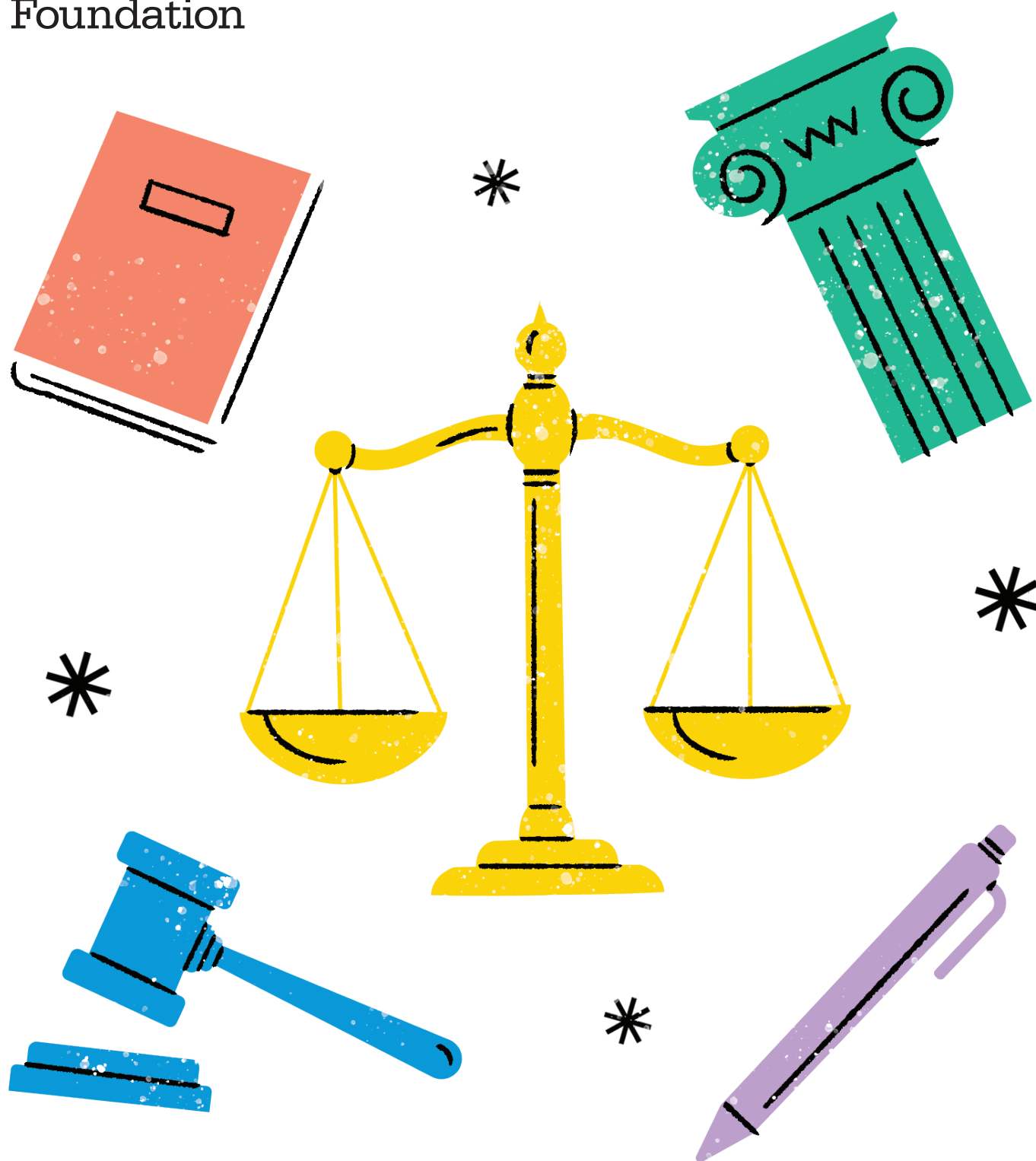




VCE Study Tips

Legal Studies Units 3 & 4

Many secondary students assume that Legal Studies is only relevant for those intending to pursue law at university; however, this is a misconception.

Legal knowledge is an essential component of active and informed citizenship.



This checklist is your survival guide for Legal Studies: practical things you can actually do now to make exams less stressful later. It helps you stay organised, use real cases confidently, and keep up with what's happening in the legal world, so nothing in an exam feels unfamiliar or overwhelming.



