



**GLADSTONE PARK SECONDARY COLLEGE**

**LEGAL STUDIES COURSE OUTLINE**

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**2018 – 2022 UNIT 1:  
GUILT AND LIABILITY**



**UNIT 1: Guilt and Liability**

Criminal law and civil law aim to achieve social cohesion and protect the rights of individuals. Criminal law is aimed at maintaining social order and infringing criminal law can result in charges. Civil law deals with the infringement of a person's or group's rights and breaching civil law can result in litigation. In this unit, students develop an understanding of legal foundations such as the sources of law and the court hierarchy of Victoria. Students also develop an appreciation of the way in which legal principles and information are used in making reasoned judgments and conclusions about the culpability of an accused, and the liability of a party in a civil dispute.

**Outcomes**

For a pass in this unit, students must complete satisfactorily the Outcomes listed below. The unsatisfactory completion of one or more of the Outcomes will result in an N grade being awarded. There will be three SACs to complete for this Unit.

For each Outcome, a SAC will determine whether the student has met the requirements of the Outcome. A grade below **30%** for an Outcome will result in an N grade; a UG will also be awarded as assessment for that Outcome.

**OUTCOME 1: Area of study 1: Legal Foundations**

On completion of this unit, students should be able to describe the main sources and types of law, and assess the effectiveness of laws.

Outcome 1 will be assessed in the following way:

<u>TASK NUMBER</u>	<u>ASSESSMENT TASK</u>	<u>DUE DATE</u>
SAC1	TEST	WEEK 3-4 – TERM 1

**OUTCOME 2: Area of study 2: The presumption of innocence**

On completion of this unit, students should be able to explain the purpose and key concepts of criminal law, and use legal reasoning to argue the criminal culpability of an accused based on actual and/or hypothetical scenarios.

Outcome 2 will be assessed in the following way:

<u>TASK NUMBER</u>	<u>ASSESSMENT TASK</u>	<u>DUE DATE</u>
SAC2	TEST	WEEK 9-10 – TERM 1

**OUTCOME 3: Area of study 3: Civil Liability**

On completion of this unit, students should be able to explain the purposes and key concepts of civil law and apply legal reasoning to argue the liability of a party in civil law based on actual and/or hypothetical scenarios.

Outcome 3 will be assessed in the following way:

<u>TASK NUMBER</u>	<u>ASSESSMENT TASK</u>	<u>DUE DATE</u>
SAC3	TEST	WEEK 14-15 – TERM 2

**EXAM**

**All students will be completing an end of Unit exam. The exam does not count for the outcomes. The exam will be an independent assessment that will appear on your report as a separate grade.**



<b>AREAS OF STUDY – UNIT 1</b>	<b>WEEKS</b>	<b>ASSESSMENT TASKS</b>
<p><b>1. Legal Foundations</b></p> <ul style="list-style-type: none"><li>• The role of individuals, laws and the legal system in achieving social cohesion and protecting the rights of individuals</li><li>• The principles of justice: fairness, equality and access</li><li>• Characteristics of an effective law</li><li>• Sources of law – common and statute law</li><li>• The relationship between Parliament and the Courts</li><li>• Types of law - Criminal law and civil law</li><li>• The distinction and relationship between criminal law and civil law</li><li>• An overview and reasons for the Victorian Court Hierarchy</li></ul>	Weeks 1- 4	<b>OUTCOME 1: SAC 1: TEST</b>
<p><b>2. The Presumption of Innocence</b></p> <ul style="list-style-type: none"><li>• The purpose of criminal law</li><li>• The presumption of innocence</li><li>• Key concepts of criminal law</li><li>• Types of crime such as crimes against the person and crimes against property</li><li>• The distinction between summary offences and indictable offences</li><li>• Possible participants in a crime such as principal offenders and accessories</li><li>• Two criminal offences and for each offence:<ul style="list-style-type: none"><li>- the elements of the offence</li><li>- possible defences</li><li>- the role of statute and common law</li><li>- trends and statistics</li><li>- the impact of the offense on individuals and society</li></ul></li></ul>	Weeks 4-9	<b>OUTCOME 2: SAC 2: TEST</b>
<p><b>3. Civil Liability</b></p> <ul style="list-style-type: none"><li>• The purpose and types of civil law</li><li>• Key concepts of civil law including breach, causation, loss, limitation of actions, the burden of proof and the standard of proof</li><li>• Possible plaintiffs and defendants to a civil dispute</li><li>• Two areas of civil law and for each area of law:<ul style="list-style-type: none"><li>- the rights protected by the law</li><li>- the elements required to establish liability</li><li>- the limitation of actions</li><li>- possible defenses</li><li>- the role of statute law and common law in developing the elements of defences</li><li>- the impact of the breach of the parties</li></ul></li></ul>	Weeks 10-15	<b>OUTCOME 3: SAC 3: TEST</b>



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**2018-2022 UNIT 2:  
SANCTIONS, REMEDIES AND RIGHTS**



**UNIT 2: Sanctions, Remedies and rights**

Criminal law and civil law aim to protect the rights of individuals. When rights are infringed, a case or dispute may arise which needs to be determined or resolved, and sanctions or remedies may be imposed. This unit focuses on the enforcement of criminal law and civil law, the methods of institutions that may be used to determine a criminal case or resolve a civil dispute, and the purpose and types of sanction and remedies and their effectiveness. Students undertake a detailed investigation of two criminal cases from the past four years to form a judgement about the ability of sanctions and remedies to achieve the principles of justice.

