobby/Pressure Groups interact with society and law making institutions to influence changes in the law.

3.5 INTERNATIONAL LAW

In studying this sub-part learners will:

Select <u>one</u> of the following themes drawing upon and applying their knowledge and understanding of International law:

- protection of the atmosphere and climate change
- Human Rights
- migration and refugees
- international conflict (War and War on Terrorism.)

Learners, in relation to the selected theme, will:

- correctly identify the differences between international law and Australian law
- correctly identify why states obey international law, and how international law is enforced.

PART 4 – DISPUTE RESOLUTION: CIVIL AND CRIMINAL (30% OF COURSE CONTENT – 45 HOURS)

The focus of this Unit is dispute resolution in Australia. It involves both formal adversarial trials as well as alternative dispute resolution processes. The Unit examines the nature of crime and criminal procedure including sentencing options available to a court, as well as safeguards in the criminal justice system to protect the interests of victims, accused and the community.

4.1 ADVERSARY TRIAL

Learners will study:

- the purpose of the adversary (or adversarial) system
- the essential differences between a criminal and civil legal action
- the features of the adversarial trial process:
    - contest
    - impartial adjudicator
    - party control
    - strict rules of evidence and procedure
    - a single event
    - role of the jury
- the advantages and limitations of the adversary system.

4.2 ALTERNATIVE DISPUTE RESOLUTION (ADR)

Learners will study:

- the different ADR processes. Learners must study two from the following list:
    - Negotiation and Settlement
    - Mediation
    - Tribunals
    - Conciliation and Arbitration
    - Restorative Justice
    - ombudsman.

4.3 CRIME AND CRIMINAL PROCEDURE

Learners will study:

- the elements of a crime:
    - mens rea
    - actus reus
    - strict liability/absolute liability.

The differences between a summary vs an indictable offence.

4.4 SAFEGUARDS AND RIGHTS OF THE ACCUSED IN THE CRIMINAL JUSTICE SYSTEM

Learners will study:

- the safeguards built into the criminal justice system to protect the accused:
    - police procedures
    - bail
    - preliminary proceedings
    - onus and standard of proof
    - presumption of innocence
    - jury challenges and appeals
- how the rights of the accused, the victim and of the community are protected in the criminal justice system.

4.5 SENTENCING AND AIMS OF PUNISHMENT

Learners will study:

- the laws regulate punishment and sentencing in Tasmania
- the purposes and aims of punishment / sentencing
- the general principles and factors considered in sentencing (offence and offender)
- the sentencing options (including proposed reforms, for example, diversionary processes and restorative justice) available to Tasmanian judges and magistrates
- the extent to which Tasmanian sentencing options fulfil the aims of punishment.

Work Requirements

Work Requirement – Approximately 10% of course delivery – 15 hours

During this course learners will research and assess **one (1)** topical legal issue current in the year of study. The topic will be selected from a set of topics determined and published by TASC by the end of February in each year of the period of course accreditation.

Learners will:

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

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

- identification of current political and legal institutions / processes related to the topic
- identification of differing views on the issue while ensuring focus is on legal and political dimensions (and not the sociological, economic aspects etc. of the issue)
- assessment of issue through:
    - relevant aspects of the nature and function of law
    - processes of changing the law, including the impact of interest/lobby/pressure groups
    - the role of national political and legal institutions, including, where relevant, assessment of the issues through the interaction of national and international legal and political institutions
    - where relevant, assessment of the issue through relevant aspects of public international law in terms of its formation, enforcement and effect on domestic law.

Assessment

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

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

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

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

Providers offering this course must participate in quality assurance processes specified by TASC to ensure provider validity and comparability of standards across all awards. To learn more, see TASC's quality assurance processes and assessment information.

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

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

Quality Assurance Process

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

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

Process

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

Additionally, the Office of TASC may select to undertake scheduled audits of this course and its work requirements (Provider standards 1, 2, 3 and 4).

