

Crime

1.1 Nature of Crime

- Meaning of crime
- Elements of crime
 - Actus reus (guilty act)
 - Mens rea (guilty mind)
- Strict liability offences
- Causation
- Categories of crime
 - Offences against the person
 - Offences against the sovereign
 - Economic offences (property/white collar/computer)
 - Drug offences
 - Driving offences
 - Public order offences
 - Preliminary crimes (attempts and conspiracy)
- Summary and indictable offences
- Parties to a crime
 - Principal in the first degree
 - Principal in the second degree
 - Accessory before the fact
 - Accessory after the fact
- Factors affecting criminal behaviour
- Crime prevention
 - Situational prevention methods
 - Social prevention methods

1.2 Criminal Investigation Process

- Police powers
- Reporting crime
- Investigating crime
 - Gathering evidence
 - Use of technology
 - Search and seizure
 - Use of warrants
- Arrest processes
 - Arrest and charge
 - Summons
 - Warrants
- Bail or remand
- Detention and interrogation and rights of suspects

1.3 Criminal Trial Process

- Court jurisdiction
- Adversary system
- Legal personnel
 - Magistrate
 - Judge
 - Police prosecutor
 - Director of Public Prosecution
 - Public Defenders
- Pleas and charge negotiation
- Legal representation including legal aid
- Burden and standard of proof
- Use of evidence including witnesses
- Defences to criminal charges
 - Complete defences
 - Partial defences to murder
- Role of juries including verdicts

1.4 Sentencing and Punishment

- Statutory and judicial guidelines
- Purposes of punishment
 - Deterrence (specific and general)
 - Retribution
 - Rehabilitation
 - Incapacitation
- Factors affecting a sentencing decision
 - Aggravating circumstances
 - Mitigating circumstances
- Role of the victim in sentencing
- Appeals
- Types of penalties
 - No conviction recorded
 - Caution
 - Fine
 - Bond
 - Suspended sentence
 - Probation
 - Criminal infringement notice
 - Penalty units
 - Community service order
 - Home detention
 - Periodic detention
 - Forfeiture of assets
 - Imprisonment
 - Diversionary programs
- Alternative methods of sentencing
 - Circle sentencing
 - Restorative justice
- Post-sentencing considerations
 - Security classification
 - Protective custody
 - Parole
 - Preventative detention
 - Continued detention
 - Sexual offenders registration
 - Deportation

1.5 Young Offenders

- Age of criminal responsibility
- Rights of children when questioned or arrested
- Children's Court including procedures and operation
- Penalties for children
- Alternatives to court

1.6 International Crime

- Categories of international crime
 - Crimes against the international community
 - Transnational crimes
- Dealing with international crime
 - Domestic and international measures
 - Limitations

Human Rights

2.1 Nature and Development of Human Rights

- Definition of human rights
- Developing recognition of human rights
 - Abolition of slavery
 - Trade unionism and labour rights
 - Universal suffrage
 - Universal education
 - Self-determination
 - Environmental rights
 - Peace rights
- Formal statements of human rights
 - Universal Declaration of Human Rights
 - International Covenant on Civil and Political Rights
 - International Covenant on Economic, Social and Cultural Rights

2.2 Promoting and Enforcing Human Rights

- Human rights in the international community
 - State sovereignty
 - Role of the United Nations
 - Role of intergovernmental organisations
 - Role of courts, tribunals and independent statutory authorities
 - Role of non-government organisations
 - Role of the media
- Human rights in Australia
 - Incorporation of human rights into domestic law
 - Role of the Constitution (division and separation of powers)
 - Role of statute law
 - Role of common law
 - Role of courts and tribunals
 - Role of non-government organisations
 - Role of the media
 - Charter of Rights (arguments for and against)

2.3 Contemporary Human Rights Issues

- Genocide
- Treatment of refugees
- Asylum seekers
- Child soldiers
- Abuse of children
- Torture
- Capital punishment
- Arbitrary detention
- Religious discrimination
- Discrimination against women
- Exploitation of workers
- Human trafficking and slavery
- Limitations on free speech

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Consumers

3.1 Nature of Consumer Law

- Developing need for consumer protection
- Definition of consumer
- Objectives of consumer laws
- Contracts in consumer law
 - Types of contracts
 - Elements of contracts
 - Contract terms
 - Exclusion clauses
- Standards implied by statutes: consumer guarantees
- Unjust contracts
 - Common law protection
 - Statutory protection
- Role of negligence in consumer protection
- Regulation of marketing and advertising
 - Statutory protection
 - Non-statutory controls
- Occupational licensing

3.2 Consumer Redress and Remedies

- Consumer awareness and self-help: consumer education
- State government organisations: consumer protection agencies
- Federal government organisations: ACCC and other bodies
- Industry organisations: self-regulation and codes of conduct
- Role of tribunals and courts: resolving consumer disputes
- Role of non-government organisations: consumer advocacy
- Role of the media: public awareness and consumer rights
- Consumer remedies
 - Individual remedies
 - Societal remedies

