

SUPERVISOR TO ATTACH  
PROCESSING LABEL HERE

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Write your **student number** in the boxes above.

**Letter**

# Legal Studies

## Question and Answer Book

VCE Examination – Monday 10 November 2025

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- Reading time is **15 minutes**: 2.00 pm to 2.15 pm
- Writing time is **2 hours**: 2.15 pm to 4.15 pm

### Materials supplied

- Question and Answer Book of 28 pages

### Instructions

- Use the additional space at the end of this book if you need extra space to complete an answer.

Students are **not** permitted to bring mobile phones and/or any unauthorised electronic devices into the examination room.

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Contents	pages
<b>Section A</b> (6 questions, 40 marks)	2–11
<b>Section B</b> (2 questions, 40 marks)	12–25

## Section A

### Instructions

- Answer **all** questions in the spaces provided.
- Write your responses in English.

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### Question 1 (2 marks)

Outline **one** reason why the County Court of Victoria may not be bound by a precedent set by the Supreme Court of Victoria.

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**Question 4** (9 marks)

The 1967 referendum about First Nations Peoples was the most successful in Australia's history.

- a. Outline the role of the Commonwealth Parliament in the referendum process to amend the Australian Constitution.

2 marks

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- b. Explain **one** factor that contributed to the success of the 1967 referendum.

3 marks

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## Section B

### Instructions

- Answer **all** questions in the spaces provided.
- Use stimulus material to answer the questions in this section. It is not intended that this material will provide you with all the information needed to fully answer the questions.
- Write your responses in English.

### Question 1 (22 marks)

#### Source 1

Emma rented a property in Valley Springs. Following a report to police from a member of the public, the property was placed under surveillance by the police.

During the surveillance operation, it was noted that there was an unusual pattern and frequency of visitors to the property – all of which was recorded.

Police obtained and executed a search warrant on the property, where they found more than 300 cannabis plants at various stages of maturity. Emma had made modifications to the rear of the property to enable the plants to be cultivated and processed for sale.

Emma was arrested and taken to the Valley Springs Police Station for questioning. She received an official police caution. Emma had studied Legal Studies at school and remembered some of the terminology. She was aware of something called ‘the presumption of innocence’ and chose to exercise her right to silence.

Emma was charged with category 2 offences – cultivating a commercial quantity of drugs and trafficking a commercial quantity of drugs. She was found guilty of both offences in the County Court and is awaiting sentence. For category 2 offences, courts must impose a sentence of imprisonment if the offender was aged 18 or over when they committed the offence, unless the offender has impaired mental functioning or has assisted the authorities.

All of Emma’s assets were seized as the proceeds of crime.

#### Source 2

Agu and Kim, the owners of the property where Emma was carrying out her illegal drug operation, were devastated. As victims of crime, they consulted a community legal centre (CLC) to find out what rights they would have in the criminal case against Emma, and to seek general advice in relation to a possible civil claim.

Agu and Kim filed an insurance claim with their insurer; however, the company has since cancelled their policy and denied their claim due to the following clause in their contract:

‘The insurer reserves the right to cancel this policy immediately if the insured or any person occupying the insured property is found to be involved in illegal activity. Furthermore, the insurer will not be liable to pay for any loss, damage or liability arising directly or indirectly from activities deemed illegal under the law ...’

Agu and Kim have been advised that due to extensive damage caused by Emma’s modifications, the house will need to be demolished. They are considering suing Emma for losses they have suffered due to her illegal activities, including the cost of demolishing and rebuilding their property, and the loss of rental income.



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Examination continues on the next page.

**Question 2** (18 marks)

The Victorian Charter of Human Rights and Responsibilities protects the rights of Victorians to assemble peacefully – that is, to gather for a common purpose, such as to protest or meet.

Under section 6 of the *Summary Offences Act 1966* (Vic), police and protective service officers have the power to direct a person in a public place to ‘move on’ or leave the public place, but only in limited circumstances. This power to ‘move on’ does not apply in relation to a person who is demonstrating or protesting in public.

