



Government of **Western Australia**  
School Curriculum and Standards Authority

# POLITICS AND LAW

ATAR COURSE

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Year 11 syllabus

## **Acknowledgement of Country**

Kaya. The School Curriculum and Standards Authority (the Authority) acknowledges that our offices are on Whadjuk Noongar boodjar and that we deliver our services on the country of many traditional custodians and language groups throughout Western Australia. The Authority acknowledges the traditional custodians throughout Western Australia and their continuing connection to land, waters and community. We offer our respect to Elders past and present.

## **IMPORTANT INFORMATION**

This syllabus is effective from 1 January 2023.

Users of this syllabus are responsible for checking its currency.

Syllabuses are formally reviewed by the School Curriculum and Standards Authority on a cyclical basis, typically every five years.

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## Rationale

Politics and law is a critical study of the processes of decision making concerning society's collective future. The study of politics examines the structures and processes through which individuals and groups with different interests, beliefs and goals, deliberate and negotiate in order to make choices, respond to changing circumstances and enact laws. The study of law examines the system of laws governing the conduct of the people of a community, society or nation, in response to the need for regularity, consistency and justice based upon collective human experience.

A close relationship exists between politics and law. They relate through the judicial, executive and legislative arms of government; together they constitute how societies are governed. Laws generally embody social and political values that usually have a philosophical foundation.

The Politics and Law ATAR course aims to develop knowledge and understanding of the principles, structures, institutions, processes, and practices of political and legal systems, primarily in Australia and where appropriate, other systems and/or countries. The course challenges students to critically examine the effectiveness of political and legal systems using criteria, such as openness, responsiveness and accountability of those systems. The course provides for both a chronological and contemporary understanding of political and legal issues in society.

The skills and values developed in the Politics and Law ATAR course aim to allow students to become informed, active and effective participants in the political and legal decisions that affect their lives within society.

The study of the Politics and Law ATAR course contributes to students' intellectual, social, and ethical development. The course aims to support all students in developing a sense of identity, and a sense of political, legal, cultural and social awareness.

The study of the Politics and Law ATAR course can be a valuable background to careers in law, political advocacy, public administration, international relations, foreign affairs, community development, teaching, journalism, human resource management, government and commerce.

## Course outcomes

The Politics and Law ATAR course is designed to facilitate the achievement of the following outcomes.

### Outcome 1 – Political and legal inquiry

Students use inquiry skills to communicate an understanding of the principles, structures, institutions, processes and practices of political and legal systems.

In achieving this outcome, students:

- plan ways to collect and organise information for the purpose of a political and legal investigation
- conduct an investigation using a variety of sources of information
- process and translate information to make findings and judgements
- apply and communicate findings according to purpose and audience.

### Outcome 2 – Political and legal systems

Students understand the operation of, and the relationship between political and legal systems.

In achieving this outcome, students:

- understand the principles, structures, institutions, processes and practices of political and legal systems
- understand the relationships between making, applying and enforcing the law.

### Outcome 3 – Stability and change in political and legal systems

Students understand the nature of stability and change in political and legal systems.

In achieving this outcome, students:

- understand that a variety of factors can influence the stability of, and changes to political and legal systems
- understand that individuals and groups can influence the stability of, and changes to political and legal systems.

### Outcome 4 – Citizenship in political and legal systems

Students understand the skills and practices of citizenship and the factors that influence participation in the political and legal system.

In achieving this outcome, students:

- understand the skills and practices of citizenship that can allow individuals and groups to participate in the political and legal system
- understand that political and legal rights can be influenced by the operation of the political and legal system.

## Organisation

This course is organised into a Year 11 syllabus and a Year 12 syllabus. The cognitive complexity of the syllabus content increases from Year 11 to Year 12.

### Structure of the syllabus

The Year 11 syllabus is divided into two units, each of one semester duration, which are typically delivered as a pair. The notional time for each unit is 55 class contact hours.

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

This unit examines Australia's democratic and common law systems; a non-democratic system; and a non-common law system.

#### Unit 2 – Representation and justice

This unit examines representation, electoral and voting systems in Australia; justice in the Western Australian adversarial system and a non-common law system.

Each unit includes:

- a unit description – a short description of the focus of the unit
- unit content – the content to be taught and learned.

### Organisation of content

The Politics and Law course develops student learning through three content areas:

- Political and legal systems
- Political and legal issues
- Political and legal research skills.