3.3 Contemporary Issues Concerning Consumers

- Credit and financial services
- Product certification and standards
- Marketing innovations
- Technology



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Global Environmental Protection

4.1 Nature of Global Environmental Protection

- Definition of global environmental protection
- Development of global environmental law
- Need for global environmental protection
- Importance of ecologically sustainable development
 - Biodiversity preservation
 - Intergenerational equity
 - Precautionary principle

4.2 Responses to Global Environmental Protection

- Role of nation states and state sovereignty
- Role of the United Nations
- Role of international instruments
- Role of courts and conferences
- Role of intergovernmental organisations
- Role of non-government organisations
- Role of the media
- Australia's federal structure

4.3 Contemporary Issues Concerning Global Environmental Protection

- Role of law in addressing global threats
- Conflict between resource demand and global environmental protection
- Australia's responses to international initiatives
- Barriers to achieving international responses



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Family

5.1 Nature of Family Law

- Concept of family law
- Legal requirements of marriage
- Alternative family relationships
- Legal rights and obligations of parents and children
- Adoption

5.2 Responses to Problems in Family Relationships

- Divorce
- Legal consequences of separation
 - Arrangements for children
 - Division of property
- Dealing with domestic violence
- Family dispute resolution
 - Role of courts
 - Alternative resolution methods
 - Role of non-government organisations
 - Role of the media

5.3 Contemporary Issues Concerning Family Law

- Recognition of same-sex relationships
- Changing nature of parental responsibility
- Surrogacy and birth technologies
- Care and protection of children



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Indigenous Peoples

6.1 Nature of the Law and Indigenous Peoples

- Definition of 'indigenous peoples'
- Loss of rights of indigenous peoples over time
- Legal recognition of indigenous peoples
- Importance of the right to self-determination

6.2 Responses to Indigenous Peoples

- Role of the nation state and state sovereignty
- Role of the United Nations
- Role of international instruments
- Role of courts
- Role of intergovernmental organisations
- Role of non-government organisations
- Role of the media
- Australia's federal structure

6.3 Contemporary Issues Concerning Indigenous Peoples

- Loss of cultural rights including language
- Land rights
- Legal rights to natural resources
- Intellectual property rights



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Shelter

7.1 Nature of Shelter

- Definition of 'shelter'
- Right to shelter
- Obligation to provide shelter
- Types of shelter

7.2 Legal Protection and Remedies Associated with Securing Shelter

- Purchasing shelter
 - Separate dwelling or shared space
 - Private treaty or auction
 - Systems of registration
 - Sources of finance
 - Protection for buyers
- Leasing shelter
 - Rights and obligations of landlords and tenants
 - Protection for tenants, landlords, boarders and lodgers
- Securing other types of shelter
 - Aged care
 - Residential parks
 - Squats
- Dispute resolution mechanisms in housing conflicts
- Roles in housing dispute resolution
 - Courts and tribunals
 - Alternative dispute resolution
 - Government organisations
 - Non-governmental organisations
 - Media

7.3 Contemporary Issues Concerning Shelter

- Affordability
- Discrimination
- Homelessness
- Social housing models
 - Public housing
 - Cooperative housing
 - Community housing



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Workplace

8.1 Nature of Workplace Law

- Changing nature of workplace law over time
- Employment contracts
 - Contracts of service
 - Contracts for services
 - Express and implied terms
- Awards and agreements
- Statutory conditions

8.2 Regulation of the Workplace

- Industrial relations frameworks
 - State framework
 - Federal framework
- Negotiations between employers and employees
- Workplace dispute resolution mechanisms
- Roles in workplace dispute resolution
 - Courts and tribunals
 - Governmental organisations
 - Trade unions
 - Employer associations
 - Non-government organisations
 - Media
- Remuneration

8.3 Contemporary Issues Concerning the Workplace

- Discrimination
- Safety
- Termination of employment
- Leave entitlements

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World Order

9.1 Nature of World Order

- Meaning of 'world order'
- Need for world order
- Development of world order over time
- Nature of conflict – inter-state and intrastate
- Access to resources as a source of conflict

9.2 Responses to World Order

- Roles in maintaining world order
 - Nation state and state sovereignty
 - United Nations
 - International instruments
 - Courts and tribunals
 - Intergovernmental organisations
 - Non-government organisations
 - Australia's federal government
 - Media
- Political negotiation, persuasion and the use of force

9.3 Contemporary Issues Concerning World Order

- Principle of 'responsibility to protect'
- Regional and global threats to peace and security
- Success of global cooperation in achieving world order
- Rules regarding the conduct of hostilities



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