

Unit 3 AOS 1: The Victorian criminal justice system

In this area of study, students explore the criminal justice system, key personnel, and the use of plea negotiations to determine a criminal case. Students investigate the rights of the accused and of victims, and explore the purposes and types of sanctions and sentencing considerations. They consider the impact of time, costs and cultural differences on the ability of the criminal justice system to achieve the principles of justice. Students synthesise and apply legal principles and information relevant to the criminal justice system to actual and/or hypothetical scenarios.

Lesson	Edrolo lesson	Study design dot point	Key knowledge
Chapter 1 - Key concepts of the Victorian criminal justice system			
1A	Key principles of the criminal justice system	<ul style="list-style-type: none"> the distinction between summary offences and indictable offences key principles of the criminal justice system, including the burden of proof, the standard of proof, and the presumption of innocence 	<ul style="list-style-type: none"> An introduction to criminal law Summary offences Indictable offences The burden of proof in criminal law The standard of proof in criminal law The presumption of innocence
1B	The rights of an accused	<ul style="list-style-type: none"> the rights of an accused, including the right to be tried without unreasonable delay, the right to silence, and the right to trial by jury 	<ul style="list-style-type: none"> The right to be tried without unreasonable delay The right to silence The right to trial by jury

1C	The rights of victims	<ul style="list-style-type: none"> the rights of victims, including the right to give evidence using alternative arrangements, the right to be informed about the proceedings, and the right to be informed of the likely release date of the offender 	<ul style="list-style-type: none"> The right to give evidence using alternative arrangements The right to be informed about the proceedings The right to be informed of the likely release date of the offender
Chapter 2 - The principles of justice during a criminal case			
2A	The principles of justice during a criminal case	<ul style="list-style-type: none"> the principles of justice: fairness, equality and access 	<ul style="list-style-type: none"> Fairness during a criminal case Equality during a criminal case Access during a criminal case
2B	Victorian Legal Aid and community legal centres	<ul style="list-style-type: none"> the role of Victoria Legal Aid and Victorian community legal centres in assisting an accused and victims of crime 	<ul style="list-style-type: none"> Victorian Legal Aid (VLA) <ul style="list-style-type: none"> VLA in assisting accused people VLA in assisting victims of crime Victorian Community Legal Centres (CLCs) <ul style="list-style-type: none"> CLCs in assisting accused people CLCs in assisting victims of crime
2C	Plea negotiations	<ul style="list-style-type: none"> the purposes and appropriateness of plea negotiations 	<ul style="list-style-type: none"> Plea negotiations Purposes of plea negotiations Appropriateness of plea negotiations

2D	The Victorian court hierarchy and criminal cases	<ul style="list-style-type: none"> the reasons for the Victorian court hierarchy in determining criminal cases, including specialisation and appeals 	<ul style="list-style-type: none"> The Victorian court hierarchy Specialisation Appeals
2E	Judges, magistrates, and juries in a criminal trial	<ul style="list-style-type: none"> the roles of key personnel in a criminal trial, including the judge or magistrate, the jury, and the parties 	<ul style="list-style-type: none"> The role of the judge in a criminal trial <ul style="list-style-type: none"> The difference between the judge and the magistrate The role of the jury in a criminal trial
2F	The parties in a criminal trial	<ul style="list-style-type: none"> the roles of key personnel in a criminal trial, including the judge or magistrate, the jury, and the parties 	<ul style="list-style-type: none"> The role of the prosecution The role of the accused
2G	Legal practitioners in a criminal case	<ul style="list-style-type: none"> the roles of key personnel in a criminal trial, including the judge or magistrate, the jury, and the parties 	<ul style="list-style-type: none"> The need for solicitors in a criminal case The need for barristers in a criminal case
2H	Costs and time in criminal cases	<ul style="list-style-type: none"> the impact of costs, time, and cultural differences on the achievement of the principles of justice 	<ul style="list-style-type: none"> The impact of costs during a criminal case The impact of time during a criminal case
2I	Cultural differences and criminal cases	<ul style="list-style-type: none"> the impact of costs, time, and cultural differences on the achievement of the principles of justice 	<ul style="list-style-type: none"> The impact of cultural differences during a criminal case
Chapter 3 - Sentencing			
3A	The purposes of sanctions	<ul style="list-style-type: none"> the purposes of sanctions: rehabilitation, punishment, deterrence (general and specific), denunciation and protection 	<ul style="list-style-type: none"> Rehabilitation Punishment

			<ul style="list-style-type: none"> • Deterrence • Denunciation • Protection
3B	Types of sanctions	<ul style="list-style-type: none"> • fines, community correction orders and imprisonment, and their specific purposes 	<ul style="list-style-type: none"> • Fines • Community correction order • Imprisonment
3C	Factors considered in sentencing	<ul style="list-style-type: none"> • factors considered in sentencing, including aggravating factors, mitigating factors, guilty pleas, and victim impact statements 	<ul style="list-style-type: none"> • Aggravating factors • Mitigating factors • Guilty pleas • Victim impact statements
Unit 3 AOS 1 review			

Unit 3 AOS 2: The Victorian civil justice system

In this area of study, students consider the factors relevant to commencing a civil claim, examine the institutions and methods used to resolve a civil dispute and explore the purposes and types of remedies. Students consider the impact of time and costs on the ability of the civil justice system to achieve the principles of justice. Students synthesise and apply legal principles and information relevant to the civil justice system to actual and/or hypothetical scenarios.