External Assessment Requirements

The external assessment for this course will comprise:

- a three (3) hour written examination used to assess criteria: 1, 2, 3, 4, 5 and 7.

For further information, see the current external assessment specifications and guidelines for this course which can be found in the Supporting Documents below.

Criteria

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

1. describe and analyse structures and processes of Australia's Westminster parliamentary system of government*
2. describe and analyse aspects of Australian and International law *
3. describe and analyse Australian dispute resolution systems and processes*
4. describe and analyse Australia's criminal justice system*
5. describe and analyse a topical legal issue*
6. apply inquiry and research skills to plan and undertake investigations into legal issues
7. communicate legal and political information*

* = denotes criteria that are both internally and externally assessed

Standards

Criterion 1: describe and analyse structures and processes of Australia's Westminster parliamentary system of government

This criterion is both internally and externally assessed.

The learner:

Rating A	Rating B	Rating C
explains* the principles of liberal democracy	correctly describes* the principles of liberal democracy	correctly identifies* the principles of liberal democracy
evaluates* features and processes of the Westminster system adopted in Australia	analyses* and assesses* features and processes of the Westminster system adopted in Australia	assesses* features and processes of the Westminster system adopted in Australia
explains features of Australia's federal system and legal roles of different levels of government	correctly describes features of Australia's federal system and legal roles of different levels of government	correctly identifies features of Australia's federal system and legal roles of different levels of government
evaluates the impact of changes to the division of powers over time by reference to referrals, referendums and High Court interpretations	assesses the impact of changes to the division of powers over time by reference to referrals, referendums and High Court interpretations	identifies the impact of changes to the division of powers over time by reference to referrals, referendums and High Court interpretations
explains the status of Aboriginal and Torres Strait Islander Peoples in Australia's Constitution.	correctly describes the status of Aboriginal and Torres Strait Islander Peoples in Australia's Constitution.	correctly identifies the status of Aboriginal and Torres Strait Islander Peoples in Australia's Constitution.

*See glossary of terms used in standards at the end of this section.

Criterion 2: describe and analyse aspects of Australian and International law

This criterion is both internally and externally assessed.

The learner:

Rating A	Rating B	Rating C
critically analyses* issues of Aboriginal and Torres Strait Islander Customary Law in Australia's legal and political system	analyses* issues of Aboriginal and Torres Strait Islander Customary Law in Australia's legal and political system	correctly identifies* issues of Aboriginal and Torres Strait Islander Customary Law in Australia's legal and political system
explains* legislative processes for creation of Australian law, and evaluates* effectiveness of legislation as a source of law	correctly describes* legislative processes for creation of Australian law, and analyses* advantages and limitations of legislation as a source of law	correctly identifies* legislative processes for creation of Australian law, and assesses* advantages and limitations of legislation as a source of law
explains jurisdictions of Federal and Tasmanian court hierarchies and processes for creation of common law, and evaluates* effectiveness of judges as lawmakers	correctly describes* Federal and Tasmanian court hierarchies and processes for creation of common law, and analyses* advantages and limitations of judges as law makers	correctly identifies* features of Federal and Tasmanian court hierarchies and processes for creation of common law, and assesses* advantages and limitations of judges as law makers
explains principles and processes of law reform	correctly describes principles and processes of law reform	correctly identifies key principles and processes of law reform

analyses methods, significance of and barriers to law reform, and evaluates ability of individuals and interest groups to influence reform.	analyses* and assesses* effectiveness of law reform processes and ability of individuals and interest groups to influence lawmaking.	assesses* effectiveness of law reform and ability of individuals and interest groups to influence lawmaking.
explains* the differences between international law and Australian law by reference to instruments of international law	correctly describes* the differences between international law and Australian law by reference to instruments of international law	correctly identifies the differences between international law and Australian law
explains* why states obey international law, and how international law is enforced by reference to institutions and instruments of international law.	correctly describes* why states obey international law, and how international law is enforced by reference to institutions of international law.	correctly identifies* why states obey international law, and how international law is enforced.