### Progression from the Year 7–10 curriculum

This syllabus continues to develop student understanding and skills from the Year 7–10 Civics and Citizenship curriculum. It focuses principally on Australia's political and legal system and continues to provide opportunities to make comparisons with alternative political and legal systems. The examination of continuing, and contemporary, political and legal issues provides opportunities to understand participation in political and legal systems.

The Politics and Law ATAR course also continues to develop the skills of inquiry with a greater focus on problem solving, decision making and analysis.

## Representation of the general capabilities

The general capabilities encompass the knowledge, skills, behaviours and dispositions that will assist students to live and work successfully in the twenty-first century. Teachers may find opportunities to incorporate the capabilities into the teaching and learning program for the Politics and Law ATAR course. The general capabilities are not assessed unless they are identified within the specified unit content.

### Literacy

Students develop literacy capability as they research, read and analyse sources of information on aspects of Australia's political and legal system and contemporary issues. They learn to understand and use language to discuss and communicate information, concepts and ideas related to the Politics and Law ATAR course.

### Numeracy

Students develop and apply numeracy knowledge and skills to analyse, interpret and present information in numerical and graphical form and to make sense of data presented in relation to Australia's political and legal system.

### Information and communication technology capability

Students develop information and communication technology (ICT) capability as they learn to use it effectively and appropriately to access, create and communicate information and ideas. Students develop the knowledge and skills to use digital technologies to research and source information on Australia's political and legal system, and other systems where required, including through internet search engines and websites, and library catalogues. Students develop and apply their ICT skills through organising and presenting information.

### Critical and creative thinking

Students develop capability in critical and creative thinking as they learn to generate and evaluate knowledge, clarify concepts and ideas, seek possibilities, consider alternatives and solve problems. Critical thinking skills develop through the investigation of Australia's political and legal system, and other systems as required. Critical and creative thinking is further developed through the examination of contemporary political and legal issues.

### Personal and social capability

Students develop personal and social capability as they learn to understand themselves and others, and manage their relationships, lives, work and learning more effectively. Students are encouraged to develop and apply personal, interpersonal and social skills, behaviours and dispositions through working collaboratively and constructively in groups. This allows them to develop their communication, decision-making, conflict resolution and leadership skills and learn to appreciate the insights and perspectives of others.



## **Ethical understanding**

Students develop ethical understanding as they identify and investigate ethical concepts, values and principles, and understand how reasoning can assist ethical judgement. Students recognise different perspectives and have opportunities to explore ambiguities and ethical considerations related to political and legal issues.

## **Intercultural understanding**

Students develop intercultural understanding as they engage with their own cultures, values and beliefs and those of others. The capability involves students in learning about, and engaging with, diverse cultures in ways that recognise commonalities and differences and create connections with others in the context of political and legal systems.

## **Representation of the cross-curriculum priorities**

The cross-curriculum priorities address contemporary issues which students face in a globalised world. Teachers may find opportunities to incorporate the priorities into the teaching and learning program for the Politics and Law ATAR course. The cross-curriculum priorities are not assessed unless they are identified within the specified unit content.

### **Aboriginal and Torres Strait Islander histories and cultures**

The Politics and Law ATAR course provides an opportunity for students to learn about Aboriginal and Torres Strait Islander customs, systems of governance, customary lore and perspectives. They increase their understanding of contemporary Aboriginal and Torres Strait Islander Peoples' experiences of Australia's political and legal system.

### **Asia and Australia's engagement with Asia**

The Politics and Law ATAR course provides an opportunity for students to learn about alternative political and legal systems through Australia's engagement with Asia, and build understanding of the connections between the peoples of Asia and Australia. Students have the opportunity to explore the experiences of people with Asian heritage in Australia's political and legal system.

### **Sustainability**

The Politics and Law ATAR course provides an opportunity for students to learn how environmental and social wellbeing can be impacted by political and legal systems and how individuals and/or groups can work together to develop strategies to promote sustainability.

# Unit 1 – Democracy and the rule of law

## Unit description

This unit examines the principles of a liberal democracy; the legislative, executive and judicial structures and processes of Australia's political and legal system; the functioning of a non-democratic system; and the processes of a non-common law system.

Political and legal developments and contemporary issues (the last three years) are used to provide a framework for the unit.

## Unit content

This unit includes the knowledge, understandings and skills described below.

