Legal Studies

Stage 6

Syllabus

2009
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Legal Studies forms part of the Human Society and Its Environment continuum of study from Kindergarten to Year 12. It complements other Stage 6 subjects in the area.
2 Rationale

There is a lot of loose talk in Australia about democracy, the rule of law and basic rights. Yet unless we educate future citizens concerning the broad outline of our laws, they may grow up feeling that law is alien to their experience. I want them to grow up insisting that the law must be just and modern and accepting the citizen’s responsibility to ensure that this is so.

Michael Kirby AC CMG
Former Justice of the High Court of Australia

Our society is regulated by a complex set of rules and regulations which both guide and protect individual and community rights. Being well informed about legal issues, including the rights and responsibilities integral to our society, is part of being an active and informed citizen. Students of Legal Studies Stage 6 will develop an understanding of legal concepts and the way the law functions in our society.

The syllabus focuses on the way in which law is generated, how it is structured and how it operates in Australian and international contexts. Learning about our legal system will allow students to investigate the way our society operates and the influences that shape it.

Students will develop an understanding of the implications that legal decisions can have for Australian society and the ways in which the legal system can affect the lives of Australian citizens. A critical understanding of the processes of reform and change will help students to contribute to making our society more equitable for all.

The Legal Studies Stage 6 course offers excellent preparation for life through a study of the legal system, its principles, structures, institutions and processes. The course fosters respect for cultural diversity. It allows students to question and evaluate legal institutional structures in the domestic and international environments and to undertake a comparative analysis of other political and institutional structures.

Legal Studies enables students to have confidence in approaching and accessing the legal system and provides them with a better appreciation of the relationship between social and legal structures. The course will assist in the development of students’ knowledge of their basic legal rights and responsibilities in a broad selection of contexts which appeal to their interests.

Legal Studies is situated in the key learning area (KLA) of Human Society and Its Environment (HSIE). The skills developed in the HSIE KLA empower students to become critical learners and thinkers.

The Legal Studies Stage 6 course also provides learning that prepares students for further education and training, employment and full and active participation as citizens in Australia and in the global society. Students gain the skills of critical analysis, independent research, collaboration, and effective communication.
3 Employability skills statement

Legal Studies provides a context for the development of higher-order thinking skills necessary for further education, work and everyday life, and a range of other employability skills.

Employability skills are embedded in the Legal Studies syllabus to enhance student learning. The employability skills of planning and organising, learning and communication are explicit in the objectives, outcomes and content of the Preliminary and HSC courses. The development of these skills results from the nature of Legal Studies and the investigation and analysis of legal issues. The employability skill of self-management is explicit in the outcomes for the HSC course. Students will also work towards other employability skills throughout the Legal Studies Stage 6 course. During investigations they will need to use appropriate information technologies and so develop the appropriate employability skills in technology. The Law in Practice unit in the Preliminary course supports students to demonstrate initiative and enterprise as they investigate areas of the law in which they have an interest. Finally, as students investigate and propose solutions to legal problems, they develop problem-solving skills.

4 Aim

Legal Studies develops students’ knowledge, understanding and critical thinking skills in relation to the legal system and its effectiveness in promoting a just and fair society, with a view to empowering students to participate effectively as responsible citizens at the local, national and international level.

5 Objectives

Through Legal Studies, students will develop:

knowledge and understanding about:

- the nature and institutions of domestic and international law
- the operation of Australian and international legal systems and the significance of the rule of law
- the interrelationship between law, justice and society and the changing nature of the law

skills in:

- investigating, analysing and communicating relevant legal information and issues

interest in, and informed and responsible values and attitudes in regard to:

- legal functions, practices and institutions.
# The structure of Legal Studies

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<th>Preliminary</th>
<th>HSC</th>
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<td>40%</td>
<td>Core Part I: The legal system</td>
<td>Core Part I: Crime</td>
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<td>• Basic legal concepts</td>
<td>• The nature of crime</td>
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<td>• Sources of contemporary Australian law</td>
<td>• The criminal investigation process</td>
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<td>• Classification of law</td>
<td>• The criminal trial process</td>
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<td>• Sentencing and punishment</td>
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<td>Core Part II: The individual and the law</td>
<td>Core Part II: Human rights</td>
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<td>• Your rights and responsibilities</td>
<td>• The nature and development of human rights</td>
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<td>• Resolving disputes</td>
<td>• Promoting and enforcing human rights</td>
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<td>• Contemporary issue: the individual and technology</td>
<td>• Contemporary issue</td>
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<td>Core Part III: Law in practice</td>
<td>Part III: Options</td>
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<td>The Law in practice unit is designed to provide opportunities for students to deepen their understanding of the principles of law covered in the first sections of the course. <strong>This section may be integrated with Part I and/or Part II.</strong></td>
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<td>• Consumers</td>
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**Please note:**
Outcomes are applicable to all topics. Some may be more relevant to a particular topic than others. Outcomes may be examined.

The principal focus for each topic may be examined.

Each topic's themes and challenges should be integrated into the study of the topic, and they may be examined.