Lesson	Edrolo lesson	Study design dot point	Key knowledge
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Chapter 4 - Key concepts of the Victorian civil justice system			
4A	Key principles of the Victorian civil justice system	<ul style="list-style-type: none"> key principles in the Victorian civil justice system, including the burden of proof and the standard of proof 	<ul style="list-style-type: none"> An introduction to civil law The burden of proof in civil law The standard of proof in civil law
4B	Initiating a civil claim	<ul style="list-style-type: none"> factors to consider before initiating a civil claim, including costs, limitations of actions, and enforcement issues 	<ul style="list-style-type: none"> Costs Limitations of actions Enforcement issues
Chapter 5 - The principles of justice during a civil dispute			
5A	The principles of justice during a civil dispute	<ul style="list-style-type: none"> the principles of justice: fairness, equality and access 	<ul style="list-style-type: none"> Fairness during a civil dispute Equality during a civil dispute Access during a civil dispute
5B	Methods of resolving civil disputes	<ul style="list-style-type: none"> the purposes and appropriateness of methods used to resolve civil disputes, including mediation, conciliation and arbitration 	<ul style="list-style-type: none"> Mediation Conciliation Arbitration
5C	The Victorian court hierarchy and civil disputes	<ul style="list-style-type: none"> the reasons for the Victorian court hierarchy in determining civil cases, including administrative convenience and appeals 	<ul style="list-style-type: none"> The Victorian court hierarchy Administrative convenience Appeals

5D	Judges, magistrates and juries in a civil trial	<ul style="list-style-type: none"> the roles of key personnel in a civil trial, including the judge or magistrate (including the role of case management), the jury, and the parties 	<ul style="list-style-type: none"> The role of the judge in a civil trial <ul style="list-style-type: none"> The difference between the judge and the magistrate Case management powers The role of the jury in a civil trial
5E	The parties in a civil trial	<ul style="list-style-type: none"> the roles of key personnel in a civil trial, including the judge or magistrate (including the role of case management), the jury, and the parties 	<ul style="list-style-type: none"> The role of the parties in a civil trial
5F	Legal practitioners in a civil case	<ul style="list-style-type: none"> the need for legal practitioners in a civil case 	<ul style="list-style-type: none"> The need for solicitors in a civil case The need for barristers in a civil case
5G	Class actions	<ul style="list-style-type: none"> the use of class actions to resolve civil disputes 	<ul style="list-style-type: none"> Class actions
5H	Consumer Affairs Victoria (CAV)	<ul style="list-style-type: none"> the purposes and appropriateness of institutions used to resolve disputes, including Consumer Affairs Victoria, the Victorian Civil and Administrative Tribunal and the courts 	<ul style="list-style-type: none"> Consumer Affairs Victoria (CAV) Purposes of CAV Appropriateness of CAV
5I	The Victorian Civil and Administrative Tribunal (VCAT)	<ul style="list-style-type: none"> the purposes and appropriateness of institutions used to resolve disputes, including Consumer Affairs Victoria, the Victorian Civil and Administrative Tribunal and the courts 	<ul style="list-style-type: none"> The Victorian Civil and Administrative Tribunal (VCAT) Purposes of VCAT Appropriateness of VCAT
5J	Resolving civil disputes in the courts	<ul style="list-style-type: none"> the purposes and appropriateness of institutions used to resolve disputes, including Consumer Affairs Victoria, the Victorian Civil and Administrative Tribunal and the courts 	<ul style="list-style-type: none"> The courts Purposes of the courts Appropriateness of the courts

5K	Costs and time during a civil dispute	<ul style="list-style-type: none"> the impact of costs and time on the ability of the civil justice system to achieve the principles of justice during a civil dispute 	<ul style="list-style-type: none"> The impact of costs during a civil dispute The impact of time during a civil dispute
Chapter 6 - Remedies			
6A	Damages as a remedy	<ul style="list-style-type: none"> damages and injunctions, and their specific purposes 	<ul style="list-style-type: none"> Damages The purposes of damages
6B	Injunctions as a remedy	<ul style="list-style-type: none"> damages and injunctions, and their specific purposes 	<ul style="list-style-type: none"> Injunctions The purposes of injunctions A comparison of damages and injunctions
<i>Unit 3 AOS 2 review</i>			
<i>Unit 3 review</i>			

Unit 4 AOS 1: The people and the law-makers

In this area of study, students examine the ways in which the Australian Constitution acts as a check on parliament in law-making, and factors that affect the ability of parliament and courts to make law. They explore the relationship between parliament and courts in law-making and consider the capacity of both institutions to make law.

