



POLITICS AND LAW

ATAR course

Year 12 syllabus for teaching from 2027

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

As part of the Western Australian Certificate of Education (WACE) Refreshment, the School Curriculum and Standards Authority (the Authority) has revised the course rationale and aims, and updated the General Capabilities to create clearer connections with the syllabus content.

This syllabus is effective from 1 January 2027.

Users of this syllabus are responsible for checking its currency.

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

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Rationale

The Politics and Law ATAR course provides critical study of governance and the processes of decision-making concerning society's collective future. It examines the structures and processes through which individuals and groups with different interests, beliefs and goals deliberate and negotiate to make choices, respond to changing circumstances and enact laws. The course also examines the system of laws regulating the behaviours of people in a community or society to provide consistency and justice for all.

By studying the course, students develop an understanding of the interrelationship between politics and law in the Australian and alternative political and legal systems. They explore the roles, powers and relationship between the judicial, executive and legislative arms of government, which together constitute how societies are governed. Students examine how the three branches of government are held accountable and how the rights of individuals and groups are protected. They learn how history, and changing social and cultural values, influence how people interact with the political and legal system.

Students develop knowledge and understanding of the principles, structures, institutions, processes and practices of political and legal systems, primarily in Australia and, where appropriate, other countries. The course challenges students to critically examine the effectiveness of political and legal systems using criteria such as openness, responsiveness and accountability. Students gain an understanding of both historical and contemporary political and legal issues in society.

The course develops skills and values that enable students to become informed, active and effective participants in the political and legal decisions that affect their everyday lives. It contributes to their understanding of the functioning and issues associated with democratic and non-democratic governments, political and legal power, accountability and rights.

The Politics and Law ATAR course is valuable for careers in law, political advocacy, public administration, international relations, foreign affairs, community development, teaching, journalism, human resource management, government and commerce.

Aims

The Politics and Law ATAR course aims to develop students':

- understanding of liberal democracy, the rule of law and associated concepts
- understanding of the operation of, and the relationship between, the legislature, executive and judiciary in the Australian political and legal system and the power wielded within the system by various institutions
- understanding of the issues arising within the Australian political and legal system compared to other countries
- understanding of the role of the individual and groups within the political and legal system and the various ways that each can interact within a democracy
- understanding of the accountability of political and legal systems and the ways in which human rights are protected or undermined
- skills in research, analysis and communication through critical examination of historical and contemporary issues in Australia's political and legal system and those of another country
- skills in the application of concepts to the functioning of Australia's political and legal system and alternative systems.

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 – Political and legal power

This unit examines the political and legal system established by the Commonwealth Constitution (Australia) and the power wielded within the system, making reference to particular political and legal developments and issues.

Unit 4 – Accountability and rights

This unit examines avenues for, and the effectiveness of, accountability in relation to the three branches of government in Australia. The ways, and the extent to which, rights are protected, and democratic principles are upheld and/or undermined in Australia, and one other country, are also examined.

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 ATAR 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 support students to live and work successfully now and into the future. They are not assessed unless identified within the specified unit content. Teachers should find opportunities to incorporate the following General Capabilities into the teaching and learning program for the Politics and Law ATAR course.

Critical and creative thinking

Students develop capability in critical and creative thinking as they apply problem-solving, inquiry, analytical and decision-making strategies to generate and evaluate knowledge, clarify concepts and ideas, seek possibilities and consider alternatives. Students further develop critical and creative thinking through investigating and evaluating the political and legal systems of Australia and other countries, as well as by examining contemporary political and legal issues.

Ethical understanding

Students develop ethical understanding as they examine values, rights and responsibilities, and ethical norms associated with the upholding and/or undermining of democratic principles, including political representation, popular participation, the rule of law, judicial independence and natural justice in Australia and other countries. Students explore how those in power are held to account for their unethical decisions and practices.

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 political and legal terminology to discuss, analyse and evaluate concepts and ideas related to political and legal power, accountability and rights. Students communicate information, analyses and conclusions using reasoned arguments in responses to short answer and essay questions, source analysis responses and an investigation.

Personal and social capability

Students develop personal and social capability as they investigate human rights protections in Australia and other countries and the changing experience of a particular group within Australia in terms of their political and legal rights. This allows them to develop their communication and decision-making skills while learning to appreciate others' insights and perspectives.

Addressing the other General Capabilities

Although the following General Capabilities have not been identified as a focus in the Politics and Law ATAR syllabus, teachers may find opportunities to incorporate them into the teaching and learning program.

- Digital literacy
- Intercultural understanding
- Numeracy

Such opportunities may occur through the application of different contexts, pedagogical practices and/or assessment strategies that relate to the syllabus as part of the teaching and learning program.

