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Legal Studies

A/T/M

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# The ACT Senior Secondary System

The ACT senior secondary system recognises a range of university, vocational or life skills pathways.

The system is based on the premise that teachers are experts in their area: they know their students and community and are thus best placed to develop curriculum and assess students according to their needs and interests. Students have ownership of their learning and are respected as young adults who have a voice.

A defining feature of the system is school-based curriculum and continuous assessment. School-based curriculum provides flexibility for teachers to address students’ needs and interests. College teachers have an opportunity to develop courses for implementation across ACT schools. Based on the courses that have been accredited by the BSSS, college teachers are responsible for developing programs of learning. A program of learning is developed by individual colleges to implement the courses and units they are delivering.

Teachers must deliver all content descriptions; however, they do have flexibility to emphasise some content descriptions over others. It is at the discretion of the teacher to select the texts or materials to demonstrate the content descriptions. Teachers can choose to deliver course units in any order and teach additional (not listed) content provided it meets the specific unit goals.

School-based continuous assessment means that students are continually assessed throughout years 11 and 12, with both years contributing equally to senior secondary certification. Teachers and students are positioned to have ownership of senior secondary assessment. The system allows teachers to learn from each other and to refine their judgement and develop expertise.

Senior secondary teachers have the flexibility to assess students in a variety of ways. For example: multimedia presentation, inquiry-based project, test, essay, performance and/or practical demonstration may all have their place. College teachers are responsible for developing assessment instruments with task specific rubrics and providing feedback to students.

The integrity of the ACT Senior Secondary Certificate is upheld by a robust, collaborative and rigorous structured consensus-based peer reviewed moderation process. System moderation involves all year 11 and 12 teachers from public, non-government and international colleges delivering the ACT Senior Secondary Certificate.

Only students who desire a pathway to university are required to sit a general aptitude test, referred to as the ACT Scaling Test (AST), which moderates student scores across courses and colleges. Students are required to use critical and creative thinking skills across a range of disciplines to solve problems. They are also required to interpret a stimulus and write an extended response.

Senior secondary curriculum makes provision for student-centred teaching approaches, integrated and project-based learning inquiry, formative assessment and teacher autonomy. ACT Senior Secondary Curriculum makes provision for diverse learners and students with mild to moderate intellectual disabilities, so that all students can achieve an ACT Senior Secondary Certificate.

The ACT Board of Senior Secondary Studies (BSSS) leads senior secondary education. It is responsible for quality assurance in senior secondary curriculum, assessment and certification. The Board consists of nominees from colleges, professional bodies, universities, industry, parent/carer organisations and unions. The Office of the Board of Senior Secondary Studies (OBSSS) consists of professional and administrative staff who support the Board in achieving its objectives and functions.

# ACT Senior Secondary Certificate

Courses of study for the ACT Senior Secondary Certificate:

* provide a variety of pathways, to meet different learning needs and encourage students to complete their secondary education
* enable students to develop the essential capabilities for twenty-first century learners
* empower students as active participants in their own learning
* engage students in contemporary issues relevant to their lives
* foster students’ intellectual, social and ethical development
* nurture students’ wellbeing, and physical and spiritual development
* enable effective and respectful participation in a diverse society.

Each course of study:

* comprises an integrated and interconnected set of knowledge, skills, behaviours and dispositions that students develop and use in their learning across the curriculum
* is based on a model of learning that integrates intended student outcomes, pedagogy and assessment
* outlines teaching strategies which are grounded in learning principles and encompass quality teaching
* promotes intellectual quality, establish a rich learning environment and generate relevant connections between learning and life experiences
* provides formal assessment and

## Underpinning beliefs

* All students are able to learn.
* Learning is a partnership between students and teachers.
* Teachers are responsible for advancing student learning.



# Learning Principles

* 1. Learning builds on existing knowledge, understandings and skills.

(Prior knowledge)

* 1. When learning is organised around major concepts, principles and significant real world issues, within and across disciplines, it helps students make connections and build knowledge structures.

(Deep knowledge and connectedness)

* 1. Learning is facilitated when students actively monitor their own learning and consciously develop ways of organising and applying knowledge within and across contexts.

(Metacognition)

* 1. Learners’ sense of self and motivation to learn affects learning.

(Self-concept)

* 1. Learning needs to take place in a context of high expectations.

(High expectations)

* 1. Learners learn in different ways and at different rates.

(Individual differences)

* 1. Different cultural environments, including the use of language, shape learners’ understandings and the way they learn.

(Socio-cultural effects)

* 1. Learning is a social and collaborative function as well as an individual one.

(Collaborative learning)

* 1. Learning is strengthened when learning outcomes and criteria for judging learning are made explicit and when students receive frequent feedback on their progress.

(Explicit expectations and feedback)

# General Capabilities

All courses of study for the ACT Senior Secondary Certificate should enable students to develop essential capabilities for twenty-first century learners. These ‘capabilities’ comprise an integrated and interconnected set of knowledge, skills, behaviours and dispositions that students develop and use in their learning across the curriculum.

The capabilities include:

* literacy
* numeracy
* information and communication technology (ICT)
* critical and creative thinking
* personal and social
* ethical understanding
* intercultural understanding

Courses of study for the ACT Senior Secondary Certificate should be both relevant to the lives of students and incorporate the contemporary issues they face. Hence, courses address the following three priorities. These priorities are:

* Aboriginal and Torres Strait Islander histories and cultures
* Asia and Australia’s engagement with Asia
* Sustainability

Elaboration of these General Capabilities and priorities is available on the ACARA website at [www.australiancurriculum.edu.au](http://www.australiancurriculum.edu.au).

### Literacy

Students develop literacy capability as they learn how to build knowledge in relation to legal studies’ information, concepts and ideas. Students progressively learn to use a wide range of informational and persuasive texts in multiple modes. These texts include stories, narrative recounts, reports, explanations, arguments, debates, timelines, maps, tables, graphs, images, often supported by references from primary and secondary sources.

Students learn to make increasingly sophisticated language and text choices, understanding that language varies according to context, including the nature and stages of their inquiry. They learn to use language features and text structures to comprehend and compose cohesive texts about places, people, events, processes, systems and perspectives of the past, present and future. These include topic-specific vocabulary; appropriate tense verbs; and complex sentences that describe sequential, cause-and-effect and comparative relationships. Students also participate in debates and discussions, and develop a considered point of view when communicating conclusions to a range of audiences.

### Numeracy

Students develop numeracy capability as they apply numeracy skills in relation to historical, geographical, civic and legal studies’ inquiries. Students measure data and information, construct and interpret tables and graphs, and calculate and interpret statistics in their investigations. , as well as calendars and dates, to recall information on topics of historical significance and to illustrate the passing of time.

Students learn to analyse numerical data to make meaning of the past; to test relationships in patterns and between variables, such as the effects of location and distance; and to draw conclusions. They make predictions and forecast outcomes based on civic, economic and business data and environmental and historical information and represent their findings in numerical and graphical form. Students use numeracy to understand the principles of financial management, and to make informed financial and business decisions. They appreciate the ways numeracy knowledge and skills are used in society and apply these to hypothetical and/or real-life experiences.

### Information and Communication Technology (ICT) Capability

Students develop ICT capability when they locate, process, analyse, evaluate and communicate information using digital technologies. Students access and use digital technologies, including spatial technologies, as an investigative and creative tool. They seek a range of digital sources of information to resolve inquiry questions or challenges of historical, geographic, civic and legal studies’ relevance, being aware of intellectual property. They critically analyse evidence and trends and critique source reliability. Using digital technologies, students present and represent their learning; and collaborate, discuss and debate to co-construct their knowledge. They plan, organise, create, display and communicate data and information digitally using multimodal elements for a variety of reasons and audiences.

Students enhance their understanding of ICT by exploring the increasing use of technology and the effects of technologies on people, places and civic and legal activity over time and place. They learn about and have opportunities to use social media to collaborate, communicate, and share information, and build consensus on issues of social, legal, civic, economic and environmental significance, whilst using an awareness of personal security protocols and ethical responsibilities.

### Critical and Creative Thinking

Students develop critical and creative thinking as they investigate legal concepts and ideas through inquiry-based learning. Students develop critical thinking by learning to develop and clarify investigative questions, and to question sources and assess reliability when selecting information from sources. Students learn discipline-specific ways of thinking, including interpreting the past from incomplete documentation, developing an argument using evidence, interpreting and analysing legal data and/or information, and systems thinking to inform predictions and propose solutions. They learn to think logically when evaluating and using evidence, testing explanations, analysing arguments and making decisions, and when thinking deeply about questions that do not have straightforward answers.

Students learn the value and process of developing creative questions and the importance of speculation. They apply concepts and skills to new contexts and learn to develop new interpretations to explain aspects of the past and present that are contested or not well understood. They are encouraged to be curious and imaginative in investigations and fieldwork, and to consider multiple perspectives about issues and events. They imagine alternative futures in response to social, environmental, civic, legal and economic challenges that require problem solving and innovative solutions, proposing appropriate and alternative courses of action and considering the effects on their own lives and the lives of others. In so doing, students develop enterprising behaviours and capabilities and learn to apply decision-making processes including negotiation and conflict-resolution.

### Personal and Social Capability

Students’ personal and social capability is enhanced as they gain understanding about people, places, processes and phenomena. Through legal inquiry, collaboration and reflective practice, students develop an appreciation of the insights and perspectives of others, past and present; and an understanding of what informs their personal identity and sense of belonging, including place and their cultural and national heritage. Inquiry-based learning assists students to develop their capacity for self-management, directing their own learning and providing opportunities to express and reflect on their opinions, beliefs, values and questions appropriately.

As students work independently and collaboratively, they are encouraged to develop personal and interpersonal skills, behaviours and dispositions that enable communication, empathy, teamwork, negotiation and conflict resolution to maintain positive relationships. They learn and apply enterprising behaviours and capabilities such as leadership, resilience, goal-setting and advocacy skills and informed, responsible decision-making. In turn, students develop the capacity to achieve desired outcomes peacefully and to make a contribution to their communities and society more broadly.

### Ethical understanding

Students’ capacity for ethical understanding is enhanced by the unique contexts offered through legal studies inquiry. Students investigate the ways that diverse values and principles have influenced human activity and recognise that examining the nature of evidence deepens their understanding of ethical issues. Students learn about ethical procedures for investigating and working with people and places, including with Aboriginal and Torres Strait Islander Peoples. Students critically explore ethical behaviour of people of different times and places that may be the result of differing standards and expectations and changing societal attitudes. They evaluate their findings about consumer choices, and about current legal issues against the criteria of environmental protection, economic prosperity and social advancement, raising ethical questions about human rights and citizenship. Students discuss and apply ethical concepts such as equality, respect and fairness, and examine shared beliefs and values which support Australian democracy and citizenship.

As students develop informed, ethical values and attitudes as they explore different perspectives, ambiguities and ethical considerations related to legal issues, they become aware of their own roles, rights and responsibilities as participants in their social, economic and natural world. They consider the consequences of personal, civic and legal decisions, for individuals and society

### Intercultural understanding

Students develop intercultural understanding as they learn about the diversity of the world’s places, peoples and their lives, cultural practices, values, beliefs and ways of knowing. Students learn the importance of understanding their own and others' histories, recognising the significance of Aboriginal and Torres Strait Islander peoples’ histories and cultures and the contribution of Australian migrants. They have opportunities to learn about the historic benefits and challenges of interacting with other countries and cultural groups over time, and come to understand the nature, causes and consequences of cultural interdependence, dispossession and conflict. They learn of Australia’s economic and political relationship with other countries and the role of intercultural understanding for the present and future.

As students investigate the interconnections between people and the significance that places hold, they learn how various cultural identities, including their own, are shaped. Students come to see the critical role of shared beliefs and values in an evolving Australian identity. They reflect on their own intercultural experiences and explore how people interact across cultural boundaries, considering how factors such as group membership, traditions, customs and religious and cultural practices impact on civic life. They recognise similarities as well as differences within and across cultural groups, recognising the importance of practising empathy and learning to challenge stereotypical or prejudiced representations of social and cultural groups where they exist. They demonstrate respect for cultural diversity and the human rights of all people and learn to facilitate dialogue to understand different perspectives.

# Cross-Curriculum Priorities

While the significance of the cross-curriculum priorities for legal studies varies, there are opportunities for teachers to select contexts that incorporate the key concepts from each priority.

### Aboriginal and Torres Strait Islander Histories and Cultures

Through an investigation of contexts that draw on *Aboriginal and Torres Strait Islander histories and cultures* students could investigate contemporary and historical issues of Aboriginal and Torres Strait Islander Peoples’ legal rights and the impact of the justice system.

### Asia and Australia’s Engagement with Asia

Contexts that draw on Asian political history and development and collaborative endeavours in the Asia Pacific region provide an opportunity for students to investigate *Asia and Australia’s engagement with Asia*. Foreign aid, trade agreements , multilateralism, borders, interests and motivations of government, and comparative legal systems are included in electives.