Build core legal knowledge and exam preparation

- ☐ Obtain a copy of the VCE Legal Studies Study Design from www.vcaa.vic.edu.au and use it as your main revision guide
- ☐ Obtain a copy of the *Commonwealth of Australia Constitution Act 1900*.
- ☐ Create complete topic notes for all areas of Units 3 and 4. Do not leave gaps or specialise in favourite topics.
- ☐ Develop notes on key legislation and constitutional sections studied in class.
- ☐ Prepare focused notes on key legislation, supported by system/cue cards for recall
- ☐ Download and practise with past VCAA exams and examiners' reports from www.vcaa.vic.edu.au (checking relevance to the current Study Design).



Understand and apply the law using real-world examples

- ☐ Develop case notes using FIDS (Facts, Issues, Decision, Significance) to support legal arguments and the principles of justice www.austlii.edu.au
- ☐ Familiarise yourself with primary legal sources, especially Victorian courts and tribunals www.courts.vic.gov.au
- ☐ Collect and practise using relevant case studies, including those from the County Court of Victoria website www.countycourt.vic.gov.au
- ☐ Stay informed about current legal developments through news and media sources

This checklist is designed to help you approach the VCE Legal Studies exam with confidence. Use it before the exam to make sure you understand each question, manage your time effectively, and present your answers in the way VCAA expects.



Before the exam day

- ☐ Revise ALL areas of the Study Design – do not ignore topics or specialise
- ☐ Practise past exam questions under timed conditions
- ☐ Prepare case examples, legislation, and terminology for each key area
- ☐ Learn task words (e.g. outline, describe, discuss, evaluate, to what extent)



On the exam day

- ☐ Arrive a few minutes early
- ☐ Bring blue or black pens (and spares!)
- ☐ Bring a ruler
- ☐ Stay calm and focused



During the exam

Reading time (15 minutes)

Understanding the questions

- ☐ Read every question carefully
- ☐ Do not write or mark the exam paper

For each question, identify:

- ☐ **Content** – what topic or legal concept is being examined?
- ☐ **Task word** – what are you being asked to do with the content?

Marking the questions

- ☐ Highlight the task word (e.g. outline, describe, compare, evaluate)
- ☐ Circle key content terms (e.g. County Court, upper house, jurisdiction)
- ☐ Underline any limitations (e.g. one role, criminal, effectiveness)

You may use your own code instead.



Writing time

Answering questions

- ☐ Allocate time based on marks
- ☐ Answer ALL questions (no penalties for incorrect answers)
- ☐ If asked for one example, give one only
- ☐ Write in clear sentences, not dot points
- ☐ If continuing elsewhere, clearly indicate where your answer continues

Use of examples

- ☐ Use relevant, real legal examples (cases, legislation, courts)
- ☐ Avoid examples from TV shows or local events
- ☐ Make sure examples support the point being made

Final 5–10 minutes

- ☐ Stay until the end of the exam
- ☐ Re-read responses
- ☐ Check that you've answered the correct task

Presentation structure

- ☐ Get straight to the point
- ☐ No introduction or conclusion, unless asked
- ☐ Write in a logical order that directly answers the question
- ☐ For *compare* / *contrast* / *evaluate* / *to what extent* questions: Make paired points (parliament vs courts) rather than listing all of one side then the other

Fixing errors neatly

- ☐ Small mistake → rule through neatly and continue
- ☐ Large mistake → cross out and refer the assessor to the new location
- ☐ Additions → clearly indicate where they belong

Common command terms used in VCE Legal Studies

Word	Meaning	Difficulty
Advise	Offer suggestions about the best course of action or make recommendations	
Analyse	Critically examine and identify the essential elements of features and principles	
Compare	Recognise the similarities and differences between approaches, roles or institutions	
Define	Give exact meaning of	
Describe	Give a factual account. If the question refers to a process, you may be expected to describe the process in sequential order	
Discuss	Present a reasoned argument for and against a particular issue. You may add your opinion as part of a balanced argument.	
Distinguish	Recognise or note differences, or note the distinctive characteristics	
Evaluate	Set out the strengths and weaknesses of, give your opinion of the value of the arguments	
Explain	Provide details to give the reader an understanding of	
Identify	To determine the key characteristics or features	
Justify	Show or prove a statement, opinion, argument or contention to be right or reasonable by providing evidence, information or examples	
Outline	Give a brief overview or summary of the main features of a system, role, scenario or argument	
Provide	Give, supply or specify	
To what extent	Specify the degree to which an institution, procedure, or law fulfils a purpose or principle	
What	Specify or provide further information about feature, concept, issue or circumstance	
Who	Specify an individual (person), group, institution or organisation	
Why	Give a reason or explanation for the cause or purpose of an action or impact	

Unit 3:

Rights and justice



Key knowledge

Use this to test your understanding in this unit. You can rate how well you understand the content to see which lessons or chapter you may need to revisit in your VCE Legal Studies textbook.