**Outcomes**

For a pass in this unit, students must complete satisfactorily the Outcomes listed below. The unsatisfactory completion of one or more of the Outcomes will result in an N grade being awarded. There will be three SACs to complete for this Unit.

For each Outcome, a SAC will determine whether the student has met the requirements of the Outcome. A grade below **30%** for an Outcome will result in an N grade; a UG will be awarded as assessment for that Outcome.

**OUTCOME 1: Area of study 1: Sanctions**

On completion of this unit, students should be able to explain the key concepts in the determination of a criminal case, and discuss the principles of justice in relation to the determination of criminal cases, sanctions and sentencing approaches.

Outcome 1 will be assessed in the following way:

<u>TASK NUMBER</u>	<u>ASSESSMENT TASK</u>	<u>DUE DATE</u>
SAC 1	TEST	WEEK 4-5 – TERM 3

**OUTCOME 2: Area of study 2: Remedies**

On completion of this unit, students should be able to explain key concepts in the resolution of a civil dispute, and discuss the principles of justice in relation to the resolution of civil disputes and remedies.

Outcome 2 will be assessed in the following way:

<u>TASK NUMBER</u>	<u>ASSESSMENT TASK</u>	<u>DUE DATE</u>
SAC 2	TEST	WEEK 9-10 – TERM 3

**OUTCOME 3: Area of study 3: Rights**

On completion of this unit, student should be able to evaluate the ways in which rights are protected in Australia, compare this approach with that adopted by another country and discuss the impact of an Australian case on the rights of individuals and the legal system.

Outcome 3 will be assessed in the following way:

<u>TASK NUMBER</u>	<u>ASSESSMENT TASK</u>	<u>DUE DATE</u>
SAC 3	TEST	WEEK 14-15 – TERM 4

**EXAM**

All students will be completing an end of Unit exam. The exam does not count for the Outcomes unless you have failed them. The exam will be an independent assessment that will appear on your report as a separate grade.



AREAS OF STUDY – UNIT 2	WEEKS	ASSESSMENT TASKS
<p><b>1. Sanctions</b></p> <ul style="list-style-type: none"> <li>• The principles of justice, fairness equality and access</li> <li>• Enforcing criminal law. E.G: Police &amp; Bodies</li> <li>• The balance between institutional powers and individual rights</li> <li>• Overview of the role and criminal jurisdictions of the Victorian Courts</li> <li>• The role of a jury in a criminal trial</li> <li>• The purpose of sanctions, punishment, deterrence, denunciation, protection and rehabilitation.</li> <li>• Types of sanctions such as fines, community corrections orders and imprisonment</li> <li>• Factors considered by Judges in sentencing</li> <li>• Aspects of sentencing practices in Victoria and in one other jurisdiction</li> <li>• Alternate approaches to sentencing, such as the use of the Drug Court, the Koori Courts and diversion programs.</li> <li>• Two recent criminal cases and for each case:               <ul style="list-style-type: none"> <li>- an overview of the charges and the facts of the case</li> <li>- courts that may be or were</li> <li>- sanctions that could be or were imposed and their appropriateness</li> <li>- factors that may be or were taken into consideration when sentencing</li> <li>- possible avenues to appeal</li> <li>- the extent to which the principles of justice could be or were achieved.</li> </ul> </li> </ul>	<p>Weeks 1 – 4</p>	<p><b>OUTCOME 1: SAC 1:TEST</b></p>
<p><b>2. Remedies</b></p> <ul style="list-style-type: none"> <li>• The principles of justice, fairness, equality and access</li> <li>• Methods used to resolve a civil dispute such as mediation, conciliation and arbitration</li> <li>• Institutions that resolve civil disputes such as tribunals, ombudsmen, and complaints bodies</li> <li>• An overview of the role and civil jurisdictions of the Victorian courts</li> <li>• The role of the jury in a civil trial</li> <li>• The purpose of remedies</li> <li>• Type of remedies, such as damages or injunctions</li> <li>• Two recent civil cases and for each case:               <ul style="list-style-type: none"> <li>- an overview of the claim and the central facts of the case</li> <li>- dispute resolution bodies that may be or were involved</li> <li>- methods of dispute resolution and their appropriateness</li> <li>- possible avenues of appeal</li> <li>- the extent to which the principles of justice were or could be achieved</li> </ul> </li> </ul>	<p>Weeks 5 –10</p>	<p><b>OUTCOME 2: SAC 2: TEST</b></p>



<p><b>3. Rights</b></p> <ul style="list-style-type: none"><li>• An overview of the way in which rights are protected in Australia, such as through the Australian Constitution, the Victorian Charter of Human Rights and Responsibilities, statute law and common law</li><li>• The influence of international declarations and treaties on the protection of rights in Australia</li><li>• The approach adopted by one other country in protecting rights</li><li>• Possible reforms to the protection of rights in Australia</li><li>• One Australian case that has had an impact on the protection of rights in Australia, including:<ul style="list-style-type: none"><li>- the role of the individual in taking the case to court</li><li>- the facts and issues central to the case, including the rights in question</li><li>- the laws that applied to the case</li><li>- the outcome of the case and its impact on the rights of individuals and on the legal system</li><li>- possible conflicting attitudes in relation to the case</li></ul></li></ul>	<p>Weeks 10-15</p>	<p><b>OUTCOME 3: SAC 3: TEST</b></p>
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