### Sustainability

Sustainability addresses the ongoing capacity of Earth to maintain all life.

Legal issues, both within Australia and internationally, impact on sustainability. Sustainable patterns of living meet the needs of the present without compromising the ability of future generations to meet their needs. Actions to improve sustainability are individual and collective endeavours shared across local and global communities. They necessitate a renewed and balanced approach to the way humans interact with each other and the environment.

Education for sustainability develops the knowledge, skills, values and world views necessary for people to act in ways that contribute to more sustainable patterns of living. It enables individuals and communities to reflect on ways of interpreting and engaging with the world. Sustainability education is futures-oriented, focusing on protecting environments and creating a more ecologically and socially just world through informed action. Actions that support more sustainable patterns of living require consideration of environmental, social, cultural and economic systems and their interdependence. Environmental law directly influences these actions.

**Legal Studies**

**A/T/M**

Rationale

Legal Studies explores the law, and its institutions and processes, in a social, economic and political context allowing students to investigate, question, and evaluate their personal view of the world and society’s collective future.

Students develop their knowledge and understanding about how legal systems impact on the lives of citizens, seek to balance the rights and responsibilities of individuals, the community, and governments, in an effort to achieve justice and equality for all. Students will evaluate the effectiveness of laws, institutions and processes, and consider opportunities for reform.

Legal Studies provides students with the opportunity to develop their skills in research, analysis and evaluation of information. Through the use of logical and coherent arguments, students will explore the implications and consequences of decisions made by individuals, organisations and governments. Students will communicate their insights in a range of modes and mediums.

# Goals

This course should enable students to:

* analyse political and legal concepts, principles, processes, structures, assumptions arguments and ideas
* understand the influence of historical, political and cultural contexts on law
* analyse values and attitudes that underpin legal systems
* evaluate the interrelationship between the legal system and society and the use of power
* reflect on the influence of legal systems on the lives of individuals and society
* apply knowledge and skills to become active and informed citizens that can affect change
* communicate in a range of modes and mediums for specific purposes and audiences.

# Unit Titles

* Crime, Justice & Legal System
* Civil Law & Dispute Resolution
* Law, Government & Society
* International Relations & Law
* Independent Study

# Organisation of Content

### Crime, Justice & Legal System

Students study the complexity and limitations of the criminal justice system in achieving justice. Through the use of a range of contemporary examples, students investigate criminal law, processes and institutions and the tension between community interests and individual rights and freedoms.

### Civil Law & Dispute Resolution

Students study the rights and responsibilities that exist between individuals, groups and organisations and the resolution of civil disputes through courts and other mechanisms. Through the use of a range of contemporary examples, students investigate civil law, processes and institutions, and develop an appreciation of the role of civil law in society.

### Law, Government & Society

Students study the significance of legal rights and responsibilities in everyday life from different political, economic and social perspectives. Through the use of a range of contemporary examples, students investigate how the law attempts to balance the rights and responsibilities of the individual with the best interests of the wider community.

### International Relations & Law

Students study the significance of Australia’s international legal and political responsibilities from different political, economic and social perspectives. Through the use of a range of contemporary examples, students investigate how the law attempts to balance the rights of individual states with their responsibilities in the wider global community.

### Independent Study

An Independent Study unit has an important place in senior secondary courses. It is a valuable pedagogical approach that empowers students to make decisions about their own learning. An Independent Study unit can be proposed by an individual student for their own independent study and negotiated with their teacher. The program of learning for an Independent Study unit must meet the unit goals and content descriptions as they appear in the course. Students must have studied a minimum of three standard 1.0 units from this course.

# Implementation Guidelines

The following table outlines the standard 1.0 units and electives in each unit.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Crime, Justice & Legal System | Civil Law & Dispute Resolution | Law, Government & Society | International Relations & Law |
| Electives | * The Criminal Justice and Political System
* Sentencing, incarceration, prisons and detention
* Criminology
* Justice and Vulnerable People
 | * The Civil, Legal and Political System
* Entertainment and the law
* Employment, business and the law
* Property law
* Civil wrongs
* Family and the law
 | * The Australian Legal and Political System
* Politics and the Law
* Consumers and the Law
* Birth, Life and Death
* Rights and Freedoms
* Young People and the Law
 | * The International relationship between Australia and the World
* International crime, conflicts and terrorism
* Displaced Persons and the Law
* Environmental Law
* Sea, Sky and Space
 |

Crime, Justice & Legal System , Civil Law & Dispute Resolution , Law, Government & Society and International Relations & Law units may be delivered in any order.

For a standard 1.0 unit, a student must study a minimum of TWO electives.

For a half-standard 0.5 unit, a student must study a minimum of ONE elective.

# Assessment

The identification of criteria within the achievement standards and assessment task types and weightings provides a common and agreed basis for the collection of evidence of student achievement.

**Assessment Criteria** (the dimensions of quality that teachers look for in evaluating student work) provide a common and agreed basis for judgement of performance against unit and course goals, within and across colleges. Over a course, teachers must use all these criteria to assess students’ performance but are not required to use all criteria on each task. Assessment criteria are to be used holistically on a given task and in determining the unit grade.

**Assessment Tasks** elicit responses that demonstrate the degree to which students have achieved the goals of a unit based on the assessment criteria. The Common Curriculum Elements (CCE) is a guide to developing assessment tasks that promote a range of thinking skills (see Appendix C). It is highly desirable that assessment tasks engage students in demonstrating higher order thinking.

**Rubrics** are constructed for individual tasks, informing the assessment criteria relevant for a particular task and can be used to assess a continuum that indicates levels of student performance against each criterion.

## Assessment Criteria

Students will be assessed on the degree to which they demonstrate:

* knowledge and understanding
* skills.

## Assessment Task Types

|  |  |  |
| --- | --- | --- |
| Task types | Test | Research, investigation and analysis |
|  | A test may include the following:* document study
* case study
* multiple choice
* short answer response
* interview
* extended response
* in-class essay/report
 | Suggested tasks:* research assignment
* e.g. written report, essay
* oral presentation
* seminar
* digital presentation
* moot
* mock trial
* interview response
* case study
* dispute resolution
* creative response
* scenario/situation
 |
| Weighting in A/T 1.0  | 40 - 60% | 40 - 60% |
| Weighting in A/T 0.5  | 40 - 60% | 40 - 60% |
| Weighting in M 1.0 and 0.5 | 10 - 90% | 10 - 90% |

### Additional Assessment Information

* For a standard unit (1.0), students must complete a minimum of three assessment tasks and a maximum of five.
* For a half standard unit (0.5), students must complete a minimum of two and a maximum of three assessment tasks.
* Assessment tasks for a standard (1.0) or half-standard (0.5) unit must be informed by the Achievement Standards.
* Students should experience a variety of task types and different modes of communication to demonstrate the Achievement Standards.
* Suggested length for written tasks - A: 500-800 words, T: 1000 -1500 words, M: at discretion of the teacher.
* Suggested length for an oral presentation - A: 5 - 8 minutes, T: 8 – 10 minutes, M: at the discretion of the teacher.

# Achievement Standards

Years 11 and 12 achievement standards are written for A/T courses. A single achievement standard is written for M courses.

A Year 12 student in any unit is assessed using the Year 12 achievement standards. A Year 11 student in any unit is assessed using the Year 11 achievement standards. Year 12 achievement standards reflect higher expectations of student achievement compared to the Year 11 achievement standards. Years 11 and 12 achievement standards are differentiated by cognitive demand, the number of dimensions and the depth of inquiry.

An achievement standard cannot be used as a rubric for an individual assessment task. Assessment is the responsibility of the college. Student tasks may be assessed using rubrics or marking schemes devised by the college. A teacher may use the achievement standards to inform development of rubrics. The verbs used in achievement standards may be reflected in the rubric. In the context of combined Years 11 and 12 classes, it is best practice to have a distinct rubric for Years 11 and 12. These rubrics should be available for students prior to completion of an assessment task so that success criteria are clear.

|  |
| --- |
| **Achievement Standards for Legal Studies** **A Course - Year 11** |
|  | A student who achieves an **A** grade typically | A student who achieves a **B** grade typically | A student who achieves a **C** grade typically | A student who achieves a **D** grade typically | A student who achieves an **E** grade typically |
| Knowledge and understanding | analyses the structures, institutions, processes and practices of Legal Studies  | explains the structures, institutions, processes and practices of Legal Studies | describes the structures, institutions, processes and practices of Legal Studies  | identifies the structures, institutions, processes and practices of Legal Studies | identifies the structures, institutions, processes and practices of Legal Studies |
| analyses legal concepts and principles  | explains legal concepts and principles  | describes legal concepts and principles  | identifies legal concepts and principles  | identifies legal concepts and principles  |
| compares viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems | explains viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems | describes viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems | identifies viewpoints, ideas and decisions and makes some reference how individuals and groups can influence the stability of, and changes to legal systems | identifies viewpoints and ideas with little or no reference how individuals and groups can influence the stability of, and changes to legal systems |
| Skills | analyses information to draw evidence based conclusions to solve problems | interprets information to draw evidence based conclusions to solve problems | interprets information to draw conclusions to solve problems | interprets information with some relationship to the problem being addressed |  describes information with little or no relationship to the problem being addressed |
| constructs logical, reasoned and convincing arguments to thoroughly justify valid conclusions, decisions judgments and recommendations | constructs convincing arguments to justify valid conclusions, decisions judgments and recommendations | constructs arguments to justify conclusions, decisions judgments and recommendations | constructs arguments with some reference to conclusions, decisions judgments and recommendations  | constructs arguments with little or no reference to conclusions, decisions judgments and recommendations |
| develops focus questions to frame an inquiry and conducts comprehensive research using a wide range of sources and methods | develops focus questions to frame an inquiry and conducts research using a range of sources and methods | develops focus questions for an inquiry and conducts research using sources and methods | uses inquiry questions to conduct research derived from sources | uses inquiry questions to conduct research |
| communicates complex ideas with coherent and sustained arguments with analysis of evidence, detailed annotations, using appropriate language and accurate referencing | communicates complex ideas and coherent arguments using appropriate evidence, language and accurate referencing | communicates ideas and arguments using appropriate evidence, language and accurate referencing | communicates ideas and arguments with referencing | communicates limited ideas and information with minimal referencing  |

|  |
| --- |
| **Achievement Standards for Legal Studies** **T Course - Year 11** |
|  | A student who achieves an **A** grade typically | A student who achieves a **B** grade typically | A student who achieves a **C** grade typically | A student who achieves a **D** grade typically | A student who achieves an **E** grade typically |
| Knowledge and understanding | critically analyses the structures, institutions, processes and practices of Legal Studies and evaluates the interrelationship between the Legal Studies and society | analyses the structures, institutions, processes and practices of Legal Studies and explains the interrelationship between the Legal Studies and society | explains the structures, institutions, processes and practices of Legal Studies and describes the interrelationship between the Legal Studies and society | describes the structures, institutions, processes and practices of Legal Studies with some reference to the interrelationship between the Legal Studies and society | identifies the structures, institutions, processes and practices of Legal Studies with some little or no reference to the interrelationship between the Legal Studies and society |
| critically analyses legal concepts and principles and evaluates their significance locally, nationally and globally | analyses legal concepts and principles and explains their significance locally, nationally and globally | explains legal concepts and principles and describes their significance locally, nationally and globally | describes legal concepts and principles with some reference to their significance locally, nationally and globally | identifies legal concepts and principles with little or no reference to their significance locally, nationally and globally |
| critically analyses the nature and purpose of politics/law and evaluates the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts and discusses values and attitudes | analyses the nature and purpose of politics/law and explains the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts and describes values and attitudes | explains the nature and purpose of politics/law and describes the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts and outlines values and attitudes | describes the nature and purpose of politics/law with some reference to the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts  | identifies the nature and purpose of politics/law with little or no reference to the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts |
| synthesises and analyses a variety of viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems | compares and analyses viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems | compares and explains viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems | describes viewpoints, ideas and decisions and makes some reference to how individuals and groups can influence the stability of, and changes to legal systems | identifies viewpoints and ideas with little or no reference to how individuals and groups can influence the stability of, and changes to legal systems |
| Skills | evaluates information to draw evidence based conclusions to solve problems | analyses information to draw evidence based conclusions to solve problems | interprets information to draw evidence based conclusions to solve problems | interprets information with some relationship to the problem being addressed | describes information with little or no relationship to the problem being addressed |
| constructs logical, reasoned and convincing arguments to thoroughly justify valid conclusions, decisions judgments and recommendations | constructs convincing arguments to justify valid conclusions, decisions judgments and recommendations | constructs arguments to justify conclusions, decisions judgments and recommendations | constructs arguments with some reference to conclusions, decisions judgments and recommendations  | constructs arguments with little or no reference to conclusions, decisions judgments and recommendations |
| develops focus questions to frame an inquiry and conducts comprehensive research using a wide range of sources and methods | develops focus questions to frame an inquiry and conducts research using a range of sources and methods | develops focus questions for an inquiry and conducts research using sources and methods | uses inquiry questions to conduct research derived from sources | uses inquiry questions to conduct research |
| communicates complex ideas with coherent and sustained arguments with analysis of evidence, detailed annotations, using appropriate language and accurate referencing | communicates complex ideas and coherent arguments using appropriate evidence, language and accurate referencing | communicates ideas and arguments using appropriate evidence, language and accurate referencing | communicates ideas and arguments with referencing | communicates limited ideas and information with minimal referencing  |