### Political and legal systems

- Essential to the understanding of democracy and the rule of law is knowledge of:
  - the separation of powers doctrine
  - sovereignty of parliament
  - division of powers
  - representative government
  - Westminster conventions of responsible parliamentary government
  - constitutionalism
  - federalism
  - judicial independence.
- operating principles of a liberal democracy
  - equality of political rights
  - majority rule
  - political participation
  - political freedom
- structure of the Australian political system and the Australian legal system, including:
  - separation of powers
  - federalism
  - representative government
  - Westminster conventions of responsible parliamentary government
  - constitutional monarchy
  - common law system
- roles of the legislative, executive and judicial branches of government
- key influences on the structure of the political and legal system in Australia
  - the Westminster system of government
  - English common law
  - the American federal system
  - the Canadian federal system
  - the Swiss referendum process

- structures and processes of
  - one democratic political and legal system
  - one non-democratic political and legal system
 with reference to the operating principles of a liberal democracy
- types of laws made by parliaments (statute law), courts (common law) and subordinate authorities (delegated legislation)
- legislative processes at the State **or** Commonwealth levels
- the court hierarchy, methods of statutory interpretation and the doctrine of precedent
- key processes (pre-trial, trial and post-trial) of civil and criminal trials in Western Australia
- key processes of at least one non-common law (inquisitorial) system

### **Political and legal issues**

The political and legal issues are best addressed in combination with the relevant content of the Australian political and legal system. This requires an examination of:

- at least one contemporary issue (the last three years) involving the legislative process  
**and**
- at least one contemporary issue (the last three years) involving the judicial process.

### **Political and legal research skills**

Research provides the opportunity to examine aspects of political and legal systems. The following skills will be developed in this unit.

#### **Research and analysis**

- identify, define, distinguish, analyse and evaluate principles and terms
- describe, discuss, analyse and evaluate the operation and key features of a political and legal system
- analyse statute law, common law, political decisions and legal decisions
- distinguish between fact and opinion, theory and practice and formal and informal processes
- identify and evaluate alternative conclusions
- identify or propose solutions
- predict intended or unintended consequences

#### **Communication**

- use political and legal formats, terminology and techniques to suit an audience
- utilise techniques to explore ideas and construct reasoned arguments
- use an appropriate method of referencing

## Unit 2 – Representation and justice

### Unit description

This unit examines the principles of fair elections; the electoral and voting systems in Australia since Federation, making reference to a recent (the last ten years) election in Australia; the electoral system of another country; an analysis of the civil and criminal law processes in Western Australia; and an analysis of a non-common law system.

Political and legal developments and contemporary issues (the last three years) are used to provide a framework for the unit.

### Unit content

This unit includes the knowledge, understandings and skills described below.

#### Political and legal systems

- Essential to the understanding of representation and justice is knowledge of:
  - the principles of fair elections
  - political participation
  - natural justice.
- political representation with reference to the role of individuals, political parties and pressure groups
- the Western Australian and Commonwealth electoral systems since Federation, including:
  - compulsory voting
  - preferential voting
  - proportional voting
  - the franchise
- advantages and disadvantages of the electoral systems in Australia with reference to at least one recent (the last ten years) election
- a recently implemented or proposed reform (the last ten years) to the electoral systems in Australia
- the electoral systems of another country
- ways individuals, political parties and pressure groups can participate in the electoral processes in Australia
- strengths and weaknesses of Western Australia's adversarial civil and criminal law processes
- a recently implemented or proposed reform (the last ten years) to the civil **or** criminal law process in Western Australia
- strengths and weaknesses of the processes and procedures of at least one non-common law system

## Political and legal issues

The political and legal issues are best addressed in combination with the relevant content of the Australian political and legal system. This requires an examination of:

- at least one contemporary issue (the last three years) centering on representation
- and
- at least one contemporary issue (the last three years) centering on justice.

## Political and legal research skills

Research provides the opportunity to examine aspects of political and legal systems. The following skills will be developed in this unit.

### Research and analysis

- identify, define, distinguish, analyse and evaluate principles and terms
- describe, discuss, analyse and evaluate the operation and key features of a political and legal system
- analyse statute law, common law, political decisions and legal decisions
- distinguish between fact and opinion, theory and practice and formal and informal processes
- identify and evaluate alternative conclusions
- identify or propose solutions
- predict intended or unintended consequences

### Communication

- use political and legal formats, terminology and techniques to suit an audience
- utilise techniques to explore ideas and construct reasoned arguments
- use an appropriate method of referencing

## School-based assessment

The *Western Australian Certificate of Education (WACE) Manual* contains essential information on principles, policies and procedures for school-based assessment that needs to be read in conjunction with this syllabus.

Teachers design school-based assessment tasks to meet the needs of students. The table below provides details of the assessment types for the Politics and Law ATAR Year 11 syllabus and the weighting for each assessment type.