*See glossary of terms used in standards at the end of this section.

Criterion 3: describe and analyse Australian dispute resolution systems and processes

This criterion is both internally and externally assessed.

The learner:

Rating A	Rating B	Rating C
explains* features of adversary system, and critically evaluates effectiveness of adversary system as a means of dispute resolution	correctly describes* features of adversary system, and analyses effectiveness of adversary system as a means of dispute resolution	correctly identifies* features of adversary system, and describes role of adjudicator, parties, legal representation and the jury in the trial process
critically evaluates the advantages and limitations of the adversary system	analyses advantages and limitations of the adversary system	assesses a limited range of advantages and limitations of the adversary system
explains* alternative dispute resolution processes, and critically* analyses processes as a means of dispute resolution.	correctly describes* alternative dispute resolution processes, and analyses* processes as a means of dispute resolution.	correctly identifies and describes* alternative dispute resolution process appropriate to given disputes.

*See glossary of terms used in standards at the end of this section.

Criterion 4: describe and analyse Australia's criminal justice system

This criterion is both internally and externally assessed.

The learner:

Rating A	Rating B	Rating C
explains* elements and categories of crime	correctly describes* elements and categories of crime	correctly identifies* a limited range of elements and categories of crime
explains rights of accused, victim and community in criminal cases, and evaluates effectiveness of processes to safeguard rights	correctly describes rights of accused, victim and community in criminal cases, and assesses effectiveness of processes to safeguard rights	correctly describes rights of accused, victim and community in criminal cases and assesses processes to safeguard rights
explains laws, principles, procedures and options concerning sentencing offenders	correctly describes laws, principles, procedures and options concerning sentencing offenders	correctly identifies laws, principles, procedures and options concerning sentencing offenders

critically evaluates* effectiveness of sentencing in achieving aims of punishment.	analyses* effectiveness of sentencing in achieving aims of punishment.	assesses* effectiveness of sentencing in achieving aims of punishment.

*See glossary of terms used in standards at the end of this section.

Criterion 5: describe and analyse a topical legal issue

This criterion is both internally and externally assessed.

The learner:

Rating A	Rating B	Rating C
explains* an issue, using accurate and appropriate political and legal terminology	describes* an issue, using accurate and appropriate political and legal terminology	identifies* the facts of an issue, using accurate and appropriate political and legal terminology
explains connections between an issue and relevant political and legal institutions and processes of the current Australian political and legal system, and relevant aspects of international law	describes connections between an issue and relevant political and legal institutions and processes of the current Australian political and legal system, and relevant aspects of international law	identifies a limited range of connections between an issue and a limited range of relevant political and legal institutions and processes of the current Australian and political and legal system, and relevant aspects of international law
evaluates* differing legal and political views that exist in Australian society about an issue	analyses and assesses* differing legal and political views that exist in Australian society about an issue	assesses* differing legal and political views that exist in Australian society about an issue
evaluates an issue using relevant aspects of the nature and function of law	analyses and assesses* an issue using relevant aspects of the nature and function of law	assesses an issue using relevant aspects of the nature and function of law
evaluates an issue using relevant processes of changing law	analyses an issue using relevant processes of changing law	assesses an issue using relevant processes of changing law
synthesises a wide range of evidence to develop detailed, analytical interpretations and to reach valid, logical conclusions.	uses a range of evidence to develop interpretations and to reach valid conclusions.	uses a limited range of evidence to reach conclusions.

*See glossary of terms used in standards at the end of this section.

