



*Day 1 session 5 -
Workshop Sessions*

Answering H.S.C Questions

**Some tips and strategies
for students.**

Answering HSC Questions

The following is a guide to answering HSC questions that I give to students. I do not think the HSC exam needs to be as problematic for students as it is and there are strategies students can adopt to better equip them to do well in it.

All this assumes the students actually are prepared to make some effort.

Firstly students, like their teachers, need to be familiar with the HSC examination, its structure and how it is marked. The starting point should be the Examination Specifications in the syllabus, page 74

Secondly, a student who has worked should not get a big surprise when they read the exam, at least not in the shape of “Did we learn any of this?”

SO

Make sure your students are familiar with the examination and its format. Give them a copy of the HSC exam after it has been done, they may well enjoy the fact that they can do some of the multiple choice questions. Take a few minutes to familiarise them with the format.

Direct them to the B.O.S website and the material there. www.boardofstudies.nsw.edu.au/

Practice questions, even in the Preliminary course try to frame questions and activities in such a way as to reflect HSC terminology and structure. The more preparation and experience the better.

Familiarise them with the Glossary of Key Terms and let them see from the actual examination those terms have been used and are most suited to the Legal Studies Course.

Whenever I use one of the Key terms such as “describe” on the board I ask the students the meaning and write it above the term. This idea of annotating or using glosses in written notes is a good way of teaching the students to do the same and be interactive with their written text.

Now, the actual questions

ANSWERING QUESTIONS

SECTION 1 consists of 15 multiple choice questions and short answer questions worth 10 marks.

Multiple Choice questions

Drill them on how to answer Multiple Choice questions. While some students are dismissive, there are 15 marks here and ALL the answers are written out for them, all they have to do is find them. I give my students as many as I can collect and we practice them regularly. Have them learn to analyse the questions critically, some samples around have errors:

- no correct answer
- two correct answers
- etc.
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In critically looking at questions they develop a better understanding of how they need to answer them, because they are learning to be discriminating.

Warning. This can sometimes be embarrassing to the teacher.

Remember they need to understand it is the **most** correct option of the four provided; this is why it is good that they understand the question format.

Multiple choice questions follow a standard pattern. Each question has a stem with FOUR possible answers. Of these four, two are usually fairly easy to pick as WRONG. These two are called distracters. This leaves two, one of which is the correct answer. The question actually asks you to choose the **best** answer, so look for the most correct of the choices given. Make sure you read ALL the choices, even if you are sure that (A) is correct, you never know what might be in (D). A good example of this is question 9 from the 2001 paper.

- 9 Which of the following is an example of a tort?
- (A) A hit and run driver kills a pedestrian and is charged by the police.
 - (B) A driver is found to have a blood alcohol reading of 0.09 and is charged with drink driving.
 - (C) A building supplier fails to deliver a load of bricks as arranged and is sued for damages.
 - (D) A person falls into a trench left uncovered by road workers and sues the Roads a Traffic Authority for damages.

Many candidates got as far as (C); decided it was the right answer and moved on, without looking at (D), which is actually the best answer. A tort is a personal injury or loss. The builder in (C) has suffered a financial not personal loss and so the case would be commercial rather than tort law.

Short answer questions

Have them read the questions carefully; identify the **instructional** words (see the GLOSSARY) that tell you what to do and the **content** words that identify what you are going to write about. Note how much each part of the question is worth and **answer the question**.

If appropriate students can use an example they are familiar with.

Make sure your students have the relevant Reports from the marking Centre; these are comments from the HSC markers about what students did, did not and should have done.

General Comments

On the whole candidates were able to understand the Glossary of Key Words and instructions and answer accordingly. There seems to be an increased understanding of these terms from past HSC Legal Studies examinations. Most candidates were able to attempt all three parts of the question and knew the difference between domestic and international human rights protections. The majority of candidates could give some level of evaluation on the effectiveness of legal measures in place to protect human rights. However, candidates need to be aware that using prepared answers on contemporary human rights issues is not appropriate when answering questions of this nature.