AOS 1: The Victorian criminal justice system

My understanding

I can explain the nature of criminal offences and the protections within the criminal justice system, including the distinction between summary and indictable offences, key principles such as the burden of proof, standard of proof and presumption of innocence, and the rights of the accused and victims (such as the right to silence, trial by jury, alternative arrangements for giving evidence, and access to information about proceedings and offender release).

I don't know	Getting there	I can teach this

Go to Chapter 3 for Revision

I can explain how criminal cases operate and aim to achieve justice, including the principles of fairness, equality and access, the role and need for legal practitioners, the functions of key personnel (the judge or magistrate, jury and parties), the reasons for the Victorian court hierarchy (specialisation and appeals), and how costs, time and cultural differences can affect justice outcomes.

I don't know	Getting there	I can teach this

Go to Chapter 4 for Revision

I can explain how criminal cases may be resolved and offenders sentenced, including the purposes and appropriateness of plea negotiations, the purposes of sanctions (rehabilitation, punishment, deterrence, denunciation and protection), types of sanctions such as fines, community correction orders and imprisonment, and the factors considered in sentencing, including aggravating and mitigating factors, guilty pleas and victim impact statements.

I don't know	Getting there	I can teach this

Go to Chapter 5 for Revision

AOS 2: The Victorian civil justice system

My understanding

I can explain the key principles of the Victorian civil justice system and how civil claims begin, including the burden of proof and standard of proof, and the factors to consider before initiating a civil claim such as costs, limitation of actions and potential enforcement issues.

I don't know	Getting there	I can teach this

Go to Chapter 6 for Revision

I can explain how civil disputes are resolved and how the system aims to achieve justice, including the principles of fairness, equality and access, the purposes and appropriateness of dispute-resolution methods (mediation, conciliation and arbitration), the role of institutions such as Consumer Affairs Victoria, VCAT and the courts, the use of class actions, and the impact of time and costs on access to justice.

I don't know	Getting there	I can teach this

Go to Chapter 7 for Revision

I can explain the roles of courts, legal professionals and remedies in civil disputes, including the reasons for the Victorian court hierarchy (administrative convenience and appeals), the roles of key personnel (judges or magistrates including case management, juries and the parties), the need for legal practitioners, and the purposes and appropriateness of remedies such as damages and injunctions.

I don't know	Getting there	I can teach this

Go to Chapter 8 for Revision

Scenario 1

Natania, a single mother and primary carer for her elderly mother, was walking home from work while calling her son when she was confronted by her 24-year-old neighbour, Eric. Eric has a history of making derogatory comments about Natania's cultural background. During the encounter, he slapped her phone from her hand, smashing it, and forcibly took her bag containing her wallet and personal items worth \$230. Several bystanders witnessed the incident.

Natania now faces a \$512 phone repair bill she cannot afford, despite needing to remain contactable at work for family emergencies. Police arrested Eric and charged him with robbery, as well as a separate theft charge relating to missing plants from Natania's doorstep, although that allegation is unsupported by witnesses or CCTV.



As the matter proceeds to Court, Eric, who is unemployed, is concerned about his defence. Natania is anxious about the legal process and about continuing to live on the same street as him. She has also been warned by another neighbour, Bailey, not to buy a \$75 replacement phone from SmallTechPrice.com after reports it caused serious burns to multiple users, including Bailey.

a. Explain how one legal service could assist Eric financially. (2 marks)

b. If Eric is found guilty and sentenced in the Magistrates' Court, **explain** how the magistrate is likely to balance the relevant factors when determining an appropriate sentence. (4 marks)

c. Discuss the legal rights and support options available to Natania as a victim of crime. (5 marks)

d. Although Bailey is not directly involved in the criminal case, **explain** how she could seek compensation through civil actions against SmallTechPrice.com. (8 marks)

[illegible]

