22 years supporting the teaching & learning of Legal Studies

HSC Student lectures at Southern Cross University, Lismore
August 21st, 2015
HSC LEGAL STUDIES
TIPs and TRAPS

Presented by Keith Thomas, LSA President.
• Background to the Legal Studies Association of NSW
• FIVE sessions:
  ✓ Tips and Traps
  ✓ Crime
  ✓ Human Rights
  ✓ Family option
  ✓ Consumers option
TIPs and TRAPS

* Exam structure
* Being prepared for the exam - How to best prepare for Legal Studies
* The rubric
* Planning
* The glossary of terms
* The HSC writing booklet!
* Evaluating the effectiveness of the law
* Before, during and after the exam
* The POSITIVE marking process
* Specific tips and traps
* HSC LS Specimen paper
* HSC LS examination 2011
* HSC LS examination 2012
* HSC LS examination 2013
* HSC LS examination 2014


Exam structure (and timings!!!)
HSC external examination specifications

* The examination will consist of a written paper worth 100 marks.
* Time allowed: 3 hours plus 5 minutes reading time.
* The paper will consist of three sections.
SECTION I: CORE - Crime and human rights 20 marks

* There will be **objective response questions** to the value of 20 marks. *(Presently multiple choice!)*

* Questions to the value of 15 marks will be drawn from Crime.

* Questions to the value of 5 marks will be drawn from Human Rights.

* Questions may refer to stimulus.

Exam structure
SECTION II: CORE - Crime and human rights  30 marks

Part A: Human Rights  15 marks

* There will be short-answer questions to the value of 15 marks.
* The questions may be in parts. There will be 3-4 items in total.
* Questions may refer to stimulus.

Exam structure
Part B: Crime 15 marks

* There will be one extended response question to the value of 15 marks.
* The question may refer to stimulus...and did in 2014!
* The expected length of response is around four examination writing booklet pages (approximately 600 words).

Exam structure
Part B: Crime 2014 stimulus Q

Over time this Parliament, as representative of the community, and the courts have given police certain powers required to effectively fulfil their role in law enforcement. In return for these powers, however, police are required to exercise their power responsibly, particularly when these powers affect the civil liberties of members of the community whom the police serve.

THE HONOURABLE ROBERT DEBUS, ATTORNEY-GENERAL, Second Reading Speech Law Enforcement (Powers and Responsibilities) Bill 2002(NSW)17 September 2002

To what extent does the criminal investigation process balance the rights of victims, suspects and society? In your answer, refer to the above statement.
Part B: Crime 2014 stimulus Q

How should student approach this question?

1. Ignore the stimulus (at the start). Put a piece of paper over it! Don’t even read it!

2. Write an essay plan, focussing on the Q!
   To what extent does the criminal investigation process balance the rights of victims, suspects and society? In your answer, refer to the above statement.

3. Write a plan (on the first page of the answer booklet).

4. Read the stimulus.

5. Integrate into the plan 1-3 spots where the stimulus can be referred to.

6. Write the essay based on the plan!
SECTION III: OPTIONS 50 marks

* There will be seven extended response questions, one for each Option.
* Each question is worth 25 marks.
* Each question has two alternatives.
* Candidates answer two questions, each from a different Option. ONLY TWO questions, eg: 1 Family Q and ONE Consumers Q!!! Did anyone’s trial not look like the one on the next 3 slides / is anyone not familiar with the HSC examination format??
* The expected length of response is around eight examination writing booklet pages (approximately 1000 words). Don’t worry about words / pages ... concern yourself with ATBQ, PLBQ, ATBQ and producing a quality response!!!
Legal Studies

Section III — Options

50 marks
Attempt TWO questions from Questions 26-32, each from a different Option
Allow about 1 hour and 30 minutes for this section

Answer each question in a SEPARATE writing booklet. Extra writing booklets are available.
Question 26 – Consumers (25 marks)
a) “Consumer law makes little difference to the achievement of justice for consumers.” Discuss this statement.