Candidates need to focus clearly on the question asked and ensure that their response addresses that question. Finally teachers and candidates need to be aware that Section I, Law and Society, is worth a total of 25 marks and covers both Law and Society, and Human Rights. The syllabus does not specify how each of these aspects is to be examined except that it will employ a combination of 15 Multiple Choice and a 10 mark question with parts.

Specific Comments

Question 16 Human Rights

(a) Identify ONE human right recognised by Australian law, and outline how this human right is protected by Australian law.

(b) Identify ONE human right recognised by international law, and outline how this human right is protected by international law.

(a) & (b) The overwhelming majority of candidates demonstrated good understanding of what human rights are and how they can be protected at both domestic and international levels.

However some candidates needed to be more specific in matching human rights with the way they are protected, for example, the right to freedom of religion, which is protected in the Australian Constitution.

Generally candidates dealt with part (b) more competently than they dealt with part (a).

(c) Assess the effectiveness of domestic and international legal measures in protecting human rights.

(c) This question was relatively straightforward and most candidates understood how human rights are protected and could make an evaluation of the effectiveness of this protection, using examples to illustrate their answer. Many candidates successfully assessed the effectiveness of both domestic and international legal measures, making a substantive judgment and discussing the concept of state sovereignty. Weaker responses failed to make an assessment of the effectiveness of legal measures and often presented a prepared answer, focusing on a case study.

Candidates need to be reminded that the length of responses needs to be proportionate to the marks allocated to each part. There is no reason why a clear, concise response that answers the question in the space provided cannot receive full marks.

Section 2 Crime

One structured extended response question worth 25 marks

Again, students **MUST read the questions carefully**. If there is stimulus material they should make sure they read it carefully and understand it. They should identify the **instructional** words that tell them what to do and the **content** words that identify what they are going to write about. It is a good idea for them to actually underline, highlight or circle these, and, if they want, write little notes to explain what they need to do! At the very least their answer needs to show the markers they understand these terms.

They should note how much the different parts are worth and answer them accordingly. Follow instructions and explain any terms mentioned. Does the question ask them to refer to the stimulus or an example they are familiar with? If the question asks them to use the stimulus or refer to the stimulus they **MUST** do so.

Question 17

a) With reference to the above scenario, identify **THREE** types of crime.

(a) Candidates needed to identify three types of crime that were relevant to the scenario.

Descriptions/explanations were not required by the question, which simply asked candidates to identify. Most responses achieved a mark of 2 or 3.

(b) Describe **TWO** legal measures Australian authorities could see to deal with international crimes identified in the scenario.

(b) The better responses not only named the measures but also demonstrated how they related to Toney and/or Sam. Both domestic and international measures in dealing with international crime were acceptable. Very few answers gave only one measure or did not relate to the scenario. Some candidates wrote more than was necessary for the allocated marks.

(c) With reference to Toney and/or Sam, assess the effectiveness of the legal system in dealing with international crime.

(c) Better responses focused on the scenario and gave relevant examples in regard to the effectiveness and ineffectiveness of the legal system to support their argument. Weaker responses chose to discuss only one of either effectiveness or ineffectiveness. Often candidates were not clear about the role of the International Court of Justice or the International Criminal Court in these matters. Most candidates concentrated on international law while a few confined their responses to the effectiveness of the Australian legal system.

(d) The better responses were able to make a conclusive judgment. Most candidates discussed the purposes and appropriateness of punishments as well as changing social values. Better responses were able to integrate examples to support their argument in relation to the quote.

A few candidates gave prepared answers that did not appropriately answer the question.

Section 3 Focus Studies

Two extended response questions worth 25 marks each

The format of the Focus Studies questions in the examination is simple; students will be given ONE question with two choices for each Focus Study. They are to answer ONE of the two choices (a) or (b). For each Focus Study they have done, eg Family and Consumers. Each Focus Study question is worth 25 marks or 25% of the examination mark.

Students should take about 45 minutes for each of the Focus Studies learned

It is CRITICAL that students read the question carefully so that they answer what is asked. If they do not answer the questions they will not receive the marks, no matter how technically accurate their response is or how beautiful their prose.

As well, students need to refer to the rubric; it sets out the minimum that they have to do and helps form the marking criteria.