### Assessment table – Year 11

Type of assessment	Weighting
<b>Investigation</b> Students research a political or legal concept, event or issue. The investigation can be based on sources provided by the teacher, or require students to locate sources for research. Source material can be drawn from newspapers, television or radio broadcasts, journal articles, texts, speeches, court judgements or statutes and can include information, such as reportage, analysis, opinion pieces, news, current affairs and documentary transcripts and/or programs, opinion polls, election results, legal decisions, Bills/Acts and/or letters. Typically the format of the final presentation is a written report. One investigation should be completed for each unit.	10%
<b>Short answer</b> Typically a series of closed or partially open questions that can require a definition, description, explanation, discussion and/or comparison. At least two short answer tasks should be completed under test conditions.	20%
<b>Essay</b> Typically require a response to a question, statement or proposition. The question can require description, discussion, examination, comparison, assessment, analysis and/or evaluation. At least two essay tasks should be completed under test conditions.	20%
<b>Source analysis</b> Students respond to questions based on one or more sources. Source material can be drawn from newspapers, television or radio broadcasts, journal articles, texts, speeches, court judgements or statutes and can include information, such as reportage, analysis, opinion pieces, news, current affairs and documentary transcripts, opinion polls, election results, legal decisions and Bills/Acts and/or letters. Questions can require both short and longer written responses. At least two source analysis tasks should be completed under test conditions.	20%
<b>Examination</b> Typically conducted at the end of each semester and/or unit. In preparation for Unit 3 and Unit 4, the examination should reflect the examination design brief included in the ATAR Year 12 syllabus for this course.	30%

Teachers are required to use the assessment table to develop an assessment outline for the pair of units (or for a single unit where only one is being studied).

The assessment outline must:

- include a set of assessment tasks
- include a general description of each task
- indicate the unit content to be assessed
- indicate a weighting for each task and each assessment type
- include the approximate timing of each task (for example, the week the task is conducted, or the issue and submission dates for an extended task).

In the assessment outline for the pair of units, each assessment type must be included at least twice. In the assessment outline where a single unit is being studied, each assessment type must be included at least once.

The set of assessment tasks must provide a representative sampling of the content for Unit 1 and Unit 2.

Assessment tasks not administered under test/controlled conditions require appropriate validation/authentication processes. For example, student performance for an investigation could be validated by a task, such as an essay which is completed in class after the investigation is submitted.

## Grading

Schools report student achievement in terms of the following grades:

Grade	Interpretation
A	Excellent achievement
B	High achievement
C	Satisfactory achievement
D	Limited achievement
E	Very low achievement

The teacher prepares a ranked list and assigns the student a grade for the pair of units (or for a unit where only one unit is being studied). The grade is based on the student's overall performance as judged by reference to a set of pre-determined standards. These standards are defined by grade descriptions and annotated work samples. The grade descriptions for the Politics and Law ATAR Year 11 syllabus are provided in Appendix 1. They can also be accessed, together with annotated work samples, through the Guide to Grades link on the course page of the Authority website at [www.scsa.wa.edu.au](http://www.scsa.wa.edu.au).

To be assigned a grade, a student must have had the opportunity to complete the education program, including the assessment program (unless the school accepts that there are exceptional and justifiable circumstances).

Refer to the *WACE Manual* for further information about the use of a ranked list in the process of assigning grades.

## Appendix 1 – Grade descriptions Year 11

<b>A</b>	Presents a reasoned, balanced and coherent discussion or argument about democracy and the rule of law or representation and justice.
	Provides detailed descriptions and explanations of democracy and the rule of law or representation and justice.
	Utilises relevant examples to support explanations.
	Communicates using consistently relevant political and legal terminology.
<b>B</b>	Presents a discussion or an argument with some reason, balance and coherence, about democracy and the rule of law or representation and justice.
	Provides general descriptions and explanations of democracy and the rule of law or representation and justice.
	Utilises mostly relevant examples to support explanations.
	Communicates predominantly using relevant political and legal terminology.
<b>C</b>	Presents a general discussion about democracy and the rule of law or representation and justice.
	Provides some descriptions and explanations of democracy and the rule of law or representation and justice.
	Utilises some, mostly relevant, examples to generally support explanations.
	Communicates using some political and legal terminology.
<b>D</b>	Makes limited statements about democracy and the rule of law or representation and justice.
	Provides limited descriptions and explanations of democracy and the rule of law or representation and justice.
	Utilises limited examples to support explanations.
	Communicates using little relevant political and legal terminology.
<b>E</b>	Does not meet the requirements of a D grade and/or has completed insufficient assessment tasks to be assigned a higher grade.