

Subject: VCE Legal Studies**Unit 3**

Week	Area of Study	Learning Focus
1	Area of Study 1: 'The Victorian criminal justice system'	<ul style="list-style-type: none">• Distinction between civil and criminal law/parliament and judge-made law.• Examine the principles of justice: fairness, equality and access.
2	AOS 1	<ul style="list-style-type: none">• Explain the key concepts in the Victorian criminal justice system, including: the distinction between summary offences and indictable offences, the burden of proof, the standard of proof and the presumption of innocence.
3	AOS 1	<ul style="list-style-type: none">• Describe the rights of an accused, including the right to be tried without unreasonable delay, the right to a fair hearing, and the right to trial by jury.• Describe the rights of victims, including the right to give evidence as a vulnerable witness, the right to be informed about the proceedings, and the right to be informed of the likely release date of the accused.
4	AOS 1	<ul style="list-style-type: none">• Examine the role of institutions available to assist an accused, including Victoria Legal Aid and Victorian community legal centres.• Explain the purposes of committal proceedings.• Explain the purposes and appropriateness of plea negotiations and sentence indications in determining criminal cases.
5	AOS 1	<ul style="list-style-type: none">• Explain the reasons for a Victorian court hierarchy in determining criminal cases, including specialisation and appeals.• Discuss the responsibilities of key personnel in a criminal trial, including the judge, jury, parties and legal practitioners.
6	AOS 1	<ul style="list-style-type: none">• Discuss the purposes of sanctions: rehabilitation, punishment, deterrence, denunciation and protection.• Describe fines, community correction orders and imprisonment, and their specific purposes.
7	AOS 1	<ul style="list-style-type: none">• Discuss factors considered in sentencing, including aggravating factors, mitigating factors, guilty pleas and victim impact statements.• Evaluate factors that affect the ability of the criminal justice system to achieve the principles of justice including in relation to costs, time and cultural differences.• Discuss recent reforms and recommended reforms to enhance the ability of the criminal justice system to achieve the principles of justice.• Assessment Task.
8	AOS 2: 'The Victorian civil justice system'	<ul style="list-style-type: none">• Evaluate the principles of justice: fairness, equality and access.• Examine key concepts in the Victorian civil justice system, including: the burden of proof, the standard of proof,

		representative proceedings.
9	AOS 2	<ul style="list-style-type: none"> Examine factors to consider when initiating a civil claim, including negotiation options, costs, limitation of actions, the scope of liability and enforcement issues.
10	AOS 2	<ul style="list-style-type: none"> Discuss the methods used to resolve civil disputes, including mediation, conciliation and arbitration, and their appropriateness.
11	AOS 2	<ul style="list-style-type: none"> Explain the purposes and appropriateness of Consumer Affairs Victoria (CAV) and the Victorian Civil and Administrative Tribunal (VCAT) in resolving civil disputes.
12	AOS 2	<ul style="list-style-type: none"> Discuss the purposes of civil pre-trial procedures. Explain the reasons for a Victorian court hierarchy in determining civil cases, including administrative convenience and appeals.
13	AOS 2	<ul style="list-style-type: none"> Discuss the responsibilities of key personnel in a civil trial, including the judge, jury, the parties and legal practitioners.
14	AOS 2	<ul style="list-style-type: none"> Examine judicial powers of case management, including the power to order mediation and give directions.
15	AOS 2	<ul style="list-style-type: none"> Explain the purposes of remedies. Outline damages and injunctions, and their specific purposes.
16	AOS 2	<ul style="list-style-type: none"> Discuss factors that affect the ability of the civil justice system to achieve the principles of justice, including in relation to costs, time and accessibility. Discuss recent and recommended reforms to enhance the ability of the civil justice system to achieve the principles of justice.
17	AOS 2	<ul style="list-style-type: none"> Assessment.

