

UNIT 3 & 4 LEGAL STUDIES

UNIT 3

The Victorian justice system, which includes the criminal and civil justice systems, aims to protect the rights of individuals and uphold the principles of justice: fairness, equality and access. In this unit, students examine the methods and institutions in the criminal and civil justice system, and consider their appropriateness in determining criminal cases and resolving civil disputes. Students consider the Magistrates' Court, County Court and Supreme Court within the Victorian court hierarchy, as well as other means and institutions used to determine and resolve cases.

Students explore topics such as the rights available to an accused and to victims in the criminal justice system, the roles of the judge, jury, legal practitioners and the parties, and the ability of sanctions and remedies to achieve their purposes. Students investigate the extent to which the principles of justice are upheld in the justice system. Throughout this unit, students apply legal reasoning and information to actual and/or hypothetical scenarios.

AREA OF STUDY

- **The Victorian Criminal Justice System**
- **The Victorian Civil Justice System**

OUTCOMES

Outcome 1

Explain the key principles in the criminal justice system, discuss the ability of sanctions to achieve their purposes and evaluate the ability of the criminal justice system to achieve the principles of justice during a criminal case.

Outcome 2

Consider the factors relevant to commencing a civil claim, examine the institutions and methods used to resolve a civil dispute and explore the purposes and types of remedies; consider the impact of time and costs on the ability of the civil justice system to achieve the principles of justice.

UNIT 4

The study of Australia's laws and legal system includes an understanding of institutions that make and reform our laws. In this unit, students explore how the Australian Constitution establishes the law-making powers of the Commonwealth and state parliaments, and how it protects the Australian people through structures that act as a check on parliament in law-making. Students develop an understanding of the significance of the High Court in protecting and interpreting the Australian Constitution. They investigate parliament and the courts, and the relationship between the two in law-making, and consider the roles of the individual, the media and law reform bodies in influencing changes to the law, and past and future constitutional reform. Throughout this unit, students apply legal reasoning and information to actual and/or hypothetical scenarios.

AREA OF STUDY

- **The People and the Law-Makers**
- **The People and Reform**

OUTCOMES

Outcome 1

Discuss the ability of parliament and courts to make law and evaluate the means by which the Australian Constitution acts as a check on parliament in law-making.

Outcome 2

Investigate the need for law reform and the means by which individuals and groups can influence change in the law, draw on examples of individuals, groups and the media influencing law reform, as well as examples from the past four years of inquiries of law reform bodies; examine the relationship between the Australian people and the Australian Constitution, the reasons for and processes of constitutional reform, the successful 1967 referendum and calls for future constitutional reform, such as that articulated by the 2017 Uluru Statement from the Heart.