POLITICS AND LAW

GENERAL COURSE

Year 12 syllabus

IMPORTANT INFORMATION

This syllabus is effective from 1 January 2017.

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.

Content

Rationale

The study of politics and law provides students with knowledge and understanding of the principles, structures, institutions, processes and practices of political and legal systems. It contributes to students' intellectual, social and ethical development. The Politics and Law General course is an analysis of the processes of decision making concerning society's collective future.

The Politics and Law General course challenges students to examine the effectiveness of political and legal systems using criteria, such as representation, openness, responsiveness and accountability of those systems and come to an understanding of the complexities of governing nations. The course promotes skills of research and analysis as students engage with investigations and critical thinking as they examine opinions and viewpoints of the relevant aspects of the political and legal systems. They are encouraged to use evidence to formulate and support their explanations, which are communicated in a variety of ways.

The Politics and Law General course allows students to gain insights into the social and political values underpinning Australia's political and legal system as well as alternative political and legal systems. It provides students with a basis for engaging in an effective, and informed, way with the political and legal system in the future.

Course outcomes

The Politics and Law General course is designed to facilitate 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 12 syllabus is divided into two units which are delivered as a pair. The notional time for the pair of units is 110 class contact hours.

Unit 3 – Democracy and the rule of law

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

Unit 4 – Representation and justice

This unit critically 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 General course develops student learning through three content areas:

- Political and legal systems

- Political and legal issues

- Political and legal research skills.

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 General 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 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 (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, learning 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 the 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 General 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 General 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 General course provides an opportunity for students to learn about alternative political and legal systems through Australia's engagement with Asia and to 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 General 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 3 – 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 political and legal system; and a non-common law legal system.

Unit content

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

Political and legal systems

At the completion of this unit, students should have an understanding of the principles of a liberal democracy, the rule of law, separation of powers doctrine, sovereignty of parliament, division of powers, representative government, responsible government, constitutionalism, federalism and judicial independence.

- operating principles of a liberal democracy:
  - equality of political rights
  - majority rule
  - political participation
  - political freedom

- development of the operating principles of a liberal democracy in Australia with comparison to one other modern liberal democracy

- roles of the legislative, executive and judicial branches of government

- the institutions in Australia that perform the legislative, executive and judicial functions of government

- structure and processes of the political and legal system in Australia, including federalism

- the extent to which the doctrine of separation of powers exists in Australia

- the operation of the rule of law in Western Australia or Australia

- 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 at least one non-democratic political and legal system, such as a military regime, a one party state or a theocracy

- the court hierarchy in Western Australia with reference to both criminal and civil law

- the process of civil and criminal trials in Western Australia

- the trial process in a non-common law legal system

Political and legal issues

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

- State's rights within the Australian federal system

   and

- the rule of law in a non-democratic political and legal system.

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 and analyse principles and terms
- describe, discuss and analyse 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
- form and justify conclusions
- 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 4 – 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; an analysis of the civil and criminal law processes in Western Australia; and an analysis of a non-common law system in another country.

Unit content

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

Political and legal systems

At the completion of this unit, students should have an understanding of the principles of fair elections, participation and natural justice.

- the Western Australian and Commonwealth electoral systems since Federation:
    - compulsory voting
    - the extension of the franchise
    - electoral frequency at the State and Commonwealth level
    - group ticket voting (GTV)

- voting systems used in Australia since Federation:
    - first past the post
    - preferential
    - optional preferential, such as used in Queensland and New South Wales
    - proportional representation

- advantages and disadvantages of the current voting systems used in Australia/Western Australia, including reference to one vote one value and the extent to which the will of the people is represented

- an examination of a recent (the last ten years) election in Australia with reference to the influence on the outcome of:
    - the campaign
    - policies
    - personalities
    - media, including social media
    - the voting and electoral systems

- strengths and weaknesses of the trial process of the adversarial system in Western Australia

- an examination of a recent (the last ten years) civil or criminal trial in Western Australia

- strengths and weaknesses of the trial process of a non-common law legal system in one other country

Political and legal issues

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

- the electoral and voting system in Australia in terms of the principles of fair elections

  and

- the extent to which justice prevails in the judicial system in Western Australia.

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 and analyse principles and terms
- describe, discuss and analyse 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
- form and justify conclusions
- 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 General Year 12 syllabus and the weighting for each assessment type.

Assessment table – Year 12

Type of assessment	Weighting
Investigation Students examine 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 print and electronic media, 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, pictures and/or letters. The format of the final presentation can be written, digital or oral. One investigation should be completed for each unit.	15%
Explanation A response in the form of a short answer or extended answer. A short answer is a response to a series of closed or partially open questions that can require the student to respond to a question, statement or proposition. The question can require a definition, description, explanation, discussion and/or comparison. An extended answer that can be scaffolded or sectionalised. The student can be required to respond to a question, statement or proposition. The question can require description, discussion, examination, and/or comparison. At least two explanation tasks should be completed under test conditions.	25%
Source analysis Students respond to questions based on one or more sources. Source material can be drawn from print and electronic media, 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, pictures and/or letters. Questions can require both short and longer written responses. At least two source analysis tasks should be completed under test conditions.	25%
Test Can be conducted during or at the end of each semester and/or unit.	20%
Externally set task A written task or item or set of items of 50 minutes duration developed by the School Curriculum and Standards Authority and administered by the school.	15%

Teachers are required to use the assessment table to develop an assessment outline for the pair of units.

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).

All assessment types must be included in the assessment outline at least twice with the exception of the externally set task which only occurs once.

The set of assessment tasks must provide a representative sampling of the content for Unit 3 and Unit 4.

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 student/teacher interview; or use of a learning journal or research organiser; or a written task completed in class.

Externally set task

All students enrolled in the Year 12 General Politics and Law course will complete the externally set task developed by the Authority. Schools are required to administer this task in Term 2 at a time prescribed by the Authority.

Externally set task design brief – Year 12

Time	50 minutes
Format	Written
	Conducted under invigilated conditions
	Typically between two and five questions
	Questions can require students to refer to source material
Content	The Authority informs schools during Term 3 of the previous year of the Unit 3 syllabus content on which the task will be based

Refer to the WACE Manual for further information.

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. 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 General Year 12 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

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 12

A	Presents a predominantly 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 appropriate examples to support explanations.
	Communicates using relevant political and legal terminology.

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 mostly detailed descriptions and explanations of democracy and the rule of law or representation and justice.
	Utilises mostly appropriate examples to support explanations.
	Communicates using mostly relevant political and legal terminology.

C	Presents a general discussion 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 some appropriate examples to generally support explanations.
	Communicates using some political and legal terminology.

D	Presents 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.

E	Does not meet the requirements of a D grade and/or has completed insufficient assessment tasks to be assigned a higher grade.