OR

a) Evaluate the effectiveness of the regulation of marketing, advertising and product certification in achieving consumer protection.

Question 27 – Global Environment (25 marks)
a) In relation to environmental protection, assess the responsiveness of the law to changing values and ethical standards.

OR

a) With reference to Australia’s responses to international initiatives, assess the barriers to achieving an international response to global environmental protection.

Question 28 – Family (25 marks)
a) “Family law does not provide adequate protection for family members.” Discuss this statement.

OR

a) Evaluate the effectiveness of the law in achieving justice for parties involved in relationship breakdowns.
Question 29 – Indigenous Peoples (25 marks)

a) To what extent do issues of compliance and non-compliance impact on the protection of rights of indigenous peoples?

OR

b) How adequate are global and Australian responses in achieving justice for indigenous peoples?

Question 30 – Shelter (25 marks)

a) Assess the role of law reform in protecting those securing and providing shelter.

OR

a) To what extent do laws relating to the provision of social housing reflect changing values and ethical standards?

Question 31 – Workplace (25 marks)

a) To what extent have legal and non-legal measures been effective in achieving compliance in the workplace.

OR

a) Assess the responsiveness of the law to changing values and ethical standards in the workplace.

Question 32 – World Order (25 marks)

a) “The principle of ‘Responsibility to Protect’ has been ineffective in promoting peace and resolving conflict between nation states”.

Discuss this statement.

OR

a) To what extent have responses to world order been successful in achieving global cooperation.
* Having a **study plan** for LS is paramount!

* 2 extended responses (essays) and 1 600 word response (**effectively 3 essays!!!**), with 20 multiple choice and 3-5 short answers, on four different topics, requires **much study**! Geez...that’s not rocket science is it?!

**How do best prepare for Legal Studies**
Summaries of ALL FOUR units:

- LEARN Tos
- LEARN ABOUTS
- PRINCIPAL FOCUS
- THEMES & CHALLENGES
- CASES
- MEDIA
- LEGISLATION
- CONTEMPORARY ISSUES/EXAMPLES

* AKA - KNOW THE SYLLABUS!!!
Being prepared for the exam

* Study timetable ... and stick to it!
* Varied memory techniques
* Past papers
* Test yourself
* A tutor?
* Help from older siblings?

How do best prepare for Legal Studies
* Asking key questions of your teacher/s, submitting answers to questions from study guides / past papers!
* Having a neat, well-organised, quiet work space!
* Drinking lots of water and feeding the brain!
* Being here today!

How do best prepare for Legal Studies
Being prepared for the exam

How do best prepare for Legal Studies
In your answer you will be assessed on how well you:

- demonstrate knowledge and understanding of legal issues relevant to the question
- communicate using relevant legal terminology and concepts
- refer to relevant examples such as legislation, cases, media, international instruments and documents
- present a sustained, logical and cohesive response

The rubric!
KNOW that this rubric applies to both:

* The CRIME 600 word response

And.....

* The TWO essay option questions

The rubric!
The glossary of terms
The glossary of terms

* **Calculate:** Ascertain/determine from given facts, figures or information

* **Clarify:** Make clear or plain

* **Classify:** Arrange or include in classes/categories

* **Compare:** Show how things are similar or different

* **Construct:** Make; build; put together items or arguments

* **Contrast:** Show how things are different or opposite

* **Critically (analyse/evaluate):** Add a degree of accuracy depth, knowledge and understanding, logic, questioning, reflection and quality to (analysis/evaluation)
The glossary of terms

* **Deduce:** Draw conclusions
* **Define:** State meaning and identify essential qualities
* **Demonstrate:** Show by example
* **Describe:** Provide characteristics and features
* **Discuss:** Identify issues and provide points for and/or against
* **Distinguish:** Recognise as being distinct or different from; to note differences between
The glossary of terms

* **Evaluate**: Make a judgement based on criteria; determine the value of

* **Examine**: Inquire into

* **Explain**: Relate cause and effect; make the relationships between things evident; provide why and/or how

