Stage 2 Legal Studies

Focus Area 2: Dispute Resolution

Assessment Type 1: Folio

**Task: Debate**

**Task Description:**

Working in groups, students use a range of sources to prepare a speech within a debate setting.   
Students will be allocated to argue *for* or *against* the following prompt:

*“The* Inquisitorial *System is more effective than the Adversarial System in administering justice.”*

They will deliver their individual speech, followed by a brief rebuttal from the opposing side. Adhering to the formal processes of a debate. Each student’s individual speech will illustrate one perspective on the issue, using legal principles to communicate an effective and convincing opinion. This will explore the legal principles and processes relevant to Focus Area 2: Dispute Resolution.

This will further allow students to analyse the competing tensions associated with the Dispute Resolution process. Throughout their contribution to the debate, students are required to address one or more of the following:

* Fairness and Efficiency
* Certainty and Flexibility
* Empowered and Disempowered
* Rights and Responsibilities

**Assessment Conditions:**

Students will develop a written transcript of their debate speech, with a maximum of 1,000 words.   
The oral component will be voice recorded in class and must not exceed a total of 6 minutes.   
Students are required to attach a Reference List.

|  |
| --- |
| ***Assessment Design Criteria*** |
| **Understanding and Application**  UA1 Understanding of ways that the legal system balances competing tensions  UA2 Application of legal principles and processes to specific contexts  UA3 Research, selection, application, and acknowledgement of relevant sources  **Analysis and Evaluation**  AE1 Analysis and evaluation of legal principles, processes, or problems  AE2 Evaluation of legal issues or arguments to reach a conclusion and/or make recommendations  **Communication**  C1 Communication of legal concepts, opinions and arguments |

Performance Standards for Stage 2 Legal Studies

|  |  |  |  |
| --- | --- | --- | --- |
| - | Understanding and Application | Analysis and Evaluation | Communication |
| A | Perceptive understanding of the ways that the legal system balances competing tensions.  Astute application of legal principles and processes to specific contexts.  Thorough and focused research to select, apply, and appropriately acknowledge a range of relevant sources. | Perceptive analysis and evaluation of concepts, legal principles, processes, or problems.  Insightful evaluation of arguments or issues to reach a convincing conclusion and/or make informed recommendations. | Clear and effective communication of legal concepts, opinions, and arguments. |
| B | Substantial understanding of the ways that the legal system balances competing tensions.  Proficient application of legal principles and processes to specific contexts.  Well-informed research to select and appropriately acknowledge a range of relevant sources. | Well-considered analysis and evaluation of concepts, legal principles, processes, or problems.  Well-considered evaluation of legal arguments or issues to reach a mostly convincing conclusion and/or make mostly informed recommendations. | Mostly clear and effective communication of legal concepts, opinions, and arguments. |
| C | Sound understanding of the ways that the legal system balances competing tensions.  Generally informed application of legal principles and processes to specific contexts.  Adequate research to select and appropriately acknowledge a range of relevant sources. | Adequate analysis and evaluation of concepts, legal principles, processes, or problems.  Sound evaluation of legal arguments or issues to reach a conclusion and/or make recommendations. | Generally effective communication of legal concepts, opinions, and arguments. |
| D | Some understanding of the ways that the legal system balances competing tensions.  Partial application of legal principles and processes to specific contexts.  Some research to select and appropriately acknowledge a range of relevant sources. | Some analysis and evaluation of concepts, legal principles, processes, or problems.  Partial evaluation of legal arguments or issues to reach a conclusion and/or make recommendations. | Some communication of legal concepts, opinions, and arguments. |
| E | Limited understanding of the ways that the legal system balances competing tensions.  Limited application of legal principles and processes to specific contexts.  Rudimentary research, selection, and acknowledgement of a range of sources. | Limited analysis of concepts, legal principles, processes, or problems.  Limited consideration of legal arguments or issues to reach a vague or unsubstantiated conclusion and/or recommendation. | Limited communication of legal concepts, opinions, and arguments. |
|  | Comment: | | Grade: |