|  |
| --- |
| Achievement Standards for Legal Studies A Course - Year 12 |
|  | *A student who achieves an* ***A*** *grade typically* | *A student who achieves a* ***B*** *grade typically* | *A student who achieves a* ***C*** *grade typically* | *A student who achieves a* ***D*** *grade typically* | *A student who achieves an* ***E*** *grade typically* |
| Knowledge and understanding | analyses the structures, institutions, processes and practices of Legal Studies and explains the interrelationship between the legal system and society | explains the structures, institutions, processes and practices of Legal Studies and describes the interrelationship between the legal system and society | describes the structures, institutions, processes and practices of Legal Studies and outlines the interrelationship between the Legal Studies and society | identifies the structures, institutions, processes and practices of Legal Studies with some reference to the interrelationship between the legal system and society | identifies the structures, institutions, processes and practices of Legal Studies with little or no reference to the interrelationship between the Legal Studies and society |
| analyses Legal Studies concepts and principles and explains their significance locally, nationally and globally | explains Legal Studies and principles and describes their significance locally, nationally and globally | describes Legal Studies concepts and principles and outlines their significance locally, nationally and globally | identifies Legal Studies concepts and principles with some reference to their significance locally, nationally and globally | identifies Legal Studies concepts and principles with little or no reference to their significance locally, nationally and globally |
| compares viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to Legal Studies | explains viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to Legal Studies | describes viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to Legal Studies | identifies viewpoints, ideas and decisions and makes some reference how individuals and groups can influence the stability of, and changes to Legal Studies | identifies viewpoints and ideas with little or no reference how individuals and groups can influence the stability of, and changes to Legal Studies |
| Skills | analyses information to draw evidence based conclusions to solve problems | interprets information to draw evidence based conclusions to solve problems | interprets information to draw conclusions to solve problems | interprets information with some relationship to the problem being addressed |  describes information with little or no relationship to the problem being addressed |
| constructs logical, reasoned and convincing arguments to thoroughly justify valid conclusions, decisions judgments and recommendations | constructs convincing arguments to justify valid conclusions, decisions judgments and recommendations | constructs arguments to justify conclusions, decisions judgments and recommendations | constructs arguments with some reference to conclusions, decisions judgments and recommendations  | constructs arguments with little or no reference to conclusions, decisions judgments and recommendations |
| develops focus questions to frame an inquiry and conducts comprehensive research using a wide range of sources and methods | develops focus questions to frame an inquiry and conducts research using a range of sources and methods | develops focus questions for an inquiry and conducts research using sources and methods | uses inquiry questions to conduct research derived from sources | uses inquiry questions to conduct research |
| communicates complex ideas with coherent and sustained arguments with analysis of evidence, detailed annotations, using appropriate language and accurate referencing | communicates complex ideas and coherent arguments using appropriate evidence, language and accurate referencing | communicates ideas and arguments using appropriate evidence, language and accurate referencing | communicates ideas and arguments with referencing | communicates limited ideas and information with minimal referencing  |

|  |
| --- |
| Achievement Standards for Legal Studies T Course - Year 12 |
|  | A student who achieves an **A** grade typically | A student who achieves a **B** grade typically | A student who achieves a **C** grade typically | A student who achieves a **D** grade typically | A student who achieves an **E** grade typically |
| Knowledge and understanding | * critically analyses the structures, institutions, processes and practices of Legal Studies and evaluates the interrelationship between the Legal Studies and society
 | * analyses the structures, institutions, processes and practices of Legal Studies and explains the interrelationship between the Legal Studies and society
 | * explains the structures, institutions, processes and practices of Legal Studies and describes the interrelationship between the Legal Studies and society
 | * describes the structures, institutions, processes and practices of Legal Studies with some reference to the interrelationship between the Legal Studies and society
 | * identifies the structures, institutions, processes and practices of Legal Studies with some little or no reference to the interrelationship between the Legal Studies and society
 |
| * critically analyses legal concepts and principles and evaluates their significance locally, nationally and globally
 | * analyses legal concepts and principles and explains their significance locally, nationally and globally
 | * explains legal concepts and principles and describes their significance locally, nationally and globally
 | * describes legal concepts and principles with some reference to their significance locally, nationally and globally
 | * identifies legal concepts and principles with little or no reference to their significance locally, nationally and globally
 |
| * critically analyses the nature and purpose of law and evaluates the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts and discusses values and attitudes
 | * analyses the nature and purpose of law and explains the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts and describes values and attitudes
 | * explains the nature and purpose of law and describes the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts and outlines values and attitudes
 | * describes the nature and purpose of law with some reference to the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts
 | * identifies the nature and purpose of law with little or no reference to the significance of ideas, movements, events and developments in personal, cultural, social and historical contexts
 |
| * critically analyses types and forms of power as used by individuals, groups or countries and evaluates representations and interpretations to [explain](http://www.australiancurriculum.edu.au/glossary/popup?a=SSAS&t=Explain) legal issues
 | * analyses types and forms of power as used by individuals, groups or countries and explains representations and interpretations to [explain](http://www.australiancurriculum.edu.au/glossary/popup?a=SSAS&t=Explain) legal issues
 | * explains types and forms of power as used by individuals, groups or countries and describes representations and interpretations of legal issues
 | * describes types and forms of power as used by individuals, groups or countries and describes representations and interpretations of legal issues
 | * identifies types and forms of power as used by individuals, groups or countries with little or no reference to representations and interpretations of legal issues
 |
| * synthesises and analyses a variety of viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems
 | * compares and analyses viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems
 | * compares and explains viewpoints, ideas and decisions to present an understanding that individuals and groups can influence the stability of, and changes to legal systems
 | * describes viewpoints, ideas and decisions and makes some reference to how individuals and groups can influence the stability of, and changes to legal systems
 | * identifies viewpoints and ideas with little or no reference to how individuals and groups can influence the stability of, and changes to legal systems
 |
| Skills | * evaluates information to draw evidence based conclusions to solve problems
 | * analyses information to draw evidence based conclusions to solve problems
 | * interprets information to draw evidence based conclusions to solve problems
 | * describes information with some relationship to the problem being addressed
 | * describes information with little or no relationship to the problem being addressed
 |
| * constructs logical, reasoned and convincing arguments to thoroughly justify valid conclusions, decisions judgments and recommendations
 | * constructs convincing arguments to justify valid conclusions, decisions judgments and recommendations
 | * constructs arguments to justify conclusions, decisions judgments and recommendations
 | * constructs arguments with some reference to conclusions, decisions judgments and recommendations
 | * constructs arguments with little or no reference to conclusions, decisions judgments and recommendations
 |
| * analyses and reflects with insight on ethical, social and environmental implications and consequences of legal practices in different contexts
 | * analyses with insight on social, and environmental implications and consequences of legal practices in different contexts
 | * explains social, and environmental implications and consequences of legal practices in different contexts
 | * describes some social, and environmental consequences and implications of legal practices in familiar contexts
 | * identifies minimal social, and environmental consequences of legal practices in familiar contexts
 |
| * develops focus questions to frame an inquiry and conducts comprehensive research using a wide range of sources and methods
 | * develops focus questions to frame an inquiry and conducts research using a range of sources and methods
 | * develops focus questions for an inquiry and conducts research using sources and methods
 | * uses inquiry questions to conduct research derived from sources
 | * uses inquiry questions to conduct research
 |
| * communicates complex ideas with coherent and sustained arguments in a variety of forms and mediums with analysis of evidence, detailed annotations, using appropriate language and accurate referencing
 | * communicates complex ideas and coherent arguments in a variety of forms and mediums using appropriate evidence, language and accurate referencing
 | * communicates ideas and arguments in a limited range of forms and mediums using appropriate evidence, language and accurate referencing
 | * communicates ideas and arguments in a limited range of forms and mediums with referencing
 | * communicates limited ideas and information with minimal referencing
 |

|  |
| --- |
| Achievement Standards for Legal Studies M Course - Years 11 and 12 |
|  | *A student who achieves an* ***A*** *grade typically* | *A student who achieves a* ***B*** *grade typically* | *A student who achieves a* ***C*** *grade typically* | *A student who achieves a* ***D*** *grade typically* | *A student who achieves an* ***E*** *grade typically* |
| Knowledge and understanding | * describes structures, processes and practices of Legal Studies with independence
 | * describes structures, processes and practices of Legal Studies with some assistance
 | * recounts basic structures, processes and practices of Legal Studies with occasional assistance
 | * identifies basic structures, processes and practices of Legal Studies with continuous assistance
 | * identifies basic structures, processes and practices of Legal Studies with direct instruction
 |
| * describes basic legal concepts and principles with independence
 | * describes basic legal concepts and principles with assistance
 | * recounts basic legal concepts and principles with occasional assistance
 | * identifies basic legal concepts and principles with continuous assistance
 | * identifies basic legal concepts and principles with direct instruction
 |
| Skills | * plans and undertakes independent legal inquiries with independence
 | * plans and undertakes independent legal inquiries with assistance
 | * undertakes guided legal inquiries with occasional assistance
 | * undertakes guided legal inquiries with continuous guidance
 | * undertakes simple research on a topic with direct instruction
 |
| * applies concepts and principles for decision making and problem-solving with independence
 | * applies concepts and practices for decision making and problem-solving with assistance
 | * applies concepts and principles for decision making and problem-solving with occasional assistance
 | * applies concepts and principles for decision making and problem-solving with continuous guidance
 | * applies concepts and models with direct instruction
 |
| * communicates ideas and arguments using appropriate evidence, language and accurate referencing with independence
 | * communicates ideas and arguments using appropriate evidence, language and accurate referencing with assistance
 | * communicates ideas and arguments using appropriate evidence, language and accurate referencing with occasional assistance
 | * communicates ideas and arguments using appropriate evidence, language and accurate referencing with continuous guidance
 | * communicates ideas and arguments using appropriate evidence, language and accurate referencing with direct instruction
 |

# Crime, Justice & Legal System Value: 1.0

#### Crime, Justice & Legal System a Value: 0.5

#### Crime, Justice & Legal System b Value: 0.5

## Unit Description

In this unit, students study the complexity and limitations of the criminal justice system in achieving justice. Through the use of a range of contemporary examples, students investigate criminal law, processes and institutions and the tension between community interests and individual rights and freedoms.

## Specific Unit Goals

This unit should enable students to:

|  |  |  |
| --- | --- | --- |
| **T Course** | **A Course** | **M Course** |
| * understand the legal system and the significance of the rule of law
 | * understand the legal system and the significance of the rule of law
 | * understand the legal system
 |
| * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 |

## Content Descriptions

All knowledge, understanding and skills below must be delivered:

|  |  |  |
| --- | --- | --- |
| **T Course** | **A Course** | **M Course** |
| **Structures, institutions, processes and practices** |
| * critically analyse legal concepts including structures, processes and principles
 | * analyse legal concepts including structures, processes and principles
 | * describe legal concepts
 |
| * evaluate the effectiveness of the legal system in addressing issues
 |  |  |
| * apply legal principles and procedures
 | * apply legal principles and procedures
 |  |
| **Legal concepts and principles** |
| * critically analyse key concepts and principles
 | * analyse key concepts and principles
 | * describe key concepts and principles
 |
| * apply the key principles to relevant cases, and discuss the impact of law on the

individual and society  | * applies legal concepts and terminology
 |  |

|  |  |  |
| --- | --- | --- |
| **T Course** | **A Course** | **M Course** |
| **Nature and purpose of law** |
| * critically analyse the impact of the legal system on the lives of individuals and on society
 | * analyse the impact of the legal system on the lives of individuals and on society
 |  |
| * critically analyses the nature and purpose of laws in different contexts, locally, nationally and globally
 |  |  |
| * evaluate the nature and operation of aspects of the Australian legal system
 | * analyse the nature and operation of aspects of the Australian legal system
 |  |
| * examine the ethical and social implications of legal issues
 |  |  |
| **Types and forms of power** |
| * evaluate legal outcomes and their social implications
 | * analyse legal outcomes and their social implications
 | * describe legal outcomes and their social implications
 |
| * analyse the tension between community interests and individual rights and freedoms
 |  |  |
| **Viewpoints, ideas and decisions** |
| * analyses the role of law in encouraging cooperation and resolving conflict, as well as initiating and responding to change
 | * analyses the role of law in encouraging cooperation and resolving conflict
 |  |
| * evaluates the effectiveness of the law in achieving justice
 | * analyse the effectiveness of the law in achieving justice
 |  |
| * analyses differing perspectives and interpretations of legal information and issues
 | * analyses differing perspectives and interpretations of legal information and issues
 |  |
| **Inquiry and research** |
| * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process, accessing a variety of relevant sources (
 | * plan and implement an effective research process
 |
| * organise and present information effectively, using written and non-written formats which are grammatically and technically correct
 | * organise and present information effectively, using written and non-written formats
 | * organise and present information effectively, using written and non-written formats
 |

|  |  |  |
| --- | --- | --- |
| **T Course** | **A Course** | **M Course** |
| **Communication** |
| * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
* communicate informed observations and opinions on contemporary legal issues and debates, using legal terminology and appropriate acknowledgment of sources.
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 |

## Electives

For a standard 1.0 unit, a student must study a minimum of TWO electives from the table below.