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Unit 4

Week	Area of Study	Learning Focus
18	AOS 1: 'The people and the Australian Constitution'	<ul style="list-style-type: none"> Compare the roles of the Crown and the houses of parliament (Victorian and Commonwealth) in law-making.
19	AOS 1	<ul style="list-style-type: none"> Analyse the division of constitutional law-making powers of the state and Commonwealth parliaments, including exclusive, concurrent and residual powers Discuss the significance of Section 109 of the Australian Constitution.
20	AOS 1	<ul style="list-style-type: none"> Evaluate the means by which the Australian Constitution acts as a check on parliament in law-making, including: <ul style="list-style-type: none"> ❖ the bicameral structure of the Commonwealth parliament; and ❖ the separation of the legislative, executive and judicial powers.
21	AOS 1	<ul style="list-style-type: none"> Evaluate the means by which the Australian Constitution acts as a check on parliament in law-making, including:

		<ul style="list-style-type: none"> ❖ the express protection of rights; and ❖ the role of the High Court in interpreting the Australian Constitution.
22	AOS 1	<ul style="list-style-type: none"> • Evaluate the means by which the Australian Constitution acts as a check on parliament in law-making, including: <ul style="list-style-type: none"> ❖ the role of the High Court in interpreting the Australian Constitution; and ❖ the requirement for a double majority in a referendum.
23	AOS 1	<ul style="list-style-type: none"> • Discuss the significance of one High Court case interpreting sections 7 and 24 of the Australian Constitution. • Analyse the significance of one referendum in which the Australian people have protected or changed the Australian Constitution.
24	AOS 1	<ul style="list-style-type: none"> • Discuss the significance of one High Court case which has had an impact on the division of constitutional law-making powers. • Discuss the impact of international declarations and treaties on the interpretation of the external affairs power. • SAC.
25	AOS 2: The people, the parliament and the courts'	<p>Parliaments and courts</p> <ul style="list-style-type: none"> • Discuss the factors that affect the ability of parliament to make law, including: <ul style="list-style-type: none"> ❖ the roles of the houses of parliament; ❖ the representative nature of parliament; ❖ political pressures; and ❖ restrictions on the law-making powers of parliament.
26	AOS 2	<ul style="list-style-type: none"> • Analyse the roles of the Victorian courts and the High Court in law-making. • Analyse the reasons for, and effects of, statutory interpretation. • Discuss the factors that affect the ability of courts to make law, including: <ul style="list-style-type: none"> ❖ the doctrine of precedent; ❖ judicial conservatism; ❖ judicial activism; ❖ costs and time in bringing a case to court; and ❖ the requirement for standing.
27	AOS 2	<ul style="list-style-type: none"> • Analyse the features of the relationship between courts and parliament in law-making, including: <ul style="list-style-type: none"> ❖ the supremacy of parliament; ❖ the ability of courts to influence parliament; ❖ the interpretation of statutes by courts; ❖ the codification of common law; and ❖ the abrogation of common law.
28	AOS 2	<p>Law reform</p> <ul style="list-style-type: none"> • Explain the reasons for law reform. • Discuss the ability and means by which individuals can influence law reform including through petitions, demonstrations and the use of the courts.

		<ul style="list-style-type: none"> Analyse the role of the media, including social media, in law reform.
29	AOS 2	<ul style="list-style-type: none"> Evaluate the role of the Victorian Law Reform Commission and its ability to influence law reform. Evaluate one recent example of the Victorian Law Reform Commission recommending law reform. Evaluate the role of one parliamentary committee or one Royal Commission, and its ability to influence law reform. Discuss one recent example of a recommendation for law reform by one parliamentary committee or one Royal Commission.
30	AOS 2	<ul style="list-style-type: none"> Evaluate the ability of parliament and the courts to respond to the need for law reform. Assessment
31	Exam Prep	<ul style="list-style-type: none"> Exam prep and practice exams.
32	Exam Prep	<ul style="list-style-type: none"> Exam prep and practice exams.