Students need to refer to legislation, cases, media reports and documents. In the essay students MUST use each of these. It is not that hard if they have done some work, but if they don't they will not get the marks.

Remember the THEMES; they give a framework for the answer. Generally students are evaluating how effective the legal system is. In order to evaluate something they first have to know what it is trying to do and then use some effectiveness criteria to make judgement on how well it achieves the goal. Students should be in the habit of asking what is the law trying to do, how well does it do it, how do we know this? The syllabus gives such a set of criteria.

Make sure they have access to the range of resources available

- Specimen Papers
- 2001 & 2002 HSC Examination
- Draft Performance Bands
- Representative samples of student responses from the 2001 & 2002 HSC
- Support material for teachers and students
- 2001 & 2002 Standards Packages

Students who have prepared carefully should be in a position to answer the questions asked and not to panic. THE KEY IS PREPARATION.

Themes

These themes run through the course and should be seen as an important part of your analysis of the operation of the legal system and are incorporated across topic areas and reflected in the outcomes of the HSC course. They give you a framework in which to view the legal system and its operation.

Justice, law and society

- the interrelationship between the concepts of justice, law and society
- How does our society reflect the importance it attaches to the concepts of law & justice? What concrete signs are there that our society considers justice and law to be important?*

Continuity and change

- the evolution of legal rules and institutions
- the importance of precedent in establishing rules
- the effects of social, political, economic and ideological factors and of community attitudes
- the means and processes by which the law changes

What is meant by our “legal institutions”? Give some examples of how these reflect the influence of the different pressures that affect our laws. How and why do laws change over time? Can you think of examples of laws that have changed over time?

Culture, values and ethics

- the extent to which law reflects the culture and values of different societies and groups within society
- the importance of ethics in the functioning of society

How are a culture’s ethics reflected in its laws and legal institutions? What values underpin our legal system?

Legal process and institutions

- how laws are made
- the nature of legal institutions such as parliaments, courts, the United Nations
- the adjudication and settlement of disputes and enforcement of legal rules

Where and how are our laws made? Is the process the same throughout the world? Throughout Australia?

Conflict and cooperation

- the nature and extent of conflict in society
- the place of law in resolving conflict and encouraging cooperation

When and where does conflict exist in our society? Is conflict bad? How is conflict resolved?

Effectiveness of the legal system

Effectiveness within the legal system has a number of meanings. They include:

- the extent to which an issue can be dealt with by the law
- if an issue is dealt with by the law, how well it is dealt with in terms of ease of access, simplicity, consistency, predictability and delivery of just outcomes'
- the capacity of a law to stop or change human behaviour.

Students really need to take the time to PLAN their essay, they have the inside cover and blank pages to use, and it is worth a few minutes to organise their answer. Some students complain that planning will take too long, but two or three minutes spent planning means they have a well structured and logical essay that is easy to follow (for the marker). Check the rubric!

One possible strategy for this is below.

Planning your Essay

1. Read the Question carefully
2. Read the question carefully AGAIN!
3. Highlight or underline the key terms and the instructional words. (the doing words - what does the question tell you to do. If you are asked to discuss for example, and you list, you are in trouble because you have not done as instructed. This may seem petty but it will become clearer below when we consider how the markers actually mark your answer. This ensures you know what you are to DO, and what you are writing about) Some students brainstorm at this stage, listing terms, legislation, cases, etc they consider relevant the question they will refer to or use in their answer.
4. Develop your plan - Introduction, main ideas, one idea per paragraph sequenced to answer question. Check you have covered all the content areas in the question and followed the instructions. Finish with a conclusion.

Please use paragraphs, with a line between them, underline or highlight cases and legislation cited.

Take care not to use over the top language, slang, text talk or generalisations. Make it as easy as you can for the marker to read understand and be impressed by your response.

Question 19 — Optional Focus Study 2 – Family

(a) **Question 18 — Optional Focus Study 1 – Consumers** (25 marks)

(a) ‘Compliance with the law is necessary to achieve justice for all.’

Evaluate this statement in relation to issues of compliance and non-compliance for consumers.

