SAMPLE COURSE OUTLINE

POLITICS AND LAW
ATAR YEAR 11
Copyright

© School Curriculum and Standards Authority, 2014

This document – apart from any third party copyright material contained in it – may be freely copied, or communicated on an intranet, for non-commercial purposes in educational institutions, provided that the School Curriculum and Standards Authority is acknowledged as the copyright owner, and that the Authority’s moral rights are not infringed.

Copying or communication for any other purpose can be done only within the terms of the Copyright Act 1968 or with prior written permission of the School Curriculum and Standards Authority. Copying or communication of any third party copyright material can be done only within the terms of the Copyright Act 1968 or with permission of the copyright owners.

Any content in this document that has been derived from the Australian Curriculum may be used under the terms of the Creative Commons Attribution-NonCommercial 3.0 Australia licence.

Disclaimer

Any resources such as texts, websites and so on that may be referred to in this document are provided as examples of resources that teachers can use to support their learning programs. Their inclusion does not imply that they are mandatory or that they are the only resources relevant to the course.
Sample course outline  
Politics and Law – ATAR Year 11

Unit 1 – Semester 1 – Democracy and the rule of law

<table>
<thead>
<tr>
<th>Week</th>
<th>Key teaching points</th>
</tr>
</thead>
</table>
| 1    | • What is a liberal democracy?  
• The operating principles of a liberal democracy  
  ▪ equality of political rights-gender/ ethnicity/age  
  ▪ majority rule  
  ▪ political participation  
  ▪ political freedom  
• Meaning of the above concepts, when achieved historically and when achieved in Australia |
| 2–3  | • Structure of the political and legal system in Australia, including the federal structure/ overview  
• Roles of legislative, executive and judicial branches of government  
  ▪ in general  
  ▪ in Australia  
• The doctrine of the separation of powers  
• The federal structure in Australia and the division of powers  
• The Westminster system  
  ▪ key elements  
  ▪ how it is reflected in the Australian political system  
• Representative government and responsible government  
• Review of the doctrine of the separation of powers and the Australian political system  
• The American and Canadian federal systems  
  ▪ key elements  
  ▪ what is reflected in the Australian federal system  
• The Swiss referendum process and section 128 of the Commonwealth Constitution |
| 4–6  | • Australia as an example of a democratic political and legal system  
  ▪ overall review  
  ▪ any qualifications, in terms of structure and processes, within the operation of the executive, legislative and judicial branches of government  
  ▪ the extent that the operating principles of a liberal democracy exist  
• The meaning of judicial independence and its existence in Australia  
• North Korea as an example of a non-democratic political and legal system  
  ▪ the structure of the North Korean system in terms of executive, legislative and judicial branches  
  ▪ the processes within each branch; the relationship between the branches; the extent that the operating principles of a liberal democracy are practised  
• The meaning of the terms ‘constitutionalism’ and ‘the rule of law’ and the extent that each is upheld in Australia and North Korea  
• Similarities and differences between a democratic and non-democratic political and legal system |
<table>
<thead>
<tr>
<th>Week</th>
<th>Key teaching points</th>
</tr>
</thead>
</table>
| 7–10 | • Parliament and statute law: legislative process of the Commonwealth Parliament using an example of a bill that has gone through most stages in each House  
• Use the bill to examine a contemporary issue (last three years) involving the legislative process, especially executive dominance and/or minor party influence  
• Courts and common law  
  ▪ English common law  
  ▪ common law in Australia  
  ▪ the court hierarchy in Western Australia/Australia  
  ▪ the doctrine of precedent and how it operates  
  ▪ methods of statutory interpretation  
• Use relevant examples to explain courts and law making  
• The relationship between statute law and common law using a relevant example  
• The sovereignty of parliament  
• Subordinate authorities and delegated legislation |
| 11–13 | • Key processes of civil and criminal trials in Western Australia: pre-trial, trial and post-trial stages  
• Use the problems associated with a jury trial to examine a contemporary issue (last three years) involving the judicial process |
| 14–15 | • Key processes of the Indonesian legal system: pre-trial; trial and post-trial |
| 16   | • Semester 1 examination |
### Unit 2 – Semester 2 – Representation and justice

<table>
<thead>
<tr>
<th>Week</th>
<th>Key teaching points</th>
</tr>
</thead>
</table>
| 1–3  | • Political representation  
|      | ✓ what is a political party?  
|      | ✓ what is the role of major, minor and micro political parties active in the Australian political system?  
|      | ✓ what is a pressure group?  
|      | ✓ what is the role of pressure groups in the Australian political and legal system?  
|      | • Examine the various ways political parties and pressure groups participate in the political and legal system  
|      | • How individuals, political parties and pressure groups can participate in the electoral processes in Australia  
|      | • The difference between political parties in terms of female representatives in Australian parliaments (contemporary issue centering on representation) |
| 4–7  | • Electoral and voting systems since Federation in Western Australia/ Australia  
|      | ✓ simple majority; preferential and optional preferential system; proportional representation  
|      | ✓ extension of the franchise; compulsory voting; group ticket voting  
|      | • The advantages and disadvantages of the voting systems used in Australia with reference to at least one recent election  
|      | • Should changes be made to the current regulations governing donations to political parties in Australia by individuals and groups? (electoral reform)  
|      | • How fair are Australian elections?  
|      | • The electoral and voting system of the USA including  
|      | ✓ simple majority; the franchise; non-compulsory voting  
|      | ✓ the Electoral College and the election of the President  
|      | ✓ frequency of Congressional elections |
| 8–11 | • Strengths and weaknesses of Western Australia’s adversarial criminal law processes  
|      | • Strengths and weaknesses of Western Australia’s adversarial civil law processes (Investigation) |
| 12   | • Examine the implications of the cost of legal representation (a contemporary issue centering on justice) |
| 13   | • Arguments for and against the abolition of the jury trial in Western Australia (a proposed reform to the criminal process in Western Australia) with reference to  
|      | ✓ particular jury trials  
|      | ✓ exemptions from a jury trial and trial by judge alone  
|      | ✓ eligibility of jurors  
|      | ✓ juror exemption |
| 14–15| • Strengths and weaknesses of the processes and procedures of the Indonesian (non-common law) legal system |
| 16   | • Semester 2 examination |