Recently, individuals and groups have called for greater control over the way in which demonstrations are conducted.

**Source 1**

In a radio interview on 3AW with broadcaster Tom Elliott, Victorian Leader of the Opposition Brad Battin called for the reintroduction of more extensive move-on laws, which were repealed by the Andrews government in 2015. These laws would allow Victoria Police to move protestors on if they are obstructing public access or causing a public nuisance. The following is an extract of the transcript of the interview.

**Tom Elliott:** Will you impose, perhaps, a permit system or some way of limiting protests so we don’t have to have 80 of them in a row?

**Brad Battin:** I think the most important thing here is to reintroduce our move-on laws and maybe toughen them as well. But the focus needs to be that if someone wants to go to work, go into a business legally, go about their normal day, then they shouldn’t be disrupted by protestors. And that includes driving down a road. Move-on laws can be put back in place to fix that. If you start to make people get out of the way for people going about their legal duties, then those protestors will have nowhere to protest for that. Give them a right to protest, but they don’t need to block everyone going about their legal duties ... Let’s make sure the police have the powers to move people on. That will clear the streets, get people out of the way, and let you get back around your normal day.

Source: Adapted from T Elliott, ‘Opposition leader Brad Battin outlines his “number one priority” if elected in 2026’, radio broadcast excerpt, 3AW Melbourne, 21 January 2025, <[www.3aw.com.au/opposition-leader-brad-battin-outlines-his-number-one-priority-if-elected-in-2026](http://www.3aw.com.au/opposition-leader-brad-battin-outlines-his-number-one-priority-if-elected-in-2026)>

**Source 2**

The following media release was published by the Greens political party on its website. At the time of publication, the Greens political party held the balance of power in the Senate, holding 11 of the 76 Senate seats.

**Greens push back with plan for national laws to protect the right to protest**

Following attacks on the right to protest in jurisdictions around the country, the Greens will bring a national law to [the Commonwealth] Parliament to enshrine the right to protest in Australian law ...

...

'The right to protest is under assault in states and territories across the country with real impacts on democracy and the ability to demand changes to unjust laws and policies.

...

'Our bill is an attempt to rebalance the scales towards justice,' Senator Shoebridge said.

Source: Adapted from Australian Greens media release, 20 December 2022, <<https://greens.org.au/news/media-release/greens-push-back-plan-national-laws-protect-right-protest>>

**Source 3**

The following is an extract from *The Age* newspaper.

**Protest too much: City leaders call out demonstration disruption**

Leading candidates for Melbourne's lord mayoral race have joined calls by CBD business owners and residents for better management of public demonstrations to reduce the disruption caused by weekly protests and potential damage to the city's international reputation.

...

'I strongly support people's right to protest,' said Reece, who is serving as a stand-in lord mayor before this month's local government elections. 'I also recognise that after 52 weeks of protests, the disruption is significant. I am particularly worried about small businesses in the city which rely on weekend trade to make ends meet.'

Source: Adapted from C Le Grand, 'Protest too much: City leaders call out demonstration disruption', *The Age*, 14 October 2024, <[www.theage.com.au/national/victoria/protest-too-much-city-leaders-call-out-demonstration-disruption-20241013-p5khum.html](http://www.theage.com.au/national/victoria/protest-too-much-city-leaders-call-out-demonstration-disruption-20241013-p5khum.html)>

**Source 4**

The following letter to the editor appeared in an online newspaper.

**Online letter to the editor**

The Victorian Chamber of Commerce has called for a specific space for protest activities that would not impede on allowing small businesses to trade. I think this is a fantastic idea. It would serve the interests of both the community and the protesters. While I am sympathetic to the cause of many of these protests, I am sick and tired of the impact on my daily commute. And if I know there is going to be a protest in the city, I will avoid going in, which I know affects small-business owners.

– Bill from Brunswick













