



South Australian
Certificate of Education

Legal Studies 2025

Question booklet

Part A: Response to sources (Question 1) 30 marks

- Answer **all** questions in Part A
- Write your answers in this question booklet
- Allow approximately 65 minutes

Part B: Extended response (Question 2) 30 marks

- Answer **one** question from Part B
- Write your answer in the separate script book
- Allow approximately 65 minutes

Examination information

Materials

- Question booklet
- Script book
- SACE registration number label

Instructions

- Use black or blue pen

Total time: 130 minutes

Total marks: 60

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The SACE Board of South Australia acknowledges that this examination was created on Kaurna Land. We acknowledge First Nations Elders, parents, families, and communities as the first educators of their children, and we recognise and value the cultures and strengths that First Nations students bring to the classroom. We respect the unique connection and relationship that First Nations peoples have to Country, and their ever-enduring cultural heritage.

Attach your SACE registration number label here

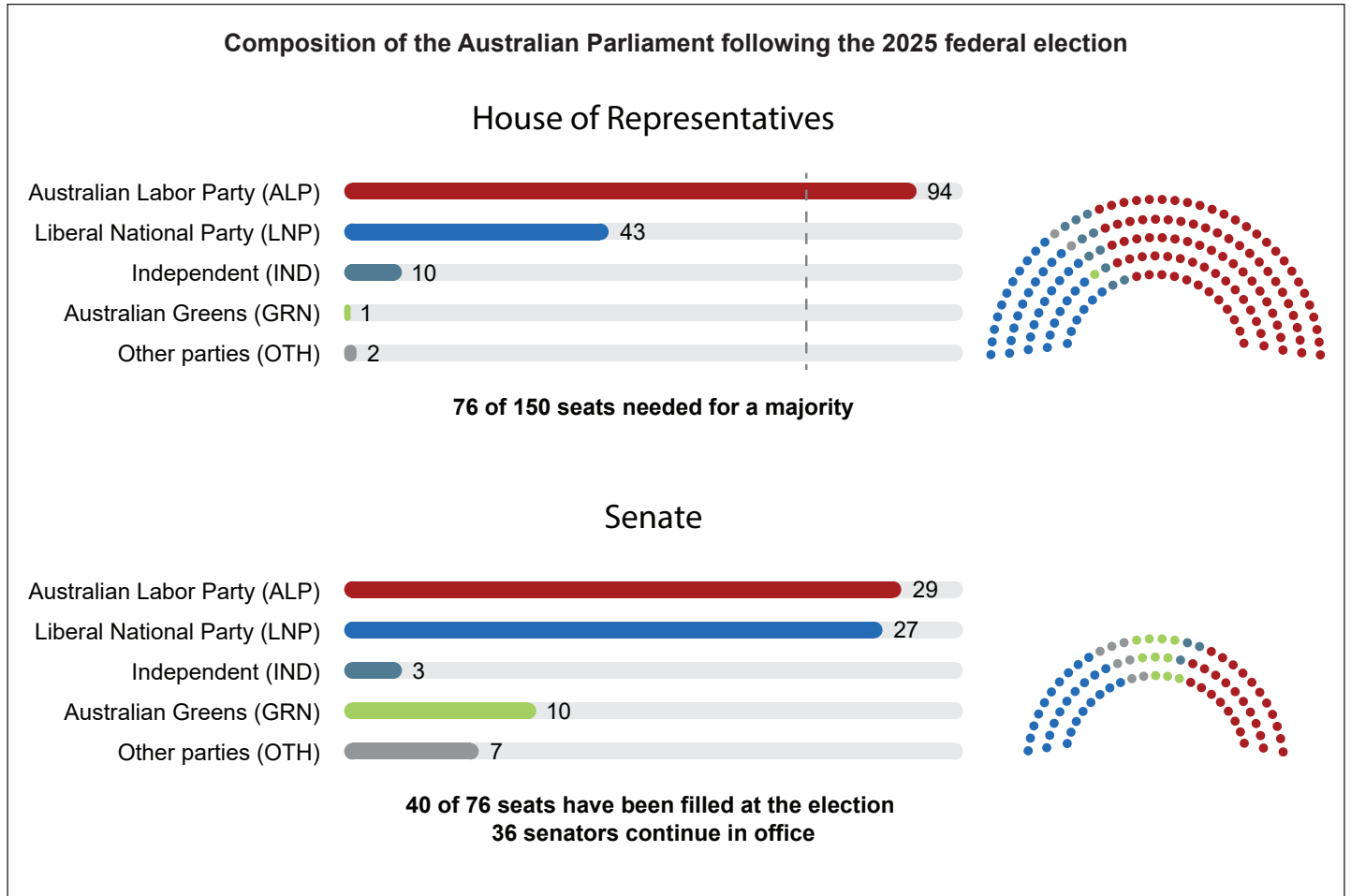


Government
of South Australia

PART A: RESPONSE TO SOURCES (Question 1) 30 marks

Examine Sources 1 to 7 before answering Question 1.