Summary representation of the General Capabilities in the Politics and Law ATAR course

The unit content and assessment types for this course provide students with the opportunity to develop the General Capabilities summarised in the table below.

Year	Course	Course type	General Capabilities						
			CCT	DL	EU	IU	L	N	PSC
Year 11	Politics and Law (AEPAL)	ATAR	✓		✓	✓	✓		✓
Year 12	Politics and Law (ATPAL)	ATAR	✓		✓		✓		✓

Key

CCT: Critical and creative thinking, DL: Digital literacy, EU: Ethical understanding, IU: Intercultural understanding, L: Literacy, N: Numeracy, PSC: Personal and social capability

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 them 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 3 – Political and legal power

Unit description

This unit examines various aspects of the political and legal system established by the Commonwealth Constitution (Australia), including the roles and powers of the legislative, executive and judicial branches of government, with a comparison to a non-Westminster system; the influence of individuals, political parties and pressure groups on the law making process of parliament and the courts; and the operation of federalism and the balance of power between the Commonwealth and the States in Australia.

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

Unit content

An understanding of the Year 11 content is assumed knowledge for students in Year 12.

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

Political and legal systems

- Essential to the understanding of political and legal power is the knowledge of:
 - responsible government
 - representative government
 - separation of powers
 - division of powers
 - Westminster conventions.
- legislative, executive and judicial powers with reference to the Commonwealth Constitution (Australia) and with comparison to one non-Westminster political and legal system
- functions of the Commonwealth Parliament in theory and in practice, including Sections 7, 24, 51, 53
- roles and powers of the Governor-General, including Sections 61, 62, 63, 64, 68, 28, 57, 72, and 'the 1975 crisis'
- roles and powers of the Prime Minister, Cabinet and the Ministry
- roles and powers of the opposition and the shadow ministry at the Commonwealth level
- political mandates in theory and in practice, including competing mandates
- lawmaking process in parliament and the courts, with reference to the influence of
 - individuals
 - political parties
 - pressure groups
- roles and powers of the High Court of Australia, including Sections 71, 72, 73, 75 and 76 with reference to at least one common law decision and at least one constitutional decision

- federalism in Australia with reference to
 - constitutional powers of State and Commonwealth parliaments, including exclusive, concurrent and residual powers, Sections 51, 52, 90, 107 and 109
 - financial powers of the Commonwealth Parliament, including taxation power, tied or special purpose grants, including Sections 51(ii), 87, 90, 92 and 96
 - change in the balance of power since federation, with reference to
 - financial powers, including vertical fiscal imbalance and horizontal fiscal equalisation, the Grants Commission
 - referral of powers Section 51(xxxvii)
 - intergovernmental relations through the Council of Australian Governments (COAG, 1992 to 2020) replaced by National Cabinet (2020 to present) with Ministerial Councils (2022 to present) reporting to it
 - co-operative federalism as opposed to coercive federalism
 - High Court of Australia constitutional interpretation, including external affairs power Section 51(xxix), corporations power Section 51(xx), and taxation powers
- formal and informal methods of constitutional change and their impact
 - referendums, including Section 128
 - High Court of Australia decisions
 - referral of powers
 - unchallenged legislation

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 reform proposal to change the Commonwealth Constitution (Australia), such as
 - the move to become a republic
 - reference to Indigenous Australians in the Commonwealth Constitution (Australia)
 - recognition of local government in the Commonwealth Constitution (Australia)
 - Commonwealth Constitution (Australia) Section 44 (i), (ii) and (iii)
 - and
- at least one contemporary issue (the last three years) relating to political power
 - and
- at least one contemporary issue (the last three years) relating to legal power.

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 4 – Accountability and rights

Unit description

This unit examines the structures, processes and procedures of accountability in relation to the legislative, executive and judicial branches of government in Australia; how rights are protected, and democratic principles can be upheld and/or undermined, in Australia and one other country; and the experience of a particular group with respect to their political and legal rights in Australia.

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. This is the examinable content.

Political and legal systems

- Essential to the understanding of accountability and rights are the practices of governance, including:
 - participation
 - the rule of law
 - human rights, including civil, political, economic, social and cultural
 - open government
 - natural justice
- the accountability of the Commonwealth Parliament
 - through elections for the House of Representatives and the Senate
 - through the House of Representatives and Senate Privileges Committees
 - within the procedures and processes of the Parliament
 - through judicial review
- the accountability of the Executive and public servants
 - through collective and individual ministerial responsibility
 - through Senate Estimates and at least one other committee of the Commonwealth Parliament
 - through the Commonwealth Auditor General and the Administrative Review Tribunal (ART) (previously the Administrative Appeals Tribunal)
 - through judicial review
- the extent of the accountability of the Governor-General
 - through appointment
 - through removal
 - 'the 1975 crisis' and 'the Hollingworth affair'
- the accountability of the courts within the Australian legal system
 - through the appeals process
 - through parliamentary scrutiny and legislation
 - through transparent processes and public confidence
 - through the censure and removal of judges, including Section 72