Lesson	Edrolo lesson	Study design dot point	Key knowledge
Chapter 7 - Parliament and the Australian Constitution			
7A	The Commonwealth Parliament and the Crown in law-making	<ul style="list-style-type: none"> the roles of the Crown and the Houses of Parliament (Victorian and Commonwealth) in law-making 	<ul style="list-style-type: none"> The role of the House of Representatives in law-making The role of the Senate in law-making The role of the Crown in Commonwealth law-making
7B	The Victorian Parliament and the Crown in law-making	<ul style="list-style-type: none"> the roles of the Crown and the Houses of Parliament (Victorian and Commonwealth) in law-making 	<ul style="list-style-type: none"> The role of the Legislative Assembly in law-making The role of the Legislative Council in law-making The role of the Crown in Victorian law-making
7C	The division of powers	<ul style="list-style-type: none"> the law-making powers of the state and Commonwealth parliaments, including exclusive, concurrent and residual powers 	<ul style="list-style-type: none"> Exclusive powers Concurrent powers Residual powers
7D	Section 109 of the Australian Constitution	<ul style="list-style-type: none"> the significance of section 109 of the Australian Constitution 	<ul style="list-style-type: none"> Section 109 of the Australian Constitution The significance of section 109
7E	High Court cases and their impact on law-making powers	<ul style="list-style-type: none"> one High Court case which has had an impact on state and Commonwealth law-making powers 	<ul style="list-style-type: none"> R v Brislan (1935) Significance of the Brislan case Commonwealth v Tasmania (1983)

			<ul style="list-style-type: none"> • Significance of the Tasmanian Dam case
7F	Parliament's ability to make law: The bicameral structure	<ul style="list-style-type: none"> • factors that affect the ability of parliament to make law, including <ul style="list-style-type: none"> ◦ the bicameral structure of parliament 	<ul style="list-style-type: none"> • The bicameral structure of parliament
7G	Parliament's ability to make law: International pressures	<ul style="list-style-type: none"> • factors that affect the ability of parliament to make law, including <ul style="list-style-type: none"> ◦ international pressures 	<ul style="list-style-type: none"> • International pressures
7H	Parliament's ability to make law: Representative nature	<ul style="list-style-type: none"> • factors that affect the ability of parliament to make law, including <ul style="list-style-type: none"> ◦ the representative nature of parliament 	<ul style="list-style-type: none"> • The representative nature of parliament
7I	The Constitution as a check on parliament: The principle of representative government	<ul style="list-style-type: none"> • the means by which the Australian Constitution acts as a check on parliament in law-making, including: <ul style="list-style-type: none"> ◦ the role of the High Court in protecting the principle of representative government 	<ul style="list-style-type: none"> • The role of the High Court in protecting the principle of representative government
7J	The Constitution as a check on parliament: The separation of powers	<ul style="list-style-type: none"> • the means by which the Australian Constitution acts as a check on parliament in law-making, including: <ul style="list-style-type: none"> ◦ the role of the High Court in protecting the principle of representative government 	<ul style="list-style-type: none"> • The separation of the legislative, executive and judicial powers
7K	The Constitution as a check on parliament: The express protection of rights	<ul style="list-style-type: none"> • the means by which the Australian Constitution acts as a check on parliament in law-making, including: <ul style="list-style-type: none"> ◦ the express protection of rights 	<ul style="list-style-type: none"> • The express protection of rights

8A	Statutory interpretation	<ul style="list-style-type: none"> the reasons for, and effects of, statutory interpretation 	<ul style="list-style-type: none"> Statutory interpretation Reasons for statutory interpretation Effects of statutory interpretation
8B	The doctrine of precedent	<ul style="list-style-type: none"> features of the doctrine of precedent including binding precedent, persuasive precedent, and the reversing, overruling, distinguishing, and disapproving of precedent 	<ul style="list-style-type: none"> The doctrine of precedent Binding precedent Persuasive precedent Reversing a precedent Overruling a precedent Distinguishing a precedent Disapproving a precedent
8C	The courts' ability to make law: Judicial conservatism and activism	<ul style="list-style-type: none"> factors that affect the ability of courts to make law, including: <ul style="list-style-type: none"> judicial conservatism and judicial activism 	<ul style="list-style-type: none"> The impact of the doctrine of precedent Judicial conservatism Judicial activism
8D	The courts' ability to make law: Costs, time, and the requirement for standing	<ul style="list-style-type: none"> factors that affect the ability of courts to make law, including: <ul style="list-style-type: none"> costs and time in bringing a case to court 	<ul style="list-style-type: none"> Costs and time in bringing a case to court The requirement for standing
8E	The relationship between courts and parliament	<ul style="list-style-type: none"> features of the relationship between courts and parliament in law-making, including: <ul style="list-style-type: none"> the supremacy of parliament 	<ul style="list-style-type: none"> The supremacy of parliament The ability of the courts to influence parliament