Key organisations and websites for study

Australian Electoral Commission	www.aec.gov.au
Australian Law Reform Commission	www.alrc.gov.au
Australasian Legal Information Institute	www.austlii.edu.au
Australian Parliament	www.aph.gov.au
Court Services Victoria	courts.vic.gov.au
Department of Justice and Regulation	www.fcfcoa.gov.au
Family Court of Australia	www.fcfcoa.gov.au
Governor of Victoria	www.governor.vic.gov.au
Governor-General of Australia	www.gg.gov.au
High Court of Australia	www.hcourt.gov.au
Law Institute of Victoria	www.liv.asn.au
Law Reform Committee	www.parliament.vic.gov.au/lawreform
Parliament of Victoria	www.parliament.vic.gov.au
Parliamentary Counsel	www.vic.gov.au/office-chief-parliamentary-counsel
Sentencing Advisory Council	www.sentencingcouncil.vic.gov.au
Victoria Police	www.police.vic.gov.au
Victoria Law Foundation	www.victorialawfoundation.org.au
Victoria Legal Aid	www.legalaid.vic.gov.au
Victorian Electoral Commission	www.lawreform.vic.gov.au
Victorian Law Reform Commission	www.lawreform.vic.gov.au

Unit 4:

The people, the law and reform



Key knowledge

Use this to test your understanding in this unit. You can rate how well you understand the content to see which lessons or chapter you may need to revisit in your VCE Legal Studies textbook.

AOS 1: The people and the law-makers

My understanding

I can explain the role of parliament and the Australian Constitution in law-making, including the roles of the Crown and the Houses of Parliament at both Victorian and Commonwealth levels, the division of law-making powers (exclusive, concurrent and residual), the significance of section 109, and one High Court case that has affected state and Commonwealth law-making powers.

I don't know	Getting there	I can teach this

Go to Chapter 10 for Revision

I can explain the factors that affect parliament's ability to make law and the ways the Constitution limits parliament, including the bicameral structure of parliament, international pressures, the representative nature of parliament, the role of the High Court in protecting representative government, the separation of legislative, executive and judicial powers, and the express protection of rights.

I don't know	Getting there	I can teach this

Go to Chapter 11 for Revision

I can explain the role of the Victorian courts and the High Court in law-making and their relationship with parliament, including the reasons for and effects of statutory interpretation, the features of the doctrine of precedent (binding and persuasive precedent, reversing, overruling, distinguishing and disapproving), factors affecting courts' ability to make law (precedent, judicial conservatism and activism, costs, time and standing), and the interaction between courts and parliament through parliamentary supremacy, court influence, codification and abrogation of common law.

I don't know	Getting there	I can teach this

Go to Chapter 12 for Revision

AOS 2: The people and reform

My understanding

I can explain why law reform occurs and how it can be influenced, including reasons for law reform, the ways individuals and groups can influence reform (such as petitions, demonstrations and the use of the courts), the role of the media and social media, the role and influence of the Victorian Law Reform Commission, one recent VLRC inquiry into the civil or criminal justice system, and the role and influence of Royal Commissions or parliamentary committees, including one recent Royal Commission or parliamentary committee inquiry.

I don't know	Getting there	I can teach this

Go to Chapter 13 for Revision

I can explain how and why the Australian Constitution can be reformed, including reasons for constitutional change, the requirement for Commonwealth parliamentary approval and a double majority referendum, factors that affect the success of a referendum, and the significance of the 1967 referendum regarding First Nations people and the 2023 referendum on an Aboriginal and Torres Strait Islander Voice.

I don't know	Getting there	I can teach this

Go to Chapter 14 for Revision

Scenario 2

With recent media attention on the current jury system, there has been substantial public criticism regarding the effectiveness and efficiency of jury trials, especially in serious criminal cases. In response, the Victorian Law Reform Commission (VLRC) has conducted an inquiry into the right to trial by jury. Recommendations for reform have been made but not yet implemented. In particular, the VLRC has recommended abolishing the right to jury trials and replacing them with judge-only trials, to adopt an approach similar to international jurisdictions like Singapore and India.



- a. Evaluate** the ability of the VLRC to address the key concerns about jury trials, and analyse factors that may have limited the VLRC's influence on law reform. (6 marks)

- b. Explain** the role of the Australian Constitution if the Victorian Parliament attempts to pass a law abolishing the right to trial by jury for all indictable Commonwealth offences, following the recommendation. (8 marks)

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c. Identify and explain the types of precedent that influence the VLRC. In your response, discuss how the doctrine of precedent operates and provide examples of its successful application in law reform. (4 marks)

[illegible]