Source 1



Source: adapted from Morgan, C, Walter, R & Ganko, J 2025, 'Federal election results 2025 as it happened', news article, 9 May, *Sydney Morning Herald*, viewed 25 May 2025, <https://www.smh.com.au/politics/federal/federal-election-results-2025-live-updates-dreyfus-husic-axed-from-cabinet-in-factional-power-play-jacinta-price-defects-to-libs-bandt-concedes-defeat-wong-blasts-greens-coalition-over-gaza-20250508-p5lxpl.html>

Source 2

Second reading speech in the House of Representatives – 18 November 2024

The Hon Patrick Gorman MP – Assistant Minister to the Prime Minister, Assistant Minister for the Public Service, Assistant Minister to the Attorney-General

Today the Government introduces the Electoral Legislation Amendment (Electoral Reform) Bill 2024. It proposes the largest reform to Australia's electoral laws in over 40 years.

Delivering on our commitment to strengthen and enhance the integrity of federal elections through improved transparency and accountability.

The Bill implements recommendations of the multipartisan¹ Joint Standing Committee on Electoral Matters (JSCEM).

Those recommendations and this Bill seek to remove the influence of big money in politics.

Ensuring that our electoral system remains a system we can all trust.

Trust that election results are not unfairly skewed by 'big money'.

Trust that elections are a contest of ideas, not bank balances.

Trust that we know who is funding election campaigns with more information about campaign financing provided before voting day.

Australia has an electoral system that is the envy of the world.

This Bill will enhance and strengthen our elections and Australia's representative democracy. ...

¹ involving or representing multiple political parties.

Source: Mr Gorman, Second Reading speech: Electoral Legislation Amendment (Electoral Reform) Bill 2024, 18 November 2024, accessible in <https://parlinfo.aph.gov.au/>

Source 3

Extract from Crikey media article on political party donation laws – 13 February 2025

'A crap deal': Labor's spending cap for independents vulnerable to High Court test

Labor and the Coalition struck a deal this week on controversial electoral reforms that cap election spending and political donations.

The reforms, which passed Commonwealth Parliament Thursday morning, will cap campaign expenditure to \$800 000 per electorate, but registered political parties can access ... \$90 million ... for general advertising, which independents say stacks the field¹. The changes wouldn't come into effect until after this year's federal election.

'[The 2025] ... election ... [could be] ... the last competitive election where there will be a capacity for independents to come and challenge incumbents² in seats,' independent MP Zali Steggall told reporters in Canberra on Thursday.

Labor's Special Minister of State Don Farrell argues the changes will help 'ordinary Australians' in their chances at running for federal seats.... [and] ... 'pushes downward pressure on the cost of elections so ordinary Australians have a chance to be elected, not those candidates that are supported by the billionaires and the millionaires.' ...

¹ to arrange something in an unfair way, in order to achieve the result you want

² current holders of an office or position

Source: extract from Nilsson, A 2025, "A crap deal": Labor's spending cap for independents vulnerable to High Court test', news article, 13 February, *Crikey*, viewed 12 May 2025, <https://www.crikey.com.au/2025/02/13/political-donations-labor-independents-high-court-challenge/>

Source 4



Question Time – House of Representatives – 27 February 2024 – Donations to Political Parties



Ms CHANEY (Independent for Curtin) (14:59): This is a question for the Prime Minister. Voters have a right to know who is funding their candidates before they vote.

Opposition members interjecting—

Ms CHANEY: Real-time disclosure of all my donations. The government has a longstanding commitment to real-time disclosure—



The SPEAKER: The member will resume her seat. The same rules apply to everyone. There's going to be silence so questions can be heard. No matter what's being said, the questioner has to be heard in silence. That goes for everyone in the chamber. The member for Curtin will start her question again.