! What does the question ask us to talk about? Q18

- Compliance/non compliance issues
- The law
- Justice
- consumers

What do we actually have to do?

Evaluate Make a judgement based on criteria; determine the value of
In answering the question students must address the rubric

THE RUBRIC

It really is important that students understand what the rubric is and how to use it in developing their answer. It is worth spending time going through it and ensuring the students understand what the parts are.

In your answer you will be assessed on how well you:

In your answer you will be assessed on how well you:

- demonstrate an understanding of relevant legal information and issues
- illustrate your answer with examples from one or more of the following: legislation, documents, treaties, cases, media reports
- communicate using legal terminology and concepts relevant to domestic or international law
- present a sustained, logical and well-structured answer to the question

" demonstrate an understanding of relevant legal information and issues

You need to show the marker not only that you actually know examples of legal information and issues, but also you are able to use and discuss them in a manner in which you show understanding of them.

Show the marker you know what is going on. Use the language of the law and talk about the legal system and the issues raised in the Focus Study.

"illustrate your answer with examples from one or more of the following: legislation, documents, treaties, cases, media reports" Time for tears if you do not. The examiners expect you to use examples of these in your answer. Consider the statement below from the Draft Performance Bands from the BOS

makes comprehensive use of relevant cases, legislation, media reports and opinion to support arguments in a domestic and international context

It is expected that students in the top band use cases, legislation, media reports and opinion in their answers. The less you use the lower the band you can access.

"present a sustained, logical and well-structured answer to the question" In presenting your answer you are to do so in a sustained (continued or sustained) logical (makes sense) and well structured (has parts) answer. Simply, your answer should be an extended response or essay, and it should follow certain conventions, such as an introduction, a body and a conclusion.

Outcomes assessed: H1.1, H3.1, H3.3, H3.4, H5.3
MARKING GUIDELINES

Criteria	Marks
<ul style="list-style-type: none"> • Makes a conclusive judgment about the validity of the statement, based on specific criteria derived from issues of compliance and non-compliance for family members • Reference to compliance and non-compliance is integrated into the response • Integrates relevant legislation and/or cases and/or documents and/or treaties and/or media reports into the response • Presents a sustained, logical and well-structured answer using relevant legal terminology 	21–25
<ul style="list-style-type: none"> • Makes a judgment about the validity of the statement, using some criteria relating to issues of compliance and non-compliance for family members • Makes reference to compliance and/or non-compliance in the response • Uses relevant legislation and/or cases and/or documents and/or treaties and/or media reports in the response • Presents a logical and well-structured answer using relevant legal terminology 	16–20
<p>Makes statements about the quotation with reference to issues of compliance and non-compliance for family members</p> <ul style="list-style-type: none"> • Attempts to make reference to compliance and/or non-compliance in the response • Cites some relevant legislation and/or cases and/or documents and/or treaties and/or media reports in the response • Presents a structured answer using relevant legal terminology 	11–15
<p>Identifies legal concepts and features of the legal system in relation to family members</p> <ul style="list-style-type: none"> • May make reference to compliance and/or non-compliance in the response • Makes limited reference to legislation and/or cases and/or documents and/or treaties and/or media reports • Uses some appropriate legal information with limited examples 	6–10
<ul style="list-style-type: none"> • Makes a general statement about the law relating to family members • May make limited reference to legislation and/or cases and/or documents and/or treaties and/or media reports • Limited use of legal information/terms 	1–5

Higher School Certificate Glossary of key words

Key Word	Definition
Account	Account for: state reasons for, report on. Give an account of: narrate a series of events or transactions
Analyse	identify components and the relationship between them; draw out and relate implications
Apply	Use, utilise, employ in a particular situation
Appreciate	Make a judgement about the value of
Assess	Make a judgement of value, quality, outcomes, results or size
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	Add a degree or level of accuracy, depth, knowledge and understanding, logic, (analyse/evaluate) questioning, reflection and quality to (analysis/evaluation)
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 or note/indicate as being distinct or different from; to note differences between
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
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
Retell	Retell a series of events
Summarise	Express concisely the relevant details
Synthesise	Putting together various elements to make a whole