Criterion 6: apply inquiry and research skills to plan and undertake investigations into legal issues

The learner:

Rating A	Rating B	Rating C
composes a clearly structured inquiry question, explaining its connections to observations; designs comprehensive inquiry, clearly stating aims and explaining appropriate methodology in detail	expresses inquiry question, discussing its connections to observations; designs inquiry, clearly stating aims and describing appropriate methodology	uses a given inquiry question, designs inquiry, clearly stating aims and appropriate methodology
locates and accurately records a wide range of primary and secondary sources relevant to an investigation	locates and accurately records a range of primary and secondary sources relevant to an investigation	locates and records a limited range of primary and secondary sources related to an investigation
evaluates* relevance and reliability of selected information to issue and identifies position	analyses* and assesses* relevance and reliability of selected information	assesses* relevance and reliability of selected information to issue and

presented	to issue and identifies position presented	identifies position presented
identifies time, resources and equipment needed to complete activities, and develops a systematic and coherent research plan	identifies time, resources and equipment needed to complete inquiry, and develops and employs a coherent research plan	identifies time, resources and equipment needed to complete inquiry, and develops and employs a research plan
reflects – orally and in writing – on progress towards meeting goals and timelines; critically evaluates progress to plan future actions	reflects – orally and in writing – on progress towards meeting goals and timelines; analyses progress to plan future actions	reflects – orally and in writing – on progress towards meeting goals and timelines, articulating some ways in which goals may be met in the future
meets specified/negotiated timelines and addresses all required task characteristics with a high degree of accuracy.	meets specified/negotiated timelines and addresses all task characteristics.	meets specified/negotiated timelines and addresses most task characteristics.

*See glossary of terms used in standards at the end of this section.

Criterion 7: communicate legal and political information

This criterion is both internally and externally assessed.

The learner:

Rating A	Rating B	Rating C
communicates using methods, formats and styles appropriate to task and audience	communicates using methods, formats and styles appropriate to task	communicates using methods, formats and styles as directed
composes clearly structured, coherent and cohesive analytical essays	composes structured and coherent analytical essays	composes structured analytical essays
accurately uses complex grammatical conventions, spelling and punctuation in written responses	accurately uses grammatical conventions, spelling and punctuation in written responses	uses grammatical conventions, spelling and punctuation to achieve clarity in written responses
uses a wide range of appropriate terms to explain ideas and concepts to clearly support coherent discussion and communicate meaning	uses a range of appropriate terms to explain ideas and concepts to support coherent discussion	uses a limited range of appropriate terms to support discussion
synthesises a wide range of appropriate sources of evidence to develop detailed, analytical interpretations and arguments, and to reach valid, logical conclusions	uses a range of appropriate sources of evidence to develop interpretations and arguments, and to reach valid conclusions	uses a limited range* of appropriate sources of evidence to support arguments and reach conclusions
clearly differentiates the information, images, ideas and words of others from the learner's own	clearly differentiates the information, images, ideas and words of others from the learner's own	differentiates the information, images, ideas and words of others from the learner's own
follows referencing conventions and methodologies with a high degree of accuracy	follows referencing conventions and methodologies correctly	generally follows referencing conventions and methodologies correctly
creates appropriate, well-structured reference lists/bibliographies.	creates appropriate, structured reference lists/bibliographies.	creates appropriate reference lists/bibliographies.

*See glossary of terms used in standards at the end of this section.

Glossary Of Terms Used In Standards

Analyse: consider in detail for the purpose of defining meaning or relationships, and identify patterns, similarities and differences.

Assess: determine the value, significance or extent of (something).

Critically analyse: examine the component parts of an issue or information, for example the premise of an argument and its plausibility, illogical reasons or faulty conclusions.

Critically evaluate: evaluation of an issue or information that includes considering important factors and available evidence in making critical judgements that can be justified.

Describe: give an account of characteristics or features.

Evaluate: provide a detailed examination and substantiated judgement concerning the merit, significance or value of something.

Explain: provide additional information that demonstrates understanding of reasoning and/or application.

Identify: establish or indicate who or what someone or something is.