For a half-standard 0.5 unit, a student must study a minimum of ONE elective from the table below.

### The Criminal Justice and Political System

Concepts and principles of the criminal justice and political system, for example, how and why laws are made, defined, interpreted and enforced within the criminal justice and political system, concept of the rule of law, the adversarial system, hierarchy of the court system in Australia and the characteristics of a just law or judicial decision and the relationship between justice, various types of crime, defences, mitigating and aggravating factors, principle of justice for all, discretion, presumption of innocence, double jeopardy, right to silence, right to legal representation, burden and standard of proof, a fair and equitable justice system.

Institutions of criminal justice and political system, for example, the federal and state Parliaments, criminal jurisdiction in federal and state criminal courts, and the High Court of Australia, police, Director of Public Prosecutions, juries, legal aid, and prisons.

Nature and purpose of criminal justice and political system, for example, the influences on the social, cultural, moral, political and economic systems in Australia, the differences between criminal and civil law, customary laws, and the principles of jurisdiction, rules, norms and customs in Australian society, the various types of crime against person/property, the elements of a crime, the criminal process from investigation to the outcome and everything in between.

Processes and practices to address individual and/or group issues, for example the various State and Territory criminal legislation, The Australian Constitution, Legislative process –Commonwealth/State/Territory, precedents, jurisdictional issues and access to justice in Australia and case studies. The right to legal representation, rules of evidence, doctrines such as innocent until proven guilty and double jeopardy, the right to a judge vs jury trial, the cab rank rule, the fused profession of barrister/solicitors, court hierarchy, role of tribunals, royal commissions, Indigenous circle sentencing courts, appeal grounds, matters of fact, matters of law, rules of evidence, overruling and reversing of decisions.

Significance of criminal justice and political system in a range of contexts, for example, creating laws in a changing society, impact on minority groups, customary laws, mediation and restorative justice, abuse of power, mandatory sentencing, media influence, victim impact and the notion of equality before the law.

How values and attitudes in criminal justice and political system have shifted in the past, for example, changing government priorities, change in society’s values, beliefs and norms, growth in population, new technologies, development of new medical knowledge, higher scrutiny on cases through social media and changes in law itself and how it is administered.

Representations and interpretations of criminal justice and political system, for example, attitudes of politicians and judiciary on interpreting and applying the law. Comparison of similar cases and their outcomes on individuals.

### Sentencing, Incarceration, Prisons and Detention

Concepts and principles of sentencing, incarceration, prisons and detention, for example, purpose of incarceration and sentencing (retribution, revenge, punishment, rehabilitation), types of sentencing, victim and community impact statements, the privatisation of prisons, prisoners’ rights, types of prisons, prison life, government, parole, never to be released, education and other rehabilitative programs.

Institutions of sentencing, incarceration, prisons and detention, for example, the federal and state Parliaments, criminal jurisdiction in federal and state courts, the High Court of Australia, police, Director of Public Prosecutions, juries, legal aid, various correctional institutions, and various programs for prisoner release across Australia.

Nature and purpose of sentencing, incarceration, prisons and detention, for example, recidivism, the various responses of overcrowding of prisons, power imbalances that exist both within and out of prisons, alternative sentences to detention, death penalty, purpose of the criminal justice system, alternatives to adversarial justice systems.

Processes and practices to address individual and/or group issues, for example the various State and Territory Criminal legislation, Legislative process – Commonwealth/State/Territory, jurisdictional issues, customary law, restorative justice, mandatory sentencing, sentencing guidelines and the role of judicial discretion.

Significance of sentencing, incarceration, prisons and detention in a range of contexts, for example, the relationship between society, political popularism, and sentencing, the impact on society in changing laws, impact on criminals once they are released to obtain work, housing and making contributions to society.

How values and attitudes in sentencing, incarceration, prisons and detention affect and shape changing government priorities and, change society’s values, beliefs and norms, and higher scrutiny on cases through social media.

Representations and interpretations of sentencing, incarceration, prisons and detention, for example, attitude of politicians, judiciary, police and community expectations on preventing crime and detaining people. Comparison of similar cases and their outcomes on individuals.

### Justice and Vulnerable People

Concepts and principles of justice and vulnerable people, for example, how laws are interpreted through the judicial process, types of hearings, role of victims, procedure, evidence, the role of the media and politics on the criminal justice system in determining laws, cultural influences, how vulnerable people are treated such as juveniles, women, migrants, homeless, elderly, young people, people with mental health issues and other impairments, Indigenous Australians, people with alcohol and drug issues.

Institutions of justice and vulnerable people, for example, the federal and state Parliaments, criminal jurisdiction in federal and state criminal courts, the High Court of Australia, police, Director of Public Prosecutions, juries, legal aid, and prisons, juvenile detention, mental health facilities, drug and alcohol services, shelters, halfway houses, refuges, and aged care facilities.

Nature and purpose of justice and vulnerable people, for example, access to justice, access to legal aid, discretion surrounding police powers, relationship between courts, police and vulnerable people, and the social, legal, political and cultural challenges of achieving justice.

Processes and practices to address individual and/or group issues, for example Commonwealth/State/Territory legislation, jurisdictional issues, customary law, restorative justice, judicial discretion, role of the state and access to justice in Australia.

Significance of justice and vulnerable people in a range of contexts, for example, the role of the Children’s court, Family court and other courts in relation to vulnerable people and their processes, impact of pre-sentence reports, societal and political influences and future issues/solutions for change.

How values and attitudes in justice and vulnerable people have shifted in the past, for example, changing government priorities, change in society’s values, beliefs and norms, growth in population, new technologies, political issues on reform for change, higher scrutiny on cases through social media and changes to the criminal process.

Representations and interpretations of justice and vulnerable people, for example, attitude of politicians, judiciary, police and community on the justice process.

### Criminology

Concepts and principles of criminology, for example, how laws are interpreted through the judicial process and impact on society. Theories of crime, understanding how society reacts and responds to crime, how media influences society, politics and the judicial system in criminal matters. Impact of crime on various socio economic areas and the response to victims/defendants.

Institutions of criminology, for example, the federal and state Parliaments, criminal jurisdiction in federal and state criminal courts, the High Court of Australia, police, Director of Public Prosecutions, juries, legal aid, Australian Institute of Criminology and prisons.

Nature and purpose of criminology, for example, the various responses of police to criminal hot spots, power imbalances, purpose of the criminal justice system, alternatives to adversarial justice systems.

Processes and practices to address individual and/or group issues, for example the various State and Territory Criminal legislation, Legislative process – Commonwealth/State/Territory, jurisdictional issues, customary law, restorative justice, mandatory sentencing, role of the state and access to justice in Australia, case studies and statistics.

Significance of criminology in a range of contexts, for example, why people do the things they do, the role of society in changing laws, impact on criminals, role of media on defendants and the presumption of innocence, changing government priorities, decriminalising crimes, change in society’s values, beliefs and norms, growth in population, new technologies, political issues on reform for change, higher scrutiny on cases through social media.

Representations and interpretations of criminology, for example, attitude of politicians, judiciary, police and community on the criminal justice system. Comparison of similar cases and their outcomes on individuals.

## A guide to reading and implementing content descriptions

Content descriptions specify the knowledge, understanding and skills that students are expected to learn and that teachers are expected to teach. Teachers are required to develop a program of learning that allows students to demonstrate all the content descriptions. The lens which the teacher uses to demonstrate the content descriptions may be either guided through provision of electives within each unit or determined by the teacher when developing their program of learning.

A program of learningis what a college provides to implement the course for a subject. It is at the discretion of the teacher to emphasis some content descriptions over others. The teacher may teach additional (not listed) content provided it meets the specific unit goals. This will be informed by the student needs and interests.

## Assessment

Refer to pages 10-12.

# Civil Law & Dispute Resolution Value: 1.0

#### Civil Law & Dispute Resolution a Value: 0.5

#### Civil Law & Dispute Resolution b Value: 0.5

## Unit Description

In this unit, students study the rights and responsibilities that exists between individuals, groups and organisations and the resolution of civil disputes through courts and other mechanisms. Through the use of a range of contemporary examples, students investigate civil law, processes and institutions, and develop an appreciation of the role of civil law in society.

## Specific Unit Goals

This unit should enable students to:

|  |  |  |
| --- | --- | --- |
| **T Course** | **A Course** | **M Course** |
| * understand the legal system and the significance of the rule of law
 | * understand the legal system and the significance of the rule of law
 | * understand the legal system
 |
| * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 |

## Content Descriptions

All knowledge, understanding and skills below must be delivered:

|  |  |  |
| --- | --- | --- |
| **T Course** | **A Course** | **M Course** |
| **Structures, institutions, processes and practices** |
| * critically analyse legal concepts including structures, processes and principles
 | * analyse legal concepts including structures, processes and principles
 | * describe legal concepts
 |
| * evaluate the effectiveness of the legal system in addressing issues
 |  |  |
| * apply legal principles and procedures
 | * apply legal principles and procedures
 |  |
| **Legal concepts and principles** |
| * critically analyse key concepts and principles (
 | * analyse key concepts and principles
 | * describe key concepts and principles
 |
| * apply the key principles to relevant cases, and discuss the impact of law on the individual and society
 | * applies legal concepts and terminology
 |  |

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Nature and purpose of law** |
| * critically analyse the impact of the legal system on the lives of individuals and on society
 | * analyse the impact of the legal system on the lives of individuals and on society
 |  |
| * critically analyses the nature and purpose of laws in different contexts, locally, nationally and globally
 |  |  |
| * evaluate the nature and operation of aspects of the Australian legal system
 | * analyse the nature and operation of aspects of the Australian legal system
 |  |
| * examine the ethical and social implications of legal issues
 |  |  |
| **Types and forms of power** |
| * evaluate legal outcomes and their social implications
 | * analyse legal outcomes and their social implications
 | * describe legal outcomes and their social implications
 |
| * analyse the tension between community interests and individual rights and freedoms
 |  |  |
| **Viewpoints, ideas and decisions** |
| * analyses the role of law in encouraging cooperation and resolving conflict, as well as initiating and responding to change
 | * analyses the role of law in encouraging cooperation and resolving conflict
 |  |
| * evaluates the effectiveness of the law in achieving justice
 | * analyse the effectiveness of the law in achieving justice
 |  |
| * analyses differing perspectives and interpretations of legal information and issues
 | * analyses differing perspectives and interpretations of legal information and issues
 |  |
| **Inquiry and research** |
| * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process
 |
| * organise and present information effectively, using written and non-written formats which are grammatically and technically correct
 | * organise and present information effectively, using written and non-written formats
 | * organise and present information effectively, using written and non-written formats
 |

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Communication** |
| * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
* communicate informed observations and opinions on contemporary legal issues and debates, using legal terminology and appropriate acknowledgment of sources.
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 |

## Electives

For a standard 1.0 unit, a student must study a minimum of TWO electives from the table below.

For a half-standard 0.5 unit, a student must study a minimum of ONE elective from the table below.

### The Civil, Legal and Political System

Concepts and principles of the civil legal and political system, for example, the areas of civil law, sources of civil law (judge-made law and precedent, statute law and the legislative process), influences on the development of civil law, the adversarial system, standard of proof in civil law matters, players in the civil law legal process.

Institutions of the civil legal and political system, for example, the federal and state Parliaments, civil jurisdiction in federal and state courts, small claims courts (ACAT), and alternative forms of dispute resolution.

Nature and purpose of the civil legal and political systems, for example, regulation of rights and obligations between private individuals and organisations, providing a forum for resolving disputes amongst private individuals and organisations, purposes of civil law, differences between criminal and civil law.

Processes and practices to address individual and/or group complaints, for example, agreements between parties, role of legal representation, third party intervention (courts, tribunals, ombudsman), the civil law court process ( litigation and trial procedure such as civil trials, role of tribunals, mediation and arbitration, counselling, out of court settlements ,class actions, appeals), and statute of limitations.

