

**DAPTO HIGH SCHOOL**  
**Preliminary Legal Studies Assessment Task 1**

**Basic Legal Notions and Sources of Law**

**Part 1 – Multiple Choice Questions (37 marks)**

Choose the **best** answer and indicate your response on the answer sheet provided. 1 Mark each

1. A custom can be best described as:
  - A) traditions of a society that have evolved over time
  - B) laws introduced dating from 1788
  - C) laws of a country
  - D) agreements between nation states
  
2. Which of the following best describes a country in a state of anarchy?
  - A) a country where there are binding laws
  - B) a country where equality is guaranteed by a constitution
  - C) a country which does not have laws
  - D) a country where law is applied by the military
  
3. Rules can be best described as:
  - A) legally binding on all citizens
  - B) enforceable by the courts
  - C) not enforceable by the courts/police
  - D) applying equally to all citizens within a nation state
  
4. Which of the following is a feature of law?
  - A) binding only on those who choose to follow them
  - B) able to be changed as society changes
  - C) always achieves justice
  - D) is accepted by all citizens
  
5. A fine of \$500 for speeding applies to all citizens equally. This is an example of:
  - A) Formal equality
  - B) Equality of outcomes
  - C) Affirmative action
  - D) Custom
  
6. Traditional Aboriginal and Torres Strait Islander law can best be described a:
  - A) anarchy
  - B) customary law
  - C) statutory law
  - D) socialism
  
7. Shaking hands when meeting a person can best be described as:
  - A) a moral duty
  - B) a legal duty
  - C) a social duty
  - D) a custom

8. Which of the following best describes legal rules?
- A) legal rules are enforced by the state
  - B) legal rules must not be altered
  - C) legal rules are backed by sanctions
  - D) legal rules are followed voluntarily
9. Citizens must obey the law because it is:
- A) enforceable
  - B) administered by police
  - C) fair
  - D) passed by parliament
10. James decides to disobey an order to join the army and go to war because he believes in peace. James' reasons could best be described as:
- A) fear based
  - B) a clash of values
  - C) customary
  - D) a rejection of legal principles
11. Fairness can best be described as:
- A) a characteristic of justice
  - B) decisions made free from bias
  - C) subjective
  - D) all of the above
12. Sally and Mike are both fined for travelling on a train without a ticket. This is best described as an example of:
- A) equality of law
  - B) police effectiveness
  - C) police targeting young offenders
  - D) fairness
13. Laws are passed to help a group of people who formally have been disadvantaged. This is best described as:
- A) unfair treatment
  - B) equality
  - C) equality of outcomes
  - D) formal equality
14. Laws can be described as having which of the following as an ideal?
- A) justice, fairness and anarchy
  - B) custom, justice and equality
  - C) anarchy, fairness and justice
  - D) equality, fairness and justice
15. The citizens of Derivia have always eaten grapes on Monday. This is best described as an example of:
- A) a custom
  - B) equality
  - C) common values
  - D) a law

- 16.** A government decides to ban testing on human embryos because of the belief of the importance of life forms. This can be best described as a decision based on:
- A) fairness
  - B) misuse of government authority
  - C) ethical considerations
  - D) custom
- 17.** Which of the following best describes common law?
- A) laws passed by parliament
  - B) laws made by the Church
  - C) laws made by tribal elders
  - D) laws based on decisions from courts
- 18.** The ability to overturn or modify a legal decision if it was thought that it did not reflect justice is best described as:
- A) equity
  - B) equality
  - C) fairness
  - D) natural justice
- 19.** Judges making decisions based on the outcome or previous similar cases could be described as the doctrine of:
- A) natural justice
  - B) rule of law
  - C) precedent
  - D) justice
- 20.** The court process where each party presents their case to a judge who then asks questions to determine the truth is best describes as:
- A) adversarial system
  - B) inquisitorial system
  - C) common law system
  - D) democratic system
- 21.** Laws that are made by parliament are referred to as:
- A) common law
  - B) customary law
  - C) democratic law
  - D) statute law
- 22.** Which of the following is the best example of anarchy?
- A) Australia
  - B) riots that go out of control
  - C) USA
  - D) a prison
- 23.** Customary law follows:
- A) an oral tradition
  - B) a written tradition
  - C) an artistic decision
  - D) no tradition

24. Delegated legislation is an example of:
- A) a custom
  - B) anarchy
  - C) a legal rule
  - D) common law
25. When a society collapse into anarchy there is said to be a:
- A) constitutional breakdown
  - B) breakdown in original jurisdiction
  - C) religious law
  - D) breakdown in the rule of law
26. Child pornography is illegal due to:
- A) economic reasons
  - B) political reasons
  - C) moral reasons
  - D) historical reasons
27. The authority of the elders of Aboriginal and Torres Strait Islanders is due to:
- A) secular law
  - B) natural justice
  - C) community law
  - D) sacred law
28. The main source of Aboriginal and Torres Strait Islander is the:
- A) Dreaming
  - B) common law
  - C) statute law
  - D) delegated legislation
29. Disputes concerning Aboriginal and Torres Strait Islander peoples are settled by:
- A) debate
  - B) conciliation and mediation
  - C) the United Nations
  - D) women
30. A major difference between English law and Aboriginal and Torres Strait Islander law is the importance of:
- A) rules
  - B) laws
  - C) punishment
  - D) the Dreaming
31. The system of law used in Canada, New Zealand and the USA is:
- A) customary law
  - B) statute law
  - C) common law
  - D) religious law

32. Fairness and common sense were brought into common law through the introduction of:
- A) equity
  - B) finance
  - C) litigation
  - D) law reform
33. *Ratio decidendi* is the part of the precedent that is:
- A) ignored
  - B) delegated
  - C) customary
  - D) binding
34. The Central Schools Football Bill 2005 (NSW) is:
- A) law in NSW
  - B) law in Australia
  - C) not yet a law in NSW
  - D) not yet a law in Australia
35. Sydney City Council has the power to make laws through:
- A) common law
  - B) equity law
  - C) international law
  - D) delegated legislation
36. The burden of proof in the case *Jones v. Brown* is on the:
- A) defendant (Brown)
  - B) plaintiff (Jones)
  - C) prosecution
  - D) crown
37. In the case *R v. Smith* the burden of proof is on the
- A) defendant (Smith)
  - B) plaintiff
  - C) prosecution
  - D) individual





6. Explain the relationship between government and parliament. (2 marks)

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7. Complete the table in order to outline the distinguishing features of criminal and civil law. (12 marks)

	<b>Criminal Law</b>	<b>Civil Law</b>
Who is the offence committed against		
Who brings the case to court		
Who has the burden or onus of proof		
What is the standard of proof that the prosecution must reach		
What is the person taking the matter to court is called		
What court can order if the person taken to court is found guilty		

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**ANSWER SHEET**

Name: \_\_\_\_\_

**Part 1: Multiple Choice Questions**

Indicate your response by marking the grid of the question to the option.

	A	B	C	D		A	B	C	D		A	B	C	D
1					16					31				
2					17					32				
3					18					33				
4					19					34				
5					20					35				
6					21					36				
7					22					37				
8					23									
9					24									
10					25									
11					26									
12					27									
13					28									
14					29									
15					30									

Part 1: $\frac{\quad}{37}$ + Part 2: $\frac{\quad}{33}$ = Total: $\frac{\quad}{70}$
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