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

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

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

Tools and strategies used to collect and organise information include, but are not limited to:

- graphic organisers
- note taking
- use of categories to organise information.

Qualifications Available

Legal Studies Level 3 (with the award of):

EXCEPTIONAL ACHIEVEMENT

HIGH ACHIEVEMENT

COMMENDABLE ACHIEVEMENT

SATISFACTORY ACHIEVEMENT

PRELIMINARY ACHIEVEMENT

Award Requirements

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

The minimum requirements for an award in Legal Studies Level 3 are as follows:

EXCEPTIONAL ACHIEVEMENT (EA)
10 'A' ratings, 3 'B' ratings (5 'A' ratings, 1 'B' ratings from external assessment)

HIGH ACHIEVEMENT (HA)
5 'A' ratings, 4 'B' ratings, 4 'C' ratings (2 'A' ratings, 3 'B' ratings, 1 'C' rating from external assessment)

COMMENDABLE ACHIEVEMENT (CA)
4 'B' ratings, 8 'C' ratings (2 'B' ratings, 3 'C' ratings from external assessment)

SATISFACTORY ACHIEVEMENT (SA)
11 'C' ratings (4 'C' ratings from external assessment)

PRELIMINARY ACHIEVEMENT (PA)
7 'C' ratings

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

Course Evaluation

The Department of Education's Curriculum Services will develop and regularly revise the curriculum. This evaluation will be informed by the experience of the course's implementation, delivery and assessment.

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

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

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

A course is formally analysed prior to the expiry of its accreditation as part of the process to develop specifications to guide the development of any replacement course.

Course Developer

The Department of Education acknowledges the significant leadership of Professor Margaret Otlowski (UTAS), Dr Matt Killingsworth (UTAS), Dr Adam Grover, Margaret Shearer, Susan Hawkins and Simon Bennett in the development of this course.

Expectations Defined By National Standards In Content Statements Developed by ACARA

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

Accreditation

The accreditation period for this course has been renewed from 1 January 2022 until 31 December 2025.

During the accreditation period required amendments can be considered via established processes.

Should outcomes of the Years 9-12 Review process find this course unsuitable for inclusion in the Tasmanian senior secondary curriculum, its accreditation may be cancelled. Any such cancellation would not occur during an academic year.

Version History

Version 1 – Accredited on 25 September 2016 for use from 1 January 2017. This course replaces Legal Studies (LST315116) that expired on 31 December 2016.

Version 1.1 – Renewal of accreditation on 13 August 2017 for use in 2018.

Version 2 - Major Amendments to: course content (Parts 1.1-1.2, 2.2-2.3, 3.4-3.5 and 4.2); removal of criterion 3 (now incorporated in criterion 2) and subsequent re-alignment of criteria numbering, external assessment requirements and award algorithms; a new standard element added to criterion 1, reworking of criterion 2 standard elements; and line of sight document updated. (8 February 2018).

Version 2.1 - Correction to typographical errors in Criterion 3, Element 3 of B and A ratings.

Accreditation renewed on 22 November 2018 for the period 1 January 2019 until 31 December 2021.

Version 2.2 - Renewal of Accreditation on 14 July 2021 for the period 31 December 2021 until 31 December 2024, without amendments.