Significance of the civil legal and political system in a range of contexts, for example, creating laws in a changing society, impact on different groups, media influence, access to justice, and scope, adequacies and impact of remedies.

How values and attitudes in relation to the civil legal and political system have changed, for example, the effects of an increasingly litigious society, legislative intervention to limit the effect of court decisions, the role of insurance and insurance companies, the effect of changing social and economic ideas in relation to the environment, social media, technology and communication, the application of civil law and the issues that arise, how and why civil laws change, media representations of judicial outcomes.

Representations and interpretations of the civil legal and political system, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Entertainment and the Law

Concepts and principles of entertainment and the law, for example, intangible property, intellectual property rights, media contracts including sponsorship and endorsement, entertainment as a commodity, negligence, trespass to the person, reputation and defamation in the media, role of law in media, and restraint of trade.

Institutions of entertainment and the law, for example, role of legal representation, industry disputes, tribunals, specialist bodies, government agencies, international bodies, media, agents, players, and coaches and administrators.

Nature and purpose of entertainment and the law, for example, protecting a creator’s economic and human rights in relation to their intellectual effort, balancing the moral, ethical and economic interests in the development and exploitation of ideas, and protecting the rights of personalities.

Processes and practices to address individual and/or group complaints, for example, *Copyright Act 1968, Designs Act 2003, Patents Act 1990, Trade Marks Act 1995*, sporting codes, anti-doping codes, sponsorship contracts, endorsements, image management, insurance, discrimination, and social media rules.

Significance of entertainment and the law in a range of contexts, for example, copyright, moral rights, designs, patents, trade marks, contracts, negligence, defamation, civil and criminal assault, technology, media and social media.

How values and attitudes in entertainment and the law have changed, for example, changes in technology that has enabled increased infringement of intellectual property rights, changing notions of property ownership, rise in information sharing and creation, economic value of media and sport celebrities, relationship between consumer products and celebrities, rise of social media, blurring of public and private lives for media and sporting personalities, salary caps, restrictive contracts, ownership in sport, drugs in sport, economic and social impact of scandals, personalities as role models, rise of powerful non-government sporting bodies (eg FIFA), impact of technology changes on the law, and media rights in sport.

Representations and interpretations of the civil legal and political system, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Employment, Business and the Law

Concepts and principles of employment, business and the law, for example, types of work relationships, types of workplace agreements, collective bargaining, freedom of association and assembly, rights and responsibilities of workers and employers, elements of a contract, conditions, warranties, remedies for breach of contract, relevance of consumer law, restraint of trade, awards, redundancy, workers’ compensation, Workplace Health and Safety, superannuation, types of leave entitlements, enterprise bargaining, minimum wage, unfair contracts, unfair dismissal, redundancy, types of business entities, securities, and takeovers.

Institutions of employment, business and the law, for example, civil law courts, small claims courts (ACAT), trade unions, alternative dispute resolution, employers’ associations, tribunals, commissions, government agencies, and Ombudsman.

Nature and purpose of employment, business and the law, for example, regulation of employer and employee relationships, means of resolving disputes between employers and employees, protection of workers from exploitation, protecting workers from death and injury, guarantee a minimum wage for all workers, redressing power imbalances between employers and employees, to regulate private agreements, imbalance of bargaining power in contractual relationships, and avenues to resolve contractual disputes.

Processes and practices to address individual and/or group complaints, for example, fair work legislation, anti-discrimination legislation, unfair contracts legislation, codes of conduct, courts, tribunals, government, and ombudsman.

Significance of employment, business and the law in a range of contexts, for example, exclusion clauses, minors, unconscionable conduct, fraud, capacity (minors), unsafe work practices, duties of employer and employee, sexual harassment, and discrimination.

How values and attitudes in employment, business and the law have changed, for example, government intervention, protection of workers, rise and demise of trade unions, way in which the law reflects social attitudes, casualisation of the workforce, contracting and outsourcing, corporate responsibility, impact of trade agreements, work-life balance, workplace bullying, job mobility, impact of technology, and public versus private employers/businesses.

Representations and interpretations of the civil legal and political system, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Property Law

Concepts and principles of property law, for example, real and personal property, concept of ownership, Torrens title, interests in land, ownership of subsoil and sky, ownership of land, native title, other types of title, possession and ownership, rights to quiet enjoyment, mortgages, conveyance, title and risk, insurance, wills, intestacy, probate, validity, legislative requirements, burdens and encumbrances on title, secured and unsecured interests, equitable and legal interests, property and nuisance, and property and contracts.

Institutions of property law, for example, legal representatives, real estate agents, government agencies, tribunals, small claims courts (ACAT), Property Law Council, Land and Environment Court, body corporates, civil court system, role of Foreign Investment and Review Board, crown ownership, and land titles register.

Nature and purpose of property law, for example, govern the roles and responsibilities of parties to real and personal property transactions, protects the interests of tenants, provides standard contract terms that balance rights and obligations, maintain register of property ownership, recognise proprietary interests, to enable property to be transferred after death, provide appropriate protection for dependents, provide rules on division of property in the event of intestacy, and to regulate agents.

Processes and practices to address individual and/or group complaints, for example, *Residential Tenancies Act 1997*, Mabo case, *Native Title Act 1993*, *Civil Law (Sale of Residential Property) Act 2003*, *Wills Act 1968*, standard tenancy agreement, The Renting Book (ACT), small claims courts (ACAT), probate jurisdiction of the courts, public trustee, and *Family Provision Act 1967*.

Significance of property law in a range of contexts, for example, contracts of leasing (rental arrangements), conveyancing, mortgages, personal property, wills, probate, intestacy, family provision, and public trustee.

How values and attitudes in property law have changed, for example, changing nature of people who can own property, great Australian dream and alternatives, rights and obligations of tenants and landlords, role of body corporates, use of hostels, boarding houses, caravan parks and other holiday accommodation, development of the human right to shelter, changing nature of the remedies available, rise of environmental law and impact on property rights, and recognition of native title and legislative regime for claims.

Representations and interpretations of the civil legal and political system, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Civil Wrongs

Concepts and principles of civil wrongs, for example, civil liability, tortfeasor, civil standard and burden of proof, remedies, duty of care, standard of care, vicarious liability, contributory negligence, voluntary assumption of risk, civil and criminal negligence, defamation, trespass, nuisance, and remedies.

Institutions of civil wrongs, for example, role of legal representation, the civil law court process (including, civil trials, class actions, alternative dispute resolution, government regulators, insurance providers, settlement conferences), and self-help remedies.

Nature and purpose of civil wrongs, for example, compensation, deterrence, allocation of responsibility, provide a remedy for injury sustained as a result of careless behaviour, resolve disputes about damages incurred, protect reputation, protect property rights, and protect rights of the person.

Processes and practices to address individual and/or group complaints, for example, legal representation, courts, tribunals, class actions, alternative dispute resolution, settlement conferences, negotiation, insurance providers, statute of limitations, *Civil Law (Wrongs) Act 2002*, and no-fault compensation schemes.

Significance of civil wrongs in a range of contexts, for example, negligence, statutory interventions, defamation, privacy, freedom of speech, public and private nuisance, trespass to land, trespass to person, trespass to goods, false imprisonment, sport, motor vehicle accidents, workplaces, and insurance crisis (public liability crisis).

How values and attitudes in civil wrongs have changed, for example, development of negligence, Ipp Report, the effects of an increasingly litigious society, impact of court decisions, legislative intervention to limit the effect of court decisions, the role of insurance and insurance companies, media representations of judicial outcomes, technology and defamation, balancing protection of reputation and freedom of speech, possible development of new torts (eg privacy), importance of tort law to the development of other areas of the law (for example, environmental law), and legislative intervention with respect to dangerous recreational activities.

Representations and interpretations of the civil legal and political system, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Family and the Law

Concepts and principles of family and the law, for example, family relationships, family roles and obligations, family types, marriage; de-facto relationships, civil unions, forced marriage, same-sex relationships, no-fault divorce, consent orders, best interests of the child, parenting responsibility, adoption; abortion, intersex, surrogacy, parentage, birth technologies, mediation, conciliation, counselling, parenting orders, family violence, and property division.

Institutions of relationships and the law, for example, alternative dispute resolution, mediators, Family Court, Federal Circuit Court, State/Territory courts, police, government agencies, non-government agencies, religious institutions, media, and international treaties and organisations.

Nature and purpose of relationships and the law, for example, providing legal recognition of certain family relationships, imposing rights and obligations on family members, resolving disputes in the family unit, providing for the dissolution of and changes in family relationships, protecting family members in situations of family violence or abuse, protecting family members on dissolution of family relationships.

Processes and practices to address individual and/or group complaints, for example, role of legal representation, counselling, mediation, and conciliation.

Significance of relationships and the law in a range of contexts, for example, family structures, marriage, de-facto/domestic relationships, prohibited relationships, roles and responsibilities of family members, children, adoption, surrogacy, birth technologies, family violence, alternative dispute resolution, mediation, conciliation, and counselling.

How values and attitudes in relationships and the law have changed, for example, changing notions about what is a family, family roles and obligations, increase in surrogacy and birth technologies, society’s attitudes to family violence, best interests of the child and changing terminology in the *Family Law Act 1975*, rise in alternative dispute resolution in family breakdowns, criminalising forced marriage, role and resources of the Family Court to deal with family breakdowns, bioethical issues, pre-marriage counselling.

Representations and interpretations of the civil legal and political system, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

## A guide to reading and implementing content descriptions

Content descriptions specify the knowledge, understanding and skills that students are expected to learn and that teachers are expected to teach. Teachers are required to develop a program of learning that allows students to demonstrate all the content descriptions. The lens which the teacher uses to demonstrate the content descriptions may be either guided through provision of electives within each unit or determined by the teacher when developing their program of learning.

A program of learningis what a college provides to implement the course for a subject. It is at the discretion of the teacher to emphasis some content descriptions over others. The teacher may teach additional (not listed) content provided it meets the specific unit goals. This will be informed by the student needs and interests.

## Assessment

Refer to pages 10-12.

# Law, Government & Society Value: 1.0

#### Law, Government & Society a Value: 0.5

#### Law, Government & Society b Value: 0.5

## Unit Description

In this unit, students study legal rights and responsibilities in everyday life from different political, economic and social perspectives. Through the use of a range of contemporary examples, students investigate how the law attempts to balance the rights and responsibilities of the individual with the best interests of the wider community.

## Specific Unit Goals

This unit should enable students to:

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| * understand the legal system and the significance of the rule of law
 | * understand the legal system and the significance of the rule of law
 | * understand the legal system
 |
| * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 |

## Content Descriptions

All knowledge, understanding and skills below must be delivered:

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Structures, institutions, processes and practices** |
| * critically analyse legal concepts including structures, processes and principles
 | * analyse legal concepts including structures, processes and principles (
 | * describe legal concepts
 |
| * evaluate the effectiveness of the legal system in addressing issues
 |  |  |
| * apply legal principles and procedures
 | * apply legal principles and procedures
 |  |
| **Legal concepts and principles** |
| * critically analyse key concepts and principles
 | * analyse key concepts and principles
 | * describe key concepts and principles
 |
| * apply the key principles to relevant cases, and discuss the impact of law on the individual and society
 | * applies legal concepts and terminology
 |  |

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Nature and purpose of law** |
| * critically analyse the impact of the legal system on the lives of individuals and on society
 | * analyse the impact of the legal system on the lives of individuals and on society
 |  |
| * critically analyses the nature and purpose of laws in different contexts, locally, nationally and globally
 |  |  |
| * evaluate the nature and operation of aspects of the Australian legal system
 | * analyse the nature and operation of aspects of the Australian legal system
 |  |
| * examine the ethical and social implications of legal issues
 |  |  |
| **Types and forms of power** |
| * evaluate legal outcomes and their social implications
 | * analyse legal outcomes and their social implications
 | * describe legal outcomes and their social implications
 |
| * analyse the tension between community interests and individual rights and freedoms
 |  |  |
| **Viewpoints, ideas and decisions** |
| * analyses the role of law in encouraging cooperation and resolving conflict, as well as initiating and responding to change
 | * analyses the role of law in encouraging cooperation and resolving conflict
 |  |
| * evaluates the effectiveness of the law in achieving justice
 | * analyse the effectiveness of the law in achieving justice
 |  |
| * analyses differing perspectives and interpretations of legal information and issues
 | * analyses differing perspectives and interpretations of legal information and issues
 |  |
| **Inquiry and research** |
| * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process, accessing a variety of relevant sources (
 | * plan and implement an effective research process
 |
| * organise and present information effectively, using written and non-written formats which are grammatically and technically correct
 | * organise and present information effectively, using written and non-written formats
 | * organise and present information effectively, using written and non-written formats
 |

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Communication** |
| * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
* communicate informed observations and opinions on contemporary legal issues and debates, using legal terminology and appropriate acknowledgment of sources.
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 |

## Electives

For a standard 1.0 unit, a student must study a minimum of TWO electives from the table below.