- the ways human rights are protected in Australia, including in the Constitution, common law, statutory law, and charter of rights, such as the Charter of Human Rights and Responsibilities Act 2006 (Victoria), the Human Rights Act 2004 (Australian Capital Territory) and the Human Rights Act 2019 (Queensland)
- the ways human rights are protected in one other country
- the status of international covenants, protocols and treaties in protecting human rights in Australia
- the ways in which Australia and one other country can both uphold and/or undermine democratic principles, with reference to
 - political representation
 - popular participation
 - the rule of law
 - judicial independence
 - natural justice

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:

- the changing experience of a particular group with respect to their political and legal rights in 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, 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 12 syllabus and the weighting for each assessment type.

Assessment table – Year 12

Type of assessment	Weighting
Investigation 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 and 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.	10%
Short answer Typically a series of closed or partially open questions that can require a definition, description, explanation, discussion and/or comparison.	15%
Essay Typically require a response to a question, statement or proposition. The question can require description, discussion, examination, comparison, assessment, analysis and/or evaluation.	15%
Source analysis 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 and opinion pieces, news, current affairs and documentary transcripts, opinion polls, election results, legal decisions Bills/Acts and/or letters. Questions can require both short and longer written responses.	20%
Examination Typically conducted at the end of each semester and/or unit and reflecting the examination design brief for this syllabus.	40%

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).

In the assessment outline for the pair of units, each assessment type must be included at least once over the year/pair of units.

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 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. 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 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.

ATAR course examination

All students enrolled in the Politics and Law ATAR Year 12 course are required to sit the ATAR course examination. The examination is based on a representative sampling of the content for Unit 3 and Unit 4. Details of the ATAR course examination are prescribed in the examination design brief on the following page.

Refer to the *WACE Manual* for further information.

Examination design brief – Year 12

Time allowed

Reading time before commencing work: ten minutes

Working time for paper: three hours

Permissible items

Standard items: pens (blue/black preferred), pencils (including coloured), sharpener, correction fluid/tape, eraser, ruler, highlighters

Special items: nil

Additional information

Questions require the candidate to focus on the Australian political and legal system and can require reference to contemporary (the last three years) and/or recent (the last ten years) political and legal issues and/or events. Questions can require the candidate to make reference to political and legal systems of countries other than Australia.

Section	Supporting information
Section One Short answer 30% of the total examination Three questions from a choice of four Suggested working time: 45 minutes	Each question has three parts. Questions can require the candidate to define, describe, identify, discuss, explain and/or compare.
Section Two Source analysis 20% of the total examination One question from a choice of two Suggested working time: 35 minutes	There are two sets of 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 and opinion pieces, news, current affairs and documentary transcripts, opinion polls, election results, legal decisions, Bills/Acts and/or letters. Cartoons are not included. Each question has four parts that increase in complexity. Parts can refer to: • a term or phrase from the source • issues the source raises • associated principles, structures, institutions, processes and practices • links to political and legal knowledge. The parts of the question can require the candidate to define, interpret, explain, discuss, compare, analyse, assess and/or evaluate.
Section Three Essay 50% of the total examination Two questions from a choice of four Part A: Unit 3 One question from a choice of two Suggested working time: 50 minutes Part B: Unit 4 One question from a choice of two Suggested working time: 50 minutes	Questions can require the candidate to describe, discuss, examine, compare, analyse and/or evaluate.

Appendix 1 – Grade descriptions Year 12

A	Synthesises information and presents a reasoned, balanced and coherent argument about political and legal power or accountability and rights.
	Provides extensive and detailed descriptions and explanations of political and legal power or accountability and rights. Assesses, analyses and/or evaluates as appropriate.
	Utilises comprehensive and relevant examples to support explanations.
	Communicates effectively and appropriately by using relevant political and legal terminology.
B	Presents a mostly reasoned, balanced and coherent argument about political and legal power or accountability and rights.
	Provides detailed descriptions and explanations of political and legal power or accountability and rights. Attempts to assess, analyse and/or evaluate as appropriate.
	Utilises relevant examples to support explanations.
	Communicates using mostly relevant political and legal terminology.
C	Presents an argument with some reason, balance and cohesion about political and legal power or accountability and rights.
	Provides general descriptions and explanations of political and legal power or accountability and rights.
	Utilises mostly relevant examples to support explanations.
	Communicates using some relevant political and legal terminology.
D	Presents statements, rather than a reasoned, balanced and coherent argument, about political and legal power or accountability and rights.
	Provides limited descriptions and explanations of political and legal power or accountability and rights.
	Utilises limited relevant examples to support explanations.
	Communicates using limited 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.