* **Extract**: Choose relevant and/or appropriate details

* **Extrapolate**: Infer from what is known
*Identify*: Recognise and name
*Interpret*: Draw meaning from
*Investigate*: Plan, inquire into and draw conclusions about
*Justify*: Support an argument or conclusion
*Outline*: Sketch in general terms; indicate the main features of
*Predict*: Suggest what may happen based on available information
The glossary of terms

* **Propose:** Put forward (for example a point of view, idea, argument, suggestion) for consideration or action
* **Recall:** Present remembered ideas, facts or experiences
* **Recommend:** Provide reasons in favour
* **Recount:** Retell a series of events
* **Summarise:** Express, concisely, the relevant details
* **Synthesise:** Putting together various elements to make a whole
More recently there have been a lot of questions set that have started with:

* **Why?**

Some examples include:

- **To what extent** has law reform responded effectively to contemporary consumer law issues? *Consumers essay 2013*
- **What** impact does state sovereignty have on the protection of human rights? **AND** **How** has the promotion of ONE contemporary human rights issue been influenced by the media? *Human Rights short answers 2012*
- **To what extent** are courts the only means of achieving justice within the criminal justice system? *Crime response 2012*
* Write a **plan** for the Crime 600 word and the TWO options’ 1000 word responses.
* The plan will help **clarify** for you how to structure your response.
* The best time to plan for all THREE responses is **immediately after the writing time starts**. Then complete ONE piece of extended writing straight away.
* The best place to **plan** is on the first page of each answer booklet. **Are you guys familiar with the HSC answer booklet format / size?**
* Refer back to (check) that you are following the set plan.
* Many HSC markers read plans.
* If candidates run out of time, most markers take into account points / issues read in the plan that weren’t addressed.
* It is essential that questions are clearly labelled, eg: **27A or 27B**.
* **HOT OF THE PRESS**: We have been directed this year **NOT to mark anything** that has been **CROSSED OUT**!

Thus:
- only cross it out if it is wrong / irrelevant!
- **tick off points completed in your plan**, DON’T cross them out!!!
* Be familiar with this booklet.
* Ask for more.
* Plan on the first page.
* Ensure name, question, A or B for Family, Consumers etc. is clearly labelled.
* No. of booklets used, eg: 1/2, 2/2
*To what extent?* Means: How far? How well does it achieve...?

*Be contemporary*

*Refer to* cases, law reform, media, suggested improvements.

*Don’t lump* LAW, LEGAL SYSTEM & MECHANISMS all together for evaluation

*Criteria* - can utilise some of the Preliminary and / or students’ own criteria
Criteria to evaluate effectiveness could include (from the Preliminary course):

* resource efficiency
* accessibility
* enforceability
* responsiveness
* protection of individual rights
* meeting society’s needs application of the rule of law – has justice been achieved?
<table>
<thead>
<tr>
<th>Intensification</th>
<th>Quantification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nearly (effective)</td>
<td>Very (effective)</td>
</tr>
<tr>
<td>Slightly (effective)</td>
<td>Greatly (effective)</td>
</tr>
<tr>
<td>Just (effective)</td>
<td>Extremely (effective)</td>
</tr>
<tr>
<td>Somewhat (effective)</td>
<td>Utterly (effective)</td>
</tr>
<tr>
<td>Moderately (effective)</td>
<td>Totally (effective)</td>
</tr>
<tr>
<td>Rather (effective)</td>
<td>Little (improvement)</td>
</tr>
<tr>
<td>Relatively (effective)</td>
<td>Small (improvement)</td>
</tr>
<tr>
<td>Fairly (effective)</td>
<td>Moderate (improvement)</td>
</tr>
</tbody>
</table>

Vary and sustain those judgements throughout. Conclude strongly on those judgements!

Start evaluating / making quantitative judgements in the plan & introduction.