For a half-standard 0.5 unit, a student must study a minimum of ONE elective from the table below.

### The Australian Legal and Political System

Concepts and principles of the Australian legal and political system such as the separation of powers doctrine, rule of law, norms and customs, classification of laws, responsible government, constitutional monarchy, Westminster system, federal system, republic, bicameral/unicameral systems, systems of government, hierarchy and arms of government, hierarchy and purpose of the court system, executive powers, distribution of power, and sources of law.

Institutions within the Australian legal and political system, their hierarchy, jurisdiction and powers including the High Court of Australia, other federal and state courts, federal and state parliaments and the executive government.

Nature and purpose of the Australian legal and political system including the constitutional monarchy framework, Westminster system, legislative process (Commonwealth, State and Territory), delegated legislation, doctrine of responsible government, democracy, and the process for the creation and interpretation of laws.

Processes and practices to address individual or group rights and freedoms for example, the role of the arms of government, Constitution, and interest groups.

Significance of law, government and society, for example, creating laws in a changing society, impact on different groups, media influence, access to justice, and scope, adequacies and impact of remedies.

How values and attitudes within the Australian legal and political system have shifted in the past including the illusive nature of justice, compensation and equality before the law, changing government priorities, change in society’s values, beliefs and norms, growth in population, new technologies, higher scrutiny of government and legal decisions, and changes in law itself and how it is administered.

Representations and interpretations of legal and political systems, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Politics and the Law

Concepts and principles of politics and the law, for example, making good law, individual rights and freedoms, judicial review, merits review, individual participation in government, transparency of legal process, accessibility of law, law reform, expansion of power, referendums, plebiscite, natural justice, and freedom of information.

Institutions of politics and the law, for example, Parliament, political parties, the executive, parliamentary committees, interest groups, courts, tribunals, Australian Electoral Commission, Governor-General, and media.

Nature and purpose of politics and law, for example, democracy, changing law with changing social values, compulsory voting, parliamentary privilege, state versus federal power, citizens’ rights against the state, and the implied right to freedom of political communication.

Processes and practices to address individual and/or group issues, for example, defamation, interest groups, formation of government, formation of political parties, the election process, preference deals, ratifying international treaties into domestic legislation, forms of community consultation, referendums, plebiscites and the transparency of such processes.

Significance of politics and the law in a range of contexts, for example, bill of rights, formation of government, media ownership laws, the role and power of the press, strategic leaks and the protection of sources, whistleblowers, and contempt of court.

How values and attitudes in politics and the law have shifted in the past, for example, change of party leaders, political alliances, the growth of minor parties and independents, and media bias.

Representations and interpretations of the civil legal and political system, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Consumers and the Law

Concepts and principles of consumer law, for example, consumer transactions, elements of a contract, express and implied terms and conditions, exclusion clauses, warranties, reasons for unenforceability of a contract, consumer rights and responsibilities, consumer guarantees, the difference between a minor and major failure and return of goods, and resulting consumer remedies.

Institutions of consumer law, for example the Australian Competition and Consumer Commission (ACCC), the Office of Regulatory Services (ACT)(*Access Canberra*) and Fair Trading offices (NSW, Vic etc), role of negligence and product safety legislation, legislative and industry regulators, consumer organisations and the media.

Nature and purpose of consumer law including maintaining the balance between multinational and corporate power and the power of the consumer, protecting vulnerable consumers, encouraging responsible business and consumer behaviour,

Processes and practices of consumer law to address individual and/or class action type complaints such as the *Competition and Consumer Act 2010 (Cth)*, negligence cause of action against retailers and manufacturers, the role of fair trading offices and product recalls.

Significance of consumer law in a range of common law and legislative contexts, for example, capacity of minors or those intoxicated, misleading and deceptive conduct and unconscionability.

How values and attitudes in consumer law have shifted in the context of technology, consumer access to knowledge, business structures and the growth of multi-national corporations, shopping habits, convenience and the durability of goods.

Representations and interpretations of consumer law, for example, attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Birth, Life and Death

Concepts and principles of birth, life and death, for example, the law that governs the human journey from birth to death from a legal, moral and ethical perspective including the common law approach to life and ownership in the human body, pro-life, pro-choice, how this approach conflicts with the advent and continued medical advancement in new birth technologies.

Institutions of birth, life and death, for example Birth, Deaths and Marriage Registrars, Artificial Insemination and IVF clinics and the State Government legislative approach, Hospices, Government, Aged Care, Medicare and health care, Nursing Homes, and Funeral services.

Nature and purpose of birth, life and death, for example, the law with respect to the birth, life and death processes including altruistic and commercial surrogacy, domestic and overseas adoption, sterilization of children, circumcision and female genital mutilation, euthanasia, medical consent and next of kin arrangements, organ donations and other end of life decisions.

Processes and practices of birth, life and death, for example, the process and policies that determine the legal approach to fertility treatment, powers of attorney, enduring guardianships and other succession issues.

Significance of birth, life and death, for example sexual and gender identification, including intersex, agender and non-specific gender identification, cultural and religious barriers and beliefs, sex and age discrimination, legislative age requirements and age expectancies amongst different racial groups.

How values and attitudes with respect to birth, life and death have shifted in reaction to a change in social, moral and economic impacts and considerations.

Representations and interpretations of birth, life and death, for example, attitudes of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Rights and Freedoms

Concepts and principles of right and freedoms, for example, individual and collective legal rights and freedoms recognised in Australia, such as freedom of assembly, freedom of association, freedom of speech, democracy, self-determination, how rights and freedoms affect different groups, such as women, Indigenous Australians, minority groups, the union movement and minors, the rule of law, bill of rights, discrimination, equal pay, welfare, affirmative action, the acknowledgement and incorporation of Aboriginal customary law within the Australian legal system, access to housing, employment, medical treatment, and other general services.

Institutions of rights and freedoms, for example those that work to guarantee rights and freedoms such as the Australian Constitution, the Federal and State governments including the judiciary, parliament and the executive, the Human Rights Commission, international law, treaties, covenants and protocols, Fair Work Commission, Ombudsman, unions, lobbyists and the media.

Nature and purpose of rights and freedoms in Australia, for example, ideals of equality, freedom from hate speech, privacy, balancing of individual and community rights, limits on government power.

Processes and practices of rights and freedoms in Australia, for example, rights and freedoms determined and enforced under common law, in legislation and under the Australian Constitution, the operation of constitutionally guaranteed freedoms such as freedom of religion, the right to a fair trial, the right to vote, the right to acquisition of property on just terms, implied right to freedom of political communication and freedom of association, and freedom from racial vilification.

Significance of rights and freedoms, for example, the rule of law, our Australian constitutional framework, the significance of the Magna Carta, recognition of Indigenous Australians and closing the gap on inequality and access to justice, protection of minorities, gender, age, race, disability anti-discrimination legislation and the social and cultural operation and continued existence of indirect discrimination such as the glass ceiling for women and the grey ceiling.

How values and attitudes in Australian democracy, both politically, economically and socially have affected individual and collective rights and freedoms including the power of the individual, protection of minorities, the importance of a free society and ideals of democracy.

Representations and interpretations of Australian rights and freedoms, for example, the attitude of democratically elected politicians, the judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Young People and the Law

Concepts and principles of Young People and the Law, for example, the legal rights and responsibilities of young people, definitions of adult, juvenile, youth, child under the law, historical background, socio-cultural dynamics and relationship dynamics, age of responsibility and liability, juvenile detention, pre-determining factors, group behaviour and responsibility, risk taking, Police profiling, transition to adulthood, education and employment.

Institutions of Young People and the Law, for example, Children’s Court, police, government departments and agencies, juvenile detention centres, education institutions, legal aid, support services, Australian Institute of Criminology, Institute of Family Studies.

Nature and purpose of Young People and the Law, for example, the effectiveness of the law toward young people, the view, influence on and impact of law reform.

Processes and practices of Young People and the Law, for example, young people and their relationship with the law, paying tax, medical consent, signing contracts, purchasing goods and services, role of social media, bullying and gangs, and how young people are dealt with by various stakeholders within the Australian legal system.

Significance of Young People and the Law, for example, the social, political and technological change on the law affecting young people including laws that address issues such as cybercrime, family issues including family violence, sexual issues, drugs, alcohol, driving, building respectful relationships, education, bullying, welfare benefits, restorative justice, naming and shaming, mediation and circle sentencing.

How values and attitudes in Young People and the Law, have shifted over time, for example personal integrity, medical issues, freedom of movement, criminal issues such as due process and natural justice.

Representations and interpretations of Young People and the Law, for example, the attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

## A guide to reading and implementing content descriptions

Content descriptions specify the knowledge, understanding and skills that students are expected to learn and that teachers are expected to teach. Teachers are required to develop a program of learning that allows students to demonstrate all the content descriptions. The lens which the teacher uses to demonstrate the content descriptions may be either guided through provision of electives within each unit or determined by the teacher when developing their program of learning.

A program of learningis what a college provides to implement the course for a subject. It is at the discretion of the teacher to emphasis some content descriptions over others. The teacher may teach additional (not listed) content provided it meets the specific unit goals. This will be informed by the student needs and interests.

## Assessment

Refer to pages 10-12.

# International Relations & Law Value: 1.0

#### International Relations & Law a Value: 0.5

#### International Relations & Law b Value: 0.5

## Unit Description

In this unit, students study the significance of Australia’s international legal and political responsibilities from different political, economic and social perspectives. Through the use of a range of contemporary examples, students investigate how the law attempts to balance the rights of individual states with their responsibilities in the wider global community.

## Specific Unit Goals

This unit should enable students to:

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| * understand the legal system and the significance of the rule of law
 | * understand the legal system and the significance of the rule of law
 | * understand the legal system
 |
| * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 |

## Content Descriptions

All knowledge, understanding and skills below must be delivered:

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Structures, institutions, processes and practices** |
| * critically analyse legal concepts including structures, processes and principles
 | * analyse legal concepts including structures, processes and principles
 | * describe legal concepts
 |
| * evaluate the effectiveness of the legal system in addressing issues
 |  |  |
| * apply legal principles and procedures
 | * apply legal principles and procedures
 |  |
| **Legal concepts and principles** |
| * critically analyse key concepts and principles
 | * analyse key concepts and principles
 | * describe key concepts and principles
 |
| * apply the key principles to relevant cases, and discuss the impact of law on the individual and society
 | * applies legal concepts and terminology
 |  |

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Nature and purpose of law** |
| * critically analyse the impact of the legal system on the lives of individuals and on society
 | * analyse the impact of the legal system on the lives of individuals and on society
 |  |
| * critically analyses the nature and purpose of laws in different contexts, locally, nationally and globally
 |  |  |
| * evaluate the nature and operation of aspects of the Australian legal system
 | * analyse the nature and operation of aspects of the Australian legal system
 |  |
| * examine the ethical and social implications of legal issues
 |  |  |
| **Types and forms of power** |
| * evaluate legal outcomes and their social implications
 | * analyse legal outcomes and their social implications
 | * describe legal outcomes and their social implications
 |
| * analyse the tension between community interests and individual rights and freedoms
 |  |  |
| **Viewpoints, ideas and decisions** |
| * analyses the role of law in encouraging cooperation and resolving conflict, as well as initiating and responding to change
 | * analyses the role of law in encouraging cooperation and resolving conflict
 |  |
| * evaluates the effectiveness of the law in achieving justice
 | * analyse the effectiveness of the law in achieving justice
 |  |
| * analyses differing perspectives and interpretations of legal information and issues
 | * analyses differing perspectives and interpretations of legal information and issues
 |  |
| **Inquiry and research** |
| * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process
 |
| * organise and present information effectively, using written and non-written formats which are grammatically and technically correct
 | * organise and present information effectively, using written and non-written formats
 | * organise and present information effectively, using written and non-written formats
 |
| T Course | A Course | M Course |
| **Communication** |
| * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
* communicate informed observations and opinions on contemporary legal issues and debates, using legal terminology and appropriate acknowledgment of sources.
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 |

## Electives

For a standard 1.0 unit, a student must study a minimum of TWO electives from the table below.

For a half-standard 0.5 unit, a student must study a minimum of ONE elective from the table below.

### International Relationships between Australia and the World

Concepts and principles of the Interrelationship between Australia and the World , for example, a historical overview, sources of law in Australia and internationally, the relationship between domestic law and international law, jurisdiction and the concept of state sovereignty in relation to the application of international legal principles, rule of law, the separation of powers doctrine, norms and customs, diplomatic and consular powers, extradition. trade agreements, international humanitarian law, globalisation and interdependence, multilateralism, borders, interests and motivations of government, warfare, genocide, responsibilities to protect citizens, and the role of foreign aid.

Institutions of the Interrelationship between Australia and the World, for example, Parliament, Judiciary, Non-government organisations (NGO), media, the United Nations, International Criminal Court and the International Court of Justice, Interpol, the concept of world government, regional federation, geographical and economic pacts.