Appendix 1

LINE OF SIGHT – Legal Studies Level 3

Learning Outcome	Criterion	Content
• communicate legal and political information	7. communicate legal and political information	• Part 1 – Principles and Practices of Australia's Westminster Parliamentary System of Government • Part 2 – Australian Federal Constitutional Government • Part 3 – Australian and International Law • Part 4 – Dispute Resolution: Civil and Criminal
• describe the principles of a liberal democracy	1. describe and assess structures and processes of Australia's Westminster parliamentary system of government	• Part 1 – Principles and Practices of Australia's Westminster Parliamentary System of Government
• describe and assess features and processes of Australia's Westminster parliamentary system of government	1. describe and assess structures and processes of Australia's Westminster parliamentary system of government	• Part 1 – Principles and Practices of Australia's Westminster Parliamentary System of Government
• describe and assess federal constitutional government in Australia	1. describe and assess structures and processes of Australia's Westminster parliamentary system of government	• Part 2 – Australian Federal Constitutional Government
• describe issues of Aboriginal and Torres Strait Islander peoples in the Australian legal and political systems	1. describe and assess structures and processes of Australia's Westminster parliamentary system of government	• Part 1 – Principles and Practices of Australia's Westminster Parliamentary System of Government • Part 2 – Australian Federal Constitutional Government
• describe how statute and common law are made in Australia, the process of Australian law reform and assess interactions between parliament and courts as lawmakers	2. describe and analyse aspects of Australian and international law	• Part 3 – Australian and International Law
• describe how international law differs from Australian law, why international law is obeyed, and how it is enforced	2. describe and analyse aspects of Australian and international law	• Part 3 – Australian and International Law
• describe and evaluate Australia's criminal and civil justice system and dispute resolution system	3. describe and analyse Australian dispute resolution systems and processes 4. describe and analyse Australia's criminal justice system	• Part 4 – Dispute Resolution: Civil and Criminal
• correctly use terms and concepts relevant to Australia's and to international legal and political systems	7. communicate legal and political information	• Part 1 – Principles and Practices of Australia's Westminster Parliamentary System of Government

		• Part 2 – Australian Federal Constitutional Government • Part 3 – Australian and International Law • Part 4 – Dispute Resolution: Civil and Criminal
• apply research, time management, planning and negotiation strategies to a legal and political studies inquiry	5. describe and analyse a topical legal issue 6. apply inquiry and research skills to plan and undertake investigations into legal issues	Work Requirement
• apply the principles of academic integrity and correctly use referencing (citation) methodology.	6. apply inquiry and research skills to plan and undertake investigations into legal issues	Work Requirement

Supporting documents including external assessment material

- LST315117 - Topical Legal Issues 2018.pdf (2018-02-26 01:17pm AEDT)
- LST315117 Legal Studies TASC Exam Paper 2018.pdf (2018-12-09 09:51am AEDT)
- LST315117 - Assessment Panel Report 2018.pdf (2019-02-27 10:23am AEDT)
- LST315117 - Legal Studies Topical Issues 2019.pdf (2019-02-28 04:15pm AEDT)
- LST315117 Legal Studies TASC Exam Paper 2019.pdf (2019-11-18 08:46am AEDT)
- LST315117 Assessment Report 2019.pdf (2020-02-03 09:26am AEDT)
- Legal Studies LST315117 - Topical Legal Issues - 2020.pdf (2020-02-28 04:05pm AEDT)
- LST315117 Legal Studies TASC Exam Paper 2020.pdf (2020-11-11 07:12pm AEDT)
- LST315117 Assessment Report 2020.pdf (2021-01-13 10:36am AEDT)
- LST315117 Legal Studies - Topical Legal Issues - 2021.pdf (2021-03-01 02:25pm AEDT)
- LST315117 Legal Studies TASC Exam Paper 2021.pdf (2021-11-18 05:15pm AEDT)
- LST315117 Assessment Report 2021.pdf (2022-01-24 03:05pm AEDT)
- TASC Legal Studies Topical Issuess 2022.pdf (2022-02-21 11:44am AEDT)
- LST315117 Legal Studies External Assessment Specifications.pdf (2022-04-07 03:59pm AEST)
- LST315117 Legal Stuides TASC Exam Paper 2022.pdf (2022-11-18 05:26pm AEDT)
- TASC Legal Studies Topical Issues 2023.pdf (2023-03-02 09:24am AEDT)
- LST315117 Assessment Report 2022.pdf (2023-03-02 04:37pm AEDT)
- LST315117 Legal Studies TASC Exam Paper 2023.pdf (2023-11-14 01:57pm AEDT)

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