Evaluating the effectiveness of the law.
<table>
<thead>
<tr>
<th>Clarifying</th>
<th>Showing cause/result</th>
<th>Indicating time</th>
</tr>
</thead>
<tbody>
<tr>
<td>in other words</td>
<td>so</td>
<td>then</td>
</tr>
<tr>
<td>for example</td>
<td>therefore</td>
<td>next</td>
</tr>
<tr>
<td>that is</td>
<td>consequently</td>
<td>finally</td>
</tr>
<tr>
<td>namely</td>
<td>due to..., owing to</td>
<td>meanwhile</td>
</tr>
<tr>
<td>in fact</td>
<td>because of this</td>
<td>previously</td>
</tr>
<tr>
<td>Sequencing ideas</td>
<td>Adding information</td>
<td>Condition/concession</td>
</tr>
<tr>
<td>firstly, first, second,</td>
<td>too</td>
<td>in that case</td>
</tr>
<tr>
<td>third...</td>
<td>in addition</td>
<td>however</td>
</tr>
<tr>
<td>at this point</td>
<td>also</td>
<td>despite this</td>
</tr>
<tr>
<td>to conclude</td>
<td>again</td>
<td>even so</td>
</tr>
<tr>
<td>given the above points</td>
<td>similarly</td>
<td>if not</td>
</tr>
<tr>
<td>to get back to the point</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Evaluating the effectiveness of the law**
Before, during and after the exam
Night before the exam

Before, during and after the exam
Before, during and after the exam.
BEFORE

* Be prepared as best as you can be. Ensure that the general **Notes from the Marking Centre** have been read. Know of the **performance band descriptors**. Know the **exam structure** and how much time to allocate to each section of the paper. Know what you are going to do in the **all-important 5 minutes reading time**. Summaries need to be up-to-date, with media, . Confident!

* Rule off studying sometime before you leave home for school. If you don’t know it by breakfast, you will probably never know it.
BEFORE

* **Look after your system** - sleep, eat and use the facilities.
* Plan to get to school safely and in plenty of time.
* Plenty of **pens** (in a clear plastic pencil case).
* **Get into the zone** as you are called into the exam hall. Be focussed. Its three hours...and unless you end up studying law...that could very well be the end of law for you. So be ready to give it your best shot!
BEFORE

Band 6 Performance Band Descriptor

* You need to know this for legal Studies and your other subjects...several of the tips contained within this presentation should help you with other subjects as well.

Before, during and after the exam
### Performance Band descriptions Legal Studies

*The typical performance in this band:*

| Band 6 | • analyses, synthesises and interprets information to **evaluate the effectiveness** of the domestic and international legal system in addressing issues  
• demonstrates extensive knowledge and understanding of the **operation of the legal system and the processes** involved in law reform  
• synthesises and analyses legal information from a variety of sources including **relevant legislation, cases, media, international instruments and documents** to support arguments in a domestic and international context  
• communicates coherent arguments on **contemporary issues** from **differing perspectives** and interpretations  
• communicates an argument using relevant legal concepts and terminology |
DURING

THAT AWKWARD MOMENT WHEN YOU RAISE YOUR HEAD DURING AN EXAM AND SEES EVERYONE WRITING

AND FEEL LIKE A COMPLETE JACKASS!!!

Before, during and after the exam
DURING

* **READING TIME:** My suggestion: Read the 4 essay choices for your TWO options. **SELECT** the Two questions that you are going to write.

* **WRITING TIME:** Write a plan for Part Section II (B) Crime. Write a plan for Option 1 (eg: Consumers) and Option 2 (eg: Family). Then it’s up to you. Perhaps knock over one of the option essays (eg: Family) straight away. (Remember what I said about ignoring stimulus - if there is stimulus - for the CRIME essay?!) 