Unit 3 Scenario 1 sample answer

- a. Eric could seek assistance from Victoria Legal Aid (VLA), which may provide free legal advice, duty lawyers, or low-cost representation if he meets the means and merits tests, helping manage costs without unnecessarily forfeiting his rights.
- b. The magistrate would balance the seriousness of the robbery, Eric's circumstances and the impact on Natania to determine a proportionate sentence. Aggravating factors include the use of force, the financial and emotional impact on Natania, and evidence that the offence may have been motivated by prejudice against her cultural background. Eric's relatively young age and prospects of rehabilitation may reduce the sentence, as could an early guilty plea if one were entered. However, his unemployment alone is not necessarily mitigating. The unsupported plant-theft allegation should not affect the sentence unless it is proved or admitted. The magistrate would impose a sentence that appropriately punishes Eric, denounces the offending, deters similar conduct, supports rehabilitation and protects the community.
- c. As a victim of violent crime, Natania has rights under the Victims' Charter, including being kept informed about court proceedings and outcomes. If Eric receives a custodial sentence and Natania registers with the Victims Register, she may also be notified of his release date, helping her plan for safety. She can access victim support services, receive counselling or court assistance, and submit a victim impact statement to explain the emotional and financial harm she suffered.
- d. Bailey may pursue compensation through consumer law. Her first step could be lodging a complaint with Consumer Affairs Victoria (CAV), as the phone likely breached Australian Consumer Law guarantees of safety and acceptable quality. CAV is a Victorian government agency responsible for resolving consumer disputes between consumers and businesses and ensuring compliance with the Australian Consumer Law (ACL). If unresolved, Bailey may apply to VCAT, which can make binding compensation orders in a low-cost and accessible forum. VCAT is an independent statutory tribunal with jurisdiction to hear consumer disputes and make legally binding decisions, including orders for compensation. However, given that many consumers suffered similar injuries, Bailey and others may be eligible to commence a class action in a court, allowing them to collectively seek compensation for harm caused by the defective phone.

Area of Study 1

1 mark – mentioning VLA

1 mark – identifying merits and means test

Area of Study 1

1 mark – identifying and explaining mitigating factor

1 mark – identifying and explaining aggravating factor

1 mark – applies the factors to the facts

1 mark – identifies and explains a relevant sentencing purpose ie. rehab

Area of Study 1

2 marks – Victims Charter and explains the rights of the victim

2 marks – Victims Register and its conditions

1 mark – Victim Impact statement

Area of Study 2

2 marks – CAV and its features

2 marks – VCAT and its features

3 marks – class action and its rules

1 mark – application to case

Unit 4 Scenario 2 sample answer

- a. Jury trial laws may need reform because community expectations, trial complexity, delay, cost and juror stress can change over time. The VLRC investigates Victorian law, consults experts and the public, and gives reform recommendations to Parliament. However, it cannot make law, and Parliament does not have to adopt its recommendations because of political, cost or controversy concerns.
- b. The Constitution limits parliamentary power by protecting express rights and acting as a check on Parliament. Section 80 requires indictable Commonwealth offences to be tried by jury, so the Victorian Parliament cannot remove this right where Commonwealth offences are involved. If a Victorian law conflicted with a valid Commonwealth law, section 109 would make the Commonwealth law prevail and the Victorian law inoperative. Section 80 could only be changed by referendum under section 128, requiring a double majority, thus acting as a safe guard. Without this, the High Court could declare the Victorian law invalid.
- c. The VLRC considered persuasive precedents from Singapore and India, which are influential but not binding because they sit outside the Victorian court hierarchy. These examples help assess judge-only trials as possible 'best practice' reform. This reflects precedent more broadly: courts must follow binding precedent (*stare decisis*) but may use persuasive precedent for guidance. Courts can also develop the law by reversing, overruling, distinguishing or disapproving earlier cases from the *ratio decidendi*. *Donoghue v Stevenson* and its later adoption in Australia through *Grant v Australian Knitting Mills* show how overseas legal development can influence Australian law reform.

Area of Study 2

2 marks – identifying changing societal expectations, and one from public criticism/protest

2 marks – purpose and role of VLRC

2 marks – identifying the limitation of VLRC in relation to case

Area of Study 1

1 mark – check on parliament

1 mark – safeguard / protection

6 marks – defines and mentions how the three sections interrelate (right to trial by jury, commonwealth prevail, referendum)

Area of Study 1

1 mark – identifies types of precedents and how they apply

1 mark – Example of a successful persuasive precedent

2 marks – *ratio decidendi* and *stare decisis*

Disclaimer: AI was used as a drafting and editing aid in the development of this document. Human review, decision-making, and accountability were maintained throughout.