Nature and purpose of the Interrelationship between Australia and the World, for example, peace and security for all, justice for individuals, preservation of sovereign rights, interaction of domestic parliaments, courts and the executive with international institutions and frameworks, types of conflict, barriers to world order and methods of change, and economic prosperity to address global inequality and unrest.

Process and practices of the Interrelationship between Australia and the World, for example, world systems such as common law, civil law and customary laws, diplomacy, consular support, the principles of jurisdiction and the role of international agreements, declarations, statutes, and treaties, establishing world order including international legal bodies, customary law, the regulation of conduct through war, peacekeeping, peace enforcement, trade agreements, the role of diplomacy, and approach to humanitarian issues.

Significance of the Interrelationship between Australia and the World, for example, international law in maintaining security for groups and individuals and the effectiveness of the available instruments, role of social media, individuals including celebrities, multi-national corporations, philanthropists, and other invested parties.

How values and attitudes of the Interrelationship between Australia and the World have shifted, for example how different groups around the world influence the legal and political systems, role of media, technology, lobby groups, NGO and other agencies, the effectiveness of international law in achieving justice for individuals and for nation states.

Representations and interpretations of the Interrelationship between Australia and the World, for example, the attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals. the attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### International Crime, Conflicts and Terrorism

Concepts and principles of International crime, conflicts and terrorism, for example, the relationship between international criminal law, customary law and domestic law, extradition, political, social and economic unrest, causes of terrorism, religious and political ideologies, war crimes, genocide, borders, changing nature of warfare, intercountry co-operation, jurisdictional issues, extra-territorial reach, domestic and international cybercrime.

Institutions of International crime, conflicts and terrorism, for example, the creation and enforcement of international criminal law including the International Criminal Court, supranational tribunals (such as the International Criminal Court and the European Court of Human rights), Interpol, and other domestic and international and government investigative agencies.

Nature and purpose of International crime, conflicts and terrorism, for example, international crime including drug trafficking, arms trafficking, money laundering, smuggling, crimes against humanity, human trafficking, modern day slavery, child labour, sex trade, crimes against peace, war crimes and terrorism.

Process and practices in International crime, conflicts and terrorism, for example, detecting international crime including the role of Interpol, how intergovernmental agencies cooperate to prevent, detect and prosecute perpetrators of crime and terrorism, the death penalty.

Significance of International crime, conflicts and terrorism on the rights and freedoms of individuals across the world through the exploration of case studies of current and past criminal and terrorist activities, the aftermath on social, economic and political frameworks, foreign aid,

How values and attitudes concerning International crime, conflicts and terrorism has shifted over time, for example, the influence what is defined as a crime or a terrorist act, and how the values and policies of individuals and nation states impact on the detection and enforcement of international criminal laws.

Representations and interpretations of International crime, conflicts and terrorism, for example, the attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Displaced Persons and the Law

Concepts and principles of Displaced Persons and the Law, for example, displaced persons in international law, including definitions (comparison) of refugee, asylum seeker, indigenous person and displaced person, the historical background, international documents (treaties, charters, conventions etc), domestic law, welfare as a basic human right, migration patterns, integration strategies, civil and political rights, the benefit and burden of citizenship, land rights, minority groups, religion, historical artefacts, preservation of cultural language, beliefs and heritage, political, social and economic ideologies, constitutional recognition, self-determination, reconciliation,

Institutions of Displaced Persons and the Law, for example, the establishment, identification and management of migration, asylum seekers, refugees and indigenous peoples rights including the United Nations (UNHRC, OHCHR, ICJ), Intergovernmental organisations (Commonwealth of Nations, African Union, Organisation of American States), Courts, tribunals and independent authorities (ICJ, ICC ECtHR), Non-government organisations (ICRC, Amnesty etc) and media influence.

Nature and purpose of Displaced Persons and the Law, for example, the role of humanity, community, and the protection of the rights of displaced persons, refugees, asylum seekers and indigenous persons.

Process and practices of Displaced Persons and the Law, for example, ensuring the law is a guarantee of the social welfare right through the analysis of case studies, how international human rights law influences domestic human rights law, refugee camps and processing centres.

Significance of Displaced Persons and the Law, for example, the change in the status of displaced persons around the world through the analysis of case studies comparative analysis of different policies.

How values and attitudes of Displaced Persons and the Law have shifted over time, for example, how social, political and cultural values and attitudes have affected the status of displaced persons in different places around the world.

Representations and interpretations of Displaced Persons and the Law, for example, the attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Environmental Law

Concepts and principles of the Environmental Law, for example, the need for collective rights, climate change, global protection, environmental agreements and treaties, implementation and enforcement issues, impact of capitalism, consumerism and consumption, water rights, mining, pollution and different types of energy generation, population controls, conservations, deforestation, impact on humans, flora and fauna, indigenous communities, tourism, government inaction versus government action, world heritage areas, domestic legislation, ratification and incorporation of international law into domestic law.

Institutions of Environmental Law, for example, the United Nations (Food and Agriculture Organisation, United Nations Development Programme, International Maritime Organisation, United Nations Environment Programme, Intergovernmental Panel on Climate Change, United Nations Educational, Scientific and Cultural Organisation (UNESCO), International Court of Justice, Intergovernmental organisations, Non-government organisations (Greenpeace, World Wide Fund for Nature, Friends of the Earth etc) and pressure groups.

Nature and purpose of Environmental Law, for example the need for global protection, threats such as endangered species, pollution of seas and rivers, acid rain, Arctic and Antarctic poles, world forests, genetic engineering, overfishing, genetically modified foods, world heritage listings, climate change, and property and economic rights, preservation of ecosystems, sustainable farming, fisheries and agriculture.

Process and practices of Environmental Law, for example, the development of conventions and treaties for the enforcement of environmental law, the role of the international community in enforcing international law, the role of the tribunals and the International Court of Justice, the development and effectiveness of international instruments including the Kyoto Protocol, Copenhagen Accord and the Rio Summit.

Significance of Environmental Law, for example, the protection of the environment and the challenges that are faced due to state sovereignty, the United Nations powers and responses to actual and potential violations for instance the International Convention for the Regulation of Whaling, The Antarctic Treaty, The Convention for the Conservation of Antarctic Seals, The Convention Concerning the Protection of the World Cultural and National Heritage, technology and transport.

How values and attitudes of Environmental Law have shifted over time, for example the responses of states to international environmental law through the analysis of case studies.

Representations and interpretations of Environmental law, for example, the attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

### Sea, Sky and Space

Concepts and principles of Sea, Sky and Space, for example, international law as it relates to areas inside and outside of state jurisdiction including the law of the sea, law of airspace and the law relating to space, state sovereignty, international instruments, jurisdictional issues, laws relating to piracy and hijacking and their effectiveness, right of innocent passage, technological advancements and application, international transport, resource ownership.

Institutions of Sea, Sky and Space, for example, the creation, implementation and enforcement of law including the International Civil Aviation Authority, European Union, the United Nations, International Air Transport Association, International Maritime Organisation, International Whaling Commission, International Seabed Authority, and the International Tribunal for the Law of the Sea. Intergovernmental and Non-governmental authorities (Greenpeace, Sea Shepherd, World Wide Fund for Nature etc).

Nature and purpose of Sea, Sky and Space, for example, ownership, political, social and economic interests, international law in regulating the sea, sky and space in terms of safety in transit, insurance claims, maintaining peace and addressing environmental concerns, sea rescues and crash investigations.

Process and practices in Sea, Sky and Space, for example, the Chicago Convention on International Civil Aviation, International Air Services Transit Agreement, Open Skies Agreements, Geneva Convention on the High Seas, Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, Outer Space Treaty, Rescue of Astronauts Agreement, Liability for Damage Caused by Space Objects Convention (ie, space junk), Registration of Objects in Space Convention, Moon Treaty, and the United Nations Convention on the Law of the Sea.

Significance of Sea, Sky and Space, for example, international laws and conventions in protecting the rights of individuals, global power, globalisation, the securing of trade routes and economic prosperity.

How values and attitudes of Sea, Sky and Space have shifted over time, for example, shape the responses of states to international law of the sea, sky and space through the analysis of case studies.

Representations and interpretations of international law for example, the attitude of politicians, judiciary, and community expectations. Comparison of similar cases and the outcomes on individuals.

## A guide to reading and implementing content descriptions

Content descriptions specify the knowledge, understanding and skills that students are expected to learn and that teachers are expected to teach. Teachers are required to develop a program of learning that allows students to demonstrate all the content descriptions. The lens which the teacher uses to demonstrate the content descriptions may be either guided through provision of electives within each unit or determined by the teacher when developing their program of learning.

A program of learningis what a college provides to implement the course for a subject. It is at the discretion of the teacher to emphasis some content descriptions over others. The teacher may teach additional (not listed) content provided it meets the specific unit goals. This will be informed by the student needs and interests.

## Assessment

Refer to pages 10-12.

# Independent Study Value: 1.0

#### Independent Study a Value: 0.5

#### Independent Study b Value: 0.5

## Prerequisites

Students must have studied at least **THREE** standard 1.0 units from this course. Astudent can only study a maximum of one Independent Study unit in each course. An Independent Study unit requires the principal’s written approval. Independent study units are only available to individual students inYear 12. Principal approval is also required for a student in Year 12 to enrol concurrently in an independent unit and the third 1.0 unit in a course of study.

## Unit Description

An Independent Study unit has an important place in senior secondary courses. It is a valuable pedagogical approach that empowers students to make decisions about their own learning. An Independent Study unit can be proposed by an individual student for their own independent study and negotiated with their teacher. The program of learning for an Independent Study unit must meet the unit goals and content descriptions as they appear in the course.

This unit is a negotiated investigation of a contemporary legal studies issue. This study may be an extension of previously studied topics; a research unit, cover electives not previously studied or may be from the broader field of Legal Studies. Students engaging in the unit will address the content descriptions and assessment criteria.

There must be procedures and documentation that clearly outline decisions made as a result of the negotiation process. It is expected that decisions would be agreed within two weeks of the commencement of a unit of work and be published in the Unit Outline (Refer to section 4.3.6.1 Unit Outline). This then becomes the document from which students and teacher operate for that unit. Any further negotiation would be of a minor kind e.g. due dates of assessment tasks.

## Specific Unit Goals

This unit should enable students to:

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| * understand the legal system and the significance of the rule of law
 | * understand the legal system and the significance of the rule of law
 | * understand the legal system
 |
| * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 | * investigate, analyse and communicate relevant information and issues
 |

## Content Descriptions

All knowledge, understanding and skills below must be delivered:

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Structures, institutions, processes and practices** |
| * critically analyse legal concepts including structures, processes and principles
 | * analyse legal concepts including structures, processes and principles
 | * describe legal concepts
 |
| * evaluate the effectiveness of the legal system in addressing issues
 |  |  |
| * apply legal principles and procedures
 | * apply legal principles and procedures
 |  |
| **Legal concepts and principles** |
| * critically analyse key concepts and principles
 | * analyse key concepts and principles
 | * describe key concepts and principles
 |
| * apply the key principles to relevant cases, and discuss the impact of law on the individual and society
 | * applies legal concepts and terminology
 |  |
| **Nature and purpose of law** |
| * critically analyse the impact of the legal system on the lives of individuals and on society
 | * analyse the impact of the legal system on the lives of individuals and on society
 |  |
| * critically analyses the nature and purpose of laws in different contexts, locally, nationally and globally
 |  |  |
| * evaluate the nature and operation of aspects of the Australian legal system
 | * analyse the nature and operation of aspects of the Australian legal system
 |  |
| * examine the ethical and social implications of legal issues
 |  |  |
| **Types and forms of power** |
| * evaluate legal outcomes and their social implications
 | * analyse legal outcomes and their social implications
 | * describe legal outcomes and their social implications
 |
| * analyse the tension between community interests and individual rights and freedoms
 |  |  |

|  |  |  |
| --- | --- | --- |
| T Course | A Course | M Course |
| **Viewpoints, ideas and decisions** |
| * analyses the role of law in encouraging cooperation and resolving conflict, as well as initiating and responding to change
 | * analyses the role of law in encouraging cooperation and resolving conflict
 |  |
| * evaluates the effectiveness of the law in achieving justice
 | * analyse the effectiveness of the law in achieving justice
 |  |
| * analyses differing perspectives and interpretations of legal information and issues
 | * analyses differing perspectives and interpretations of legal information and issues
 |  |
| **Inquiry and research** |
| * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process, accessing a variety of relevant sources
 | * plan and implement an effective research process
 |
| * organise and present information effectively, using written and non-written formats which are grammatically and technically correct
 | * organise and present information effectively, using written and non-written formats
 | * organise and present information effectively, using written and non-written formats
 |
| **Communication** |
| * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
* communicate informed observations and opinions on contemporary legal issues and debates, using legal terminology and appropriate acknowledgment of sources.
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 | * use appropriate modes, forms, and styles of communication within a variety of situations and contexts
 |

## Assessment

Refer to pages 10-12.