* **ATTACK the QUESTION:** Highlight directive terms (eg: identify, explain, assess). **HIGHLIGHT T&C and Principal Focus** aspects within the questions.
* **STRUCTURE RESPONSES:** Short answers: if TWO answers are required: 1...2... or bullet points. With essays, use the plan to write an **introduction**, **sequential** (sustained, logical and cohesive as the rubric says) **body** and a **strong conclusion**. The conclusion is the last thing that most markers will read. Take the opportunity to remind them of key aspects of **law reform, evaluative points**. Evaluate the **legal system** right from the start of the essay - even from the first line of the introduction - don’t be shy! Write legibly!

* **Know the syllabus integration** of principal focus, T&C linked with a “Learn To”. (Higher order thinking comes from here!)
DURING (Continued...)

* Ensure that **time limits** are as close as possible, adhered to.
* **NO “Brain dumping”** - DON’T writing everything down that you know. Refer back to the question. Brain dumps may NOT: analyse, assess and / or evaluate, which will be expected by the question. RTBQ and ATBQ!
* Be aware that **rubrics** apply to Crime and the TWO options
AFTER EXAM

I did so bad in the exam...

...but who cares.
At least it has ended.
AFTER

* Chat with classmates about the paper and your answers.

BUT...

* DON’T second guess yourself...it’s too late to change it.

* Keep your fingers crossed! } the markers will do the rest!

* Rest! 

* Drink lots of water!!!

* If you got another exam to get ready for...move on!

* Way down the track, if you exceeded expectations or were on par with other performances...pat yourself on the back. If Legal Studies was below expectation...don’t bang your head against the wall...you can’t change it now...and there is far much more to life than HSC success! It just may not appear so right now!
HSC Legal Studies markers are very fair people overall. There is a rigorous process involved in marking the HSC, which includes many hours of briefings, and sometimes re-briefings, to ensure that groups of markers are best positioned to apply the marking criteria, provided by the exam committee, fairly and consistently.

The Crime response and the options are double-marked. Any discrepancies, of which there are few in Legal Studies, may be marked a third or even fourth time in order to exact procedural fairness for the candidate.

Candidates across the state should feel confident that their whole response will be read and that they will earn the marks that their work deserves.
General comments

* Teachers and candidates should be aware that examiners may ask questions that address the syllabus outcomes in a manner that requires candidates to respond by integrating their knowledge, understanding and skills developed through studying the course.

* Candidates need to be aware that the marks allocated to the question and the answer space (where this is provided on the examination paper) are guides to the length of the required response. A longer response will not in itself lead to higher marks. Writing far beyond the indicated space may reduce the time available for answering other questions.

* Candidates need to be familiar with the Board’s Glossary of Key Words, which contains some terms commonly used in examination questions. However, candidates should also be aware that not all questions will start with or contain one of the key words from the glossary. Questions such as ‘how?’, ‘why?’ or ‘to what extent?’ may be asked, or verbs may be used that are not included in the glossary, such as ‘design’, ‘translate’ or ‘list’.
**MARKING CENTRE COMMENTS**

* In preparing for the examination, candidates should:
  - note that the objectives and outcomes in the syllabus are very important to all parts of the course and to all parts of the examination
  - develop a sound understanding of the basic concepts and processes found in the course, as these are most likely to be referred to in questions
  - note that the rubric applies to Section II Part B (Crime) and Section III (Options) of the examination paper
  - in Section III, clearly identify the alternative (a) or (b) being answered
  - directly address a quotation if required by the question.

* Candidates should note that responses that are clearly pre-prepared reflect little engagement with the issues raised in the question and will not attract higher marks.
Tips:

* Toilet door theory
  * Don’t keep memorising what is already known...focus on hard to learn info, not what is committed to memory
* Multiple choice strategy
* Resources

Specific Tips and Traps
Multiple choice questions, especially HR questions, can be very difficult. Be aware that the exam committees for most HSC subjects have been directed to order the 20 multiple choice questions, from this year, from easiest to hardest! Candidates have to select the best possible alternative. ALL 4 alternatives may in fact be correct to some degree as the Examination Committee are given a brief of making all 4 alternatives for each question “plausible”.