	parliament in law-making	<ul style="list-style-type: none"> ○ the ability of courts to influence parliament ○ the codification of common law ○ the abrogation of common law 	<ul style="list-style-type: none"> ● The codification of common law ● The abrogation of common law
Unit 4 AOS 1 review			

Unit 4 AOS 2: The people and reform

In this area of study, students investigate the need for law reform and the means by which individuals and groups can influence change in the law. Students draw on examples of individuals, groups and the media influencing law reform, as well as examples from the past four years of inquiries of law reform bodies. Students examine the relationship between the Australian people and the Australian Constitution, the reasons for and processes of constitutional reform, the successful 1967 referendum and calls for future constitutional reform, such as that articulated by the 2017 Uluru Statement from the Heart.

Lesson	Edrolo lesson	Study design dot point	Key knowledge
Chapter 9 - Law reform			
9A	Reasons for law reform	<ul style="list-style-type: none"> ● reasons for law reform 	<ul style="list-style-type: none"> ● Reasons for law reform

9B	Influences on law reform	<ul style="list-style-type: none"> ● the means by which individuals or groups can influence law reform including through: <ul style="list-style-type: none"> ○ petitions ○ demonstrations ○ the use of the courts 	<ul style="list-style-type: none"> ● Petitions ● Demonstrations ● The use of the courts
9C	The role of media in law reform	<ul style="list-style-type: none"> ● the role of the media, including social media, in law reform 	<ul style="list-style-type: none"> ● Traditional media ● Social media
9D	The Victorian Law Reform Commission	<ul style="list-style-type: none"> ● the role of the Victorian Law Reform Commission in law reform and its ability to influence law reform ● one recent Victorian Law Reform Commission inquiry relating to law reform in the civil or criminal justice system 	<ul style="list-style-type: none"> ● The role of the Victorian Law Reform Commission (VLRC) ● The ability of the VLRC to influence law reform ● Inclusive Juries ● Improving the Justice System Response to Sexual Offences
9E	Royal Commissions	<ul style="list-style-type: none"> ● the role of Royal Commissions or parliamentary committees in law reform and their ability to influence law reform ● one recent Royal Commission inquiry or parliamentary committee inquiry 	<ul style="list-style-type: none"> ● The role of Royal Commissions ● The ability of Royal Commissions to influence law reform ● Royal Commission into the Robodebt Scheme ● [Title of example Royal Commission 2]

9F	Parliamentary committees	<ul style="list-style-type: none"> the role of Royal Commissions or parliamentary committees in law reform and their ability to influence law reform one recent Royal Commission inquiry or parliamentary committee inquiry 	<ul style="list-style-type: none"> The role of parliamentary committees The ability of parliamentary committees to influence law reform Inquiry into Anti-Vilification Protections Inquiry into Tackling Climate Change in Victorian communities
Chapter 10 - Constitutional reform			
10A	Reasons for constitutional reform	<ul style="list-style-type: none"> reasons for constitutional reform 	<ul style="list-style-type: none"> Reasons for Constitutional reform <ul style="list-style-type: none"> Rights protection To remove or give power to the states Global events High Court decisions Political agendas Shifting societal attitudes
10B	Referendums	<ul style="list-style-type: none"> the requirement for the approval of the Commonwealth Houses of Parliament and a double majority in a referendum 	<ul style="list-style-type: none"> Approval of the Commonwealth houses of parliament Double majority in a referendum

10C	Factors affecting success of referendums	<ul style="list-style-type: none"> • factors affecting the success of a referendum 	<ul style="list-style-type: none"> • Factors affecting the success of a referendum
10D	The 1967 referendum	<ul style="list-style-type: none"> • the significance of the 1967 referendum regarding First Nations people 	<ul style="list-style-type: none"> • The significance of the 1967 referendum
10E	Possible future constitutional reform	<ul style="list-style-type: none"> • possible future constitutional reform, including reform to establish a First Nations Voice in the Australian Constitution 	<ul style="list-style-type: none"> • Reform to establish a First Nations Voice in the Australian Constitution • Other possible future constitutional reforms
<i>Unit 4 AOS 2 review</i>			
<i>Course review</i>			

Sample content - subject to change