# Appendix A – Implementation Guidelines

## Available course patterns

A standard 1.0 value unit is delivered over at least 55 hours. To be awarded a course, students must complete at least the minimum units over the whole minor, major, major/minor or double major course.

|  |  |
| --- | --- |
| Course | Number of standard units to meet course requirements |
| Minor | Minimum of 2 units |
| Major | Minimum of 3.5 units |

Units in this course can be delivered in any order.

### Prerequisites for the course or units within the course

For the Independent Study Unit (if applicable), students must have studied a minimum of **THREE** standard 1.0 units from this course. An Independent Study unit requires the principal’s written approval. Independent study units are only available to individual students inYear 12.

### Arrangements for students continuing study in this course

Students who studied the previous course may undertake any units in this course provided there is no duplication of content.

## Duplication of Content Rules

Students cannot be given credit towards the requirements for a Senior Secondary Certificate for a unit that significantly duplicates content in a unit studied in another course. The responsibility for preventing undesirable overlap of content studied by a student rests with the principal and the teacher delivering the course. Students will only be given credit for covering the content once.

## Guidelines for Delivery

### Program of Learning

A program of learning is what a school provides to implement the course for a subject. This meets the requirements for context, scope and sequence set out in the Board endorsed course. Students follow programs of learning in a college as part of their senior secondary studies. The detail, design and layout of a program of learning are a college decision.

The program of learning must be documented to show the planned learning activities and experiences that meet the needs of particular groups of students, taking into account their interests, prior knowledge, abilities and backgrounds. The program of learning is a record of the learning experiences that enable students to achieve the knowledge, understanding and skills of the content descriptions. There is no requirement to submit a program of learning to the OBSSS for approval. The Principal will need to sign off at the end of Year 12 that courses have been delivered as accredited.

### Content Descriptions

Are all content descriptions of equal importance? No. It depends on the focus of study. Teachers can customise their program of learning to meet their own students’ needs, adding additional content descriptions if desired or emphasising some over others. A teacher must balance student needs with their responsibility to teach all content descriptions. It is mandatory that teachers address all content descriptions and that students engage with all content descriptions.

### Half standard 0.5 units

Half standard units appear on the course adoption form but are not explicitly documented in courses. It is at the discretion of the college principal to split a standard 1.0 unit into two half standard 0.5 units. Colleges are required to adopt the half standard 0.5 units. However, colleges are not required to submit explicit documentation outlining their half standard 0.5 units to the BSSS. Colleges must assess students using the half standard 0.5 assessment task weightings outlined in the framework. It is the responsibility of the college principal to ensure that all content is delivered in units approved by the Board.

## Moderation

Moderation is a system designed and implemented to:

* provide comparability in the system of school-based assessment
* form the basis for valid and reliable assessment in senior secondary schools
* involve the ACT Board of Senior Secondary Studies and colleges in cooperation and partnership
* maintain the quality of school-based assessment and the credibility, validity and acceptability of Board certificates.

Moderation commences within individual colleges. Teachers develop assessment programs and instruments, apply assessment criteria, and allocate Unit Grades, according to the relevant Course Framework. Teachers within course teaching groups conduct consensus discussions to moderate marking or grading of individual assessment instruments and unit grade decisions.

### The Moderation Model

Moderation within the ACT encompasses structured, consensus-based peer review of Unit Grades for all accredited courses over two Moderation Days. In addition to Moderation Days, there is statistical moderation of course scores, including small group procedures, for T courses.

### Moderation by Structured, Consensus-based Peer Review

Consensus-based peer review involves the review of student work against system wide criteria and standards and the validation of Unit Grades. This is done by matching student performance with the criteria and standards outlined in the Achievement Standards, as stated in the Framework. Advice is then given to colleges to assist teachers with, or confirm, their judgments. In addition, feedback is given on the construction of assessment instruments.

### Preparation for Structured, Consensus-based Peer Review

Each year, teachers of Year 11 are asked to retain originals or copies of student work completed in Semester 2. Similarly, teachers of a Year 12 class should retain originals or copies of student work completed in Semester 1. Assessment and other documentation required by the Office of the Board of Senior Secondary Studies should also be kept. Year 11 work from Semester 2 of the previous year is presented for review at Moderation Day 1 in March, and Year 12 work from Semester 1 is presented for review at Moderation Day 2 in August.

In the lead up to Moderation Day, a College Course Presentation (comprised of a document folder and a set of student portfolios) is prepared for each A, T and M course/units offered by the school and is sent into the Office of the Board of Senior Secondary Studies.

### The College Course Presentation

The package of materials (College Course Presentation) presented by a college for review on Moderation Days in each course area will comprise the following:

* a folder containing supporting documentation as requested by the Office of the Board through memoranda to colleges, including marking schemes and rubrics for each assessment item
* a set of student portfolios containing marked and/or graded written and non-written assessment responses and completed criteria and standards feedback forms. Evidence of all assessment responses on which the Unit Grade decision has been made is to be included in the student review portfolios.

Specific requirements for subject areas and types of evidence to be presented for each Moderation Day will be outlined by the Board Secretariat through the *Requirements for Moderation Memoranda* and Information Papers.

### Visual evidence for judgements made about practical performances

It is a requirement that schools’ judgements of standards to practical performances (A/T/M) be supported by visual evidence (still photos or video).

The photographic evidence submitted must be drawn from practical skills performed as part of the assessment process.

Teachers should consult the BSSS website for current information regarding all moderation requirements including subject specific and photographic evidence.

# Appendix B – Course Developers

|  |  |
| --- | --- |
| Name | College |
| Liz Craig | Burgmann Anglican School |
| Lindsay Reid | Daramalan College |
| Leica Burt | Dickson College |
| Karen Gregory | Radford College |

# Appendix C – Common Curriculum Elements

Common curriculum elements assist in the development of high-quality assessment tasks by encouraging breadth and depth and discrimination in levels of achievement.

|  |  |  |
| --- | --- | --- |
| Organisers | Elements | Examples |
| create, compose and apply | apply | ideas and procedures in unfamiliar situations, content and processes in non-routine settings |
| compose | oral, written and multimodal texts, music, visual images, responses to complex topics, new outcomes |
| represent | images, symbols or signs |
| create | creative thinking to identify areas for change, growth and innovation, recognise opportunities, experiment to achieve innovative solutions, construct objects, imagine alternatives |
| manipulate | images, text, data, points of view |
| analyse, synthesise and evaluate | justify | arguments, points of view, phenomena, choices |
| hypothesise | statement/theory that can be tested by data |
| extrapolate | trends, cause/effect, impact of a decision |
| predict | data, trends, inferences |
| evaluate | text, images, points of view, solutions, phenomenon, graphics |
| test | validity of assumptions, ideas, procedures, strategies |
| argue | trends, cause/effect, strengths and weaknesses |
| reflect | on strengths and weaknesses |
| synthesise | data and knowledge, points of view from several sources |
| analyse | text, images, graphs, data, points of view |
| examine | data, visual images, arguments, points of view |
| investigate | issues, problems |
| organise, sequence and explain | sequence | text, data, relationships, arguments, patterns |
| visualise | trends, futures, patterns, cause and effect |
| compare/contrast | data, visual images, arguments, points of view |
| discuss | issues, data, relationships, choices/options |
| interpret | symbols, text, images, graphs |
| explain | explicit/implicit assumptions, bias, themes/arguments, cause/effect, strengths/weaknesses |
| translate | data, visual images, arguments, points of view |
| assess | probabilities, choices/options |
| select | main points, words, ideas in text |
| identify, summarise and plan | reproduce | information, data, words, images, graphics |
| respond | data, visual images, arguments, points of view |
| relate | events, processes, situations |
| demonstrate | probabilities, choices/options |
| describe | data, visual images, arguments, points of view |
| plan | strategies, ideas in text, arguments |
| classify | information, data, words, images |
| identify | spatial relationships, patterns, interrelationships |
| summarise | main points, words, ideas in text, review, draft and edit |

# Appendix D – Glossary of Verbs

|  |  |
| --- | --- |
| Verbs | Definition |
| Analyse | Consider in detail for the purpose of finding meaning or relationships, and identifying patterns, similarities and differences |
| Apply | Use, utilise or employ in a particular situation |
| Argue | Give reasons for or against something |
| Assess | Make a Judgement about the value of |
| Classify | Arrange into named categories in order to sort, group or identify |
| Compare | Estimate, measure or note how things are similar or dissimilar |
| Compose | The activity that occurs when students produce written, spoken, or visual texts |
| Contrast | Compare in such a way as to emphasise differences |
| Create | Bring into existence, to originate |
| Demonstrate | Give a practical exhibition an explanation |
| Describe | Give an account of characteristics or features |
| Discuss | Talk or write about a topic, taking into account different issues or ideas |
| Evaluate | Examine and judge the merit or significance of something |
| Examine | Determine the nature or condition of |
| Explain | Provide additional information that demonstrates understanding of reasoning and /or application |
| Extrapolate | Infer from what is known |
| Hypothesise | Put forward a supposition or conjecture to account for certain facts and used as a basis for further investigation by which it may be proved or disproved  |
| Identify | Recognise and name |
| Interpret | Draw meaning from |
| Investigate | Planning, inquiry into and drawing conclusions about |
| Justify | Show how argument or conclusion is right or reasonable |
| Manipulate | Adapt or change |
| Plan | Strategize, develop a series of steps, processes |
| Predict | Suggest what might happen in the future or as a consequence of something |
| Reflect | The thought process by which students develop an understanding and appreciation of their own learning. This process draws on both cognitive and affective experience |
| Relate | Tell or report about happenings, events or circumstances |
| Represent | Use words, images, symbols or signs to convey meaning |
| Reproduce | Copy or make close imitation |
| Respond | React to a person or text |
| Select | Choose in preference to another or others |
| Sequence | Arrange in order |
| Summarise | Give a brief statement of the main points |
| Synthesise | Combine elements (information/ideas/components) into a coherent whole |
| Test | Examine qualities or abilities |
| Translate | Express in another language or form, or in simpler terms |
| Visualise | The ability to decode, interpret, create, question, challenge and evaluate texts that communicate with visual images as well as, or rather than, words |

# Appendix E – Glossary for ACT Senior Secondary Curriculum

Courses will detail what teachers are expected to teach and students are expected to learn for year 11 and 12. They will describe the knowledge, understanding and skills that students will be expected to develop for each learning area across the years of schooling.

**Learning areas** are broad areas of the curriculum, including English, mathematics, science, the arts, languages, health and physical education.

A **subject** is a discrete area of study that is part of a learning area. There may be one or more subjects in a single learning area.

**Frameworks** are system documents for Years 11 and 12 which provide the basis for the development and accreditation of any course within a designated learning area. In addition, frameworks provide a common basis for assessment, moderation and reporting of student outcomes in courses based on the framework.

The **course** sets out the requirements for the implementation of a subject. Key elements of a course include the rationale, goals, content descriptions, assessment, and achievement standards as designated by the framework.

BSSS courses will be organised into units. A unit is a distinct focus of study within a course. A standard 1.0 unit is delivered for a minimum of 55 hours generally over one semester.

**Core** units are foundational units that provide students with the breadth of the subject.

**Additional** units are avenues of learning that cannot be provided for within the four core 1.0 standard units by an adjustment to the program of learning.

An **Independent Study unit** is a pedagogical approach that empowers students to make decisions about their own learning. Independent Study units can be proposed by a student and negotiated with their teacher but must meet the specific unit goals and content descriptions as they appear in the course.

An **elective** is a lens for demonstrating the content descriptions within a standard 1.0 or half standard 0.5 unit.

A **lens** is a particular focus or viewpoint within a broader study.

**Content descriptions** refer to the subject-based knowledge, understanding and skills to be taught and learned.

A **program of learning** is what a college develops to implement the course for a subject and to ensure that the content descriptions are taught and learned.

**Achievement standards** provide an indication of typical performance at five different levels (corresponding to grades A to E) following completion of study of senior secondary course content for units in a subject.

ACT senior secondary system **curriculum** comprises all BSSS approved courses of study.

# Appendix F – Course Adoption

### Condition of Adoption

This course and units are consistent with the philosophy and goals of the college and as an adopting college have the human and physical resources to implement the course.

### Adoption Process

Course adoption must be initiated electronically by an email from the principal or their nominated delegate to bssscertification@ed.act.edu.au. A nominated delegate must CC the principal.

The email will include the **Conditions of Adoption** statement above, and the table below adding the **College** name, **Course** title, **A** and/or **T** and/or **M** and/or **V** to the **Classification/s** section of the table, and the relevant **Framework**.

|  |  |
| --- | --- |
| College: |  |
| Course Title: | Legal Studies |
| Classification/s: |  A T M |
| Framework: | Politics and Law Framework 2015 |
| Dates of Course Accreditation: | from | 2017 | to | 2022 |