



RULE OF LAW

EDUCATION CENTRE

# **NSW Court Experience Programs**

## **HSC Legal Studies**

### **Booklet 3: After the Excursion**



## Part 1: Post Excursion Activities

1. From your observations, create a list of positives and negatives of using courts as a system of resolving disputes.

| <b>Positives</b><br>(What are courts good at?<br>Effectiveness) | <b>Negatives</b><br>(What are courts bad at?<br>Ineffectiveness) |
|---|--|
|   |  |

2. How has your experience today challenged or changed your perceptions of the justice system that you identified in your pre-learning activity?

---

---

---

---

---

---

---

---

---

---



3. Google the cases that you saw today and create a tally sheet showing how many media articles appear about them. How would media coverage impact upon a case that is reported on? What about those that remain unreported?

---

---

---

---

---

---

---

4. How many closed courts did you see? How are closed courts used by the justice system to enable fairness in trials?

---

---

---

---

---

---

---

---

---

---

---

---

5. What are the obstacles to justice you have observed during your time in court?

---

---

---

---

---

---

---

---

---

---



6. Explain how differences in processes designed to enable access to justice may simultaneously help achieve AND undermine the achievement of rule of law principles.

---

---

---

---

---

---

---

---

---

---

---

---

7. Justify whether you think the adversarial system is effective in achieving the rule of law. Refer to at least 3 principles from the rule of law wheel in your response.

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---



## Part 2: Using your observations to examine the Themes and Challenges

1. Identify the ways in which you saw the Themes and Challenges are addressed by the justice system.

- the role of discretion in the criminal justice system
- issues of compliance and non-compliance in regard to criminal law
- the extent to which law reflects moral and ethical standards
- the role of law reform in the criminal justice system
- the extent to which the law balances the rights of victims, offenders and society
- the effectiveness of legal and non-legal measures in achieving justice.

2. Extended response practice questions.

Use examples from your observations to respond to the following questions.

- a) Assess the effectiveness of the courts in encouraging compliance.
- b) Discuss the role discretion plays in achieving equity for accused persons and offenders.
- c) Evaluate the effectiveness of courts in achieving fair and prompt outcomes for individuals and society.
- d) Evaluate the effectiveness of courts in achieving justice for individuals.
- e) Explain how openness and transparency helps to enhance the enforceability of the law.