Ms CHANEY: Voters have a right to know who is funding their candidates before they vote. The government has a longstanding commitment to real-time disclosure of political donations over \$1,000, but this hasn't happened, because the government has indicated it wants opposition support on electoral reform. Time is running out to implement transparency before the next election. Why won't the government make good on its promise and pass this legislation immediately with crossbench¹ support in both houses? We need transparency now.



Mr ALBANESE (Grayndler—Prime Minister) (15:00): I thank the member for Curtin for her question and for her genuine commitment to transparency. We have, through our minister, engaged in good-natured, good-faith discussion with the crossbenchers but also with the opposition, because we want to put in place electoral reform that lasts over a period of time and doesn't seek to secure a political advantage for any particular side of politics or, indeed, for independents running.



¹ where elected independent and minor party members sit in parliament. Members who sit on the crossbench are known as crossbenchers

Source 6

Extract from Chapter 3 of the report of the Senate Select Committee into the Political Influence of Donations

3.2 In a properly functioning democracy, citizens can expect their elected representatives to be transparent and accountable in carrying out their public duties. Moreover, citizens can expect elected officials to act in the public interest, and to not partake in corrupt behaviours.

3.3 Political funding has the potential to undermine the fundamental principles of accountability and acting in the public interest, and by extension, the integrity of representative government, by 'leaving in its wake particular kinds of corruption'. ...

3.5 As explained by Associate Professor Joo-Cheong Tham, political donations can:

...create a conflict between private interests and public duty and, therefore, create the possibility that holders of public office will give undue weight to the interests of their financiers rather than deciding matters on their merits and in the public interest.

Source: extract from Senate Select Committee into the Political Influence of Donations, Parliament of Australia 2018, *Political influence of donations*, viewed 12 May 2025, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Political_Influence_of_Donations/PoliticalDonations/Report_1

Source 7

Extract from the summary of the research report – Representative, still: The role of the Senate in our democracy

The Senate has always exercised accountability functions ... Its powers of censure and disallowance, and the conduct of Senate estimates and Question Time, also shine a light on the Government and hold it to account. This accountability function is dependent on the Senate's legislative powers; if the Senate could not disrupt the Government's legislative agenda, then the Government would have little incentive to engage with the Senate's accountability function.

The Senate is constitutionally required to be disproportionate in one significant respect: each original state elects the same number of senators, regardless of population. However, the Senate's electoral system of proportional representation means it better represents the large and growing share of Australians who do not vote for the major parties.

The Senate has also tended to be more representative of Australia's diversity than the House of Representatives, with milestones including the first election to Parliament of an Indigenous Australian, an Asian Australian, an openly gay man, an openly gay woman, and many others.

Source: extract from Browne, B & Oquist, B 2021, *Representative, still: the role of the Senate in our democracy*, report by The Australia Institute, viewed 12 May 2025, <https://australiainstitute.org.au/wp-content/uploads/2021/03/Representative-Still-the-role-of-the-Senate-in-our-democracy.pdf>

Answer **all** parts of Question 1. Write your answers in the spaces provided.

Question 1 (a) to (h)

- (a) With reference to Source 1, explain how government was formed following the 2025 Australian federal election.

(2 marks)

- (b) With reference to the sources, explain **one** role of the High Court of Australia.

(2 marks)

- (c) Is the Bill being introduced in Source 2 a Public Bill or a Private Bill? Justify your answer.

(2 marks)

- (d) With reference to the sources, explain **one** role of a Member of Parliament.

(2 marks)

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-
-
-
-
- (2 marks)

- [illegible]

- [illegible]

- [illegible]

End of Question 1

PART B: EXTENDED RESPONSE (Question 2) 30 marks

Write your answer in the separate script book.

Choose **one** statement.

Evaluate this statement with reference to examples and one or more of the following competing tensions:

- competing rights and responsibilities
- fairness and efficiency
- the empowered and the disempowered
- certainty and flexibility.

Statement 1

Lawmaking by delegated bodies breaches democratic principles and should not be allowed.

Statement 2

Australia's adversarial system of trial should adopt features of inquisitorial systems to better achieve just outcomes.

Statement 3

The referendum process in Australia is unworkable and in desperate need of reform.

Statement 4

The Australian legal system protects the disempowered when rights collide.

Write the number of the statement you choose on the top of the first lined page in the separate script book.

End of Question 2