Suggestion: process of elimination, select one and give it as the answer. Check, if time permitting, towards the end of the allocated 3 hour time period. Now that’s not rocket science and your teachers would have suggested that to you.

DO NOT try and make sense of the multiple choice answers from year to year. They vary. The law will never be an exact science! Doing this will do your head in!
**Tips: From our former LSA President...John Andrews!**

* Students should **know laws, cases and media** and be able to relate it to a part of the syllabus/course/unit.
* Use your assessment tasks. **Deconstruct** them.
* Timed responses to tune up your timing! (5 minutes planning, 40 minutes HAND writing!)
* **Highlighting within essays:** directive terms, technical terms, content, support, evaluation /criteria (5 highlighters required!)
A detailed understanding of HSC syllabus requirements is the most important thing any Legal Studies candidate can acquire. Major impediments to high marks still stem from students failing to meet basic course necessities. (Look at the first dot point in the top mark range of the criteria ... extensive understanding).

"There's a real issue with candidates who don't use a range of relevant examples in their answers, which they are required to do by the HSC rubric," Mr Andrews says. "Relevant examples, such as legislation, cases, media, international instruments and documents must be integrated into question responses."

Mr Andrews says problems also arise from candidates failing to tie relevant examples into their answers.
"They tell the examiner everything they know about the optional topic, whether it be something like consumers or family, but they don't actually answer the question. The marker will say, 'That's a good example, but what have you done with it?' It doesn't matter how well you write or how factually accurate it is, if you haven't addressed the question that's being asked, you're in trouble."

The key to avoiding such pitfalls, says Mr Andrews, is a strong focus on practice essays from now until the HSC. Not surprisingly, the emphasis should be on deconstructing questions to see exactly what they're asking.

"Don't just look at them and focus on one or two terms and write everything you know about them," he says. "Practise writing plans to questions, put down a little summary of what the content required is, and give it to your teacher so they can check it and provide feedback."
"Throughout year 12 I collected newspaper articles every day and made a media file of contemporary issues relevant to the syllabus so I could then use them in my essays," explains the former PLC Croydon student. "I also collected statistics from a range of places such as the Bureau of Crime Statistics and Research and the UN website, just so I had a range of examples and sources to draw from."

Another major aspect of Uma's preparation centred on summarising her resources and relating them to the course requirements.
Tips: From a recent (2013) HSC student...Uma Ramrakha!

* "I focused not just on the content part, but also the themes and challenges, which were generally a focus point of a lot of essay and short-answer questions."

* Currently studying law and communications at UTS, Uma also attributes her HSC performance to the format and consistency of her study regime: "I'd wake up at 5.45am and study from 6am until 7am, then go to school, come home, and study from 4pm until 7pm," she recalls. "I did a lot of practice essay plans and a lot of essay skeletons. I'd even make up my own questions and do plans for them. The plans would be really specific and include a lot of relevant examples and information.“ (You need to set up a study plan that suits you and will work for you).
Tips:

Watch NOW:

http://www.youtube.com/watch?v=2i7IPr-gn3g

Listen to at home!

http://www.youtube.com/watch?v=gmxuQAw-6kA


* Exam workbooks

  https://bosho.boardofstudies.nsw.edu.au/cgi-bin/LANSAWEB?PROCFUN=IW@shop+iw@main+prd+funcparms+gotoitem(A0150):HSC & Workbook
Traps:

* **Bus stop theory**

* Thinking you’re studying

* Don’t expect to know it in the exam... if you don’t know it when you’re studying, it won’t miraculously appear in the 3 hours of the HSC. Certainty comes from preparation.

* Not caring, being motivated... most students only attempt the HSC ONCE... may as well give it a bloody good go!
Traps:

**study**

*(verb)*

The act of texting, eating and watching TV with an open textbook nearby.

**Specific Tips and Traps**
Traps:

You guys won’t fall into this trap ...you are here!!!

OR BECAUSE I DON'T GIVE A SHIT ANYMORE

Specific Tips and Traps
GOOD LUCK
FOR YOUR
EXAM