**Lisa Filippin** - Hi, everyone, my name is Lisa. The purpose of this video is to take you through the changes to unit two in the new VCE Legal Studies Design, which commences in 2024. We'll also take a look at some of the new key knowledge in unit two and the resources and support available to you moving forward. These are just some key points to note in relation to implementation, sequencing, and prerequisites.

A bit of an overview of the changes to unit two. There is that structural change and at the current unit one, area study three on civil liability moves into unit two area of study one. There is some new key knowledge in terms of students focusing on the difficulties experienced by certain groups in the civil justice system and that's in area of study two. And in relation to area of study three, there is a significant reduction in the key knowledge in area of study three, and there is a little bit of a change in that student's focus on a particular human rights issue as opposed to a particular human rights case.

Taking a closer look at that structural change, that change is at area of study one in that the current area of study on sanctions moves into unit one and the current area of study three in unit one on civil liability moves into unit two. That means that the focus of unit two is now on civil law and then on human rights. It's just a point to note in relation to students who pick up unit two who haven't done unit one won't have that exposure to criminal law. That then means that there is a title change. The title now reflects the focus on civil law and then on rights. Whereas, in the past, it was that combination of criminal law and civil law. We'll take a closer look at the changes to the outcome statements, key knowledge, and key skills for each of the areas of study, and we'll use this colour coding, again, to highlight where some of the more subtle changes have been made.

So first, taking a look at that area of study one on civil liability, which currently sits in unit one, area of study three. Really, the focus of this area of study is to allow students the ability to understand or explore the purposes and key concepts of civil law before they then look at two areas of civil law in detail, providing them with an opportunity to argue whether a defendant is liable or not based on the elements and the defences. As you can see, there are no changes to the outcome statement.

So taking a look now at the key knowledge, the first three key knowledge dot points remain the same. Students explore key concepts and possible plaintiffs and defendants in a civil dispute. Before they look at two areas of civil law in detail, that is where there are two changes to note. The first change is that students no longer need to look at the role of statute law and common law in developing the elements and the defences. Instead, what students do in relation to each of the areas of civil law studied in detail, students look at possible remedies that might be awarded, so damages and specific types of damages, injunctions, and potentially other remedies such as, for example, an apology in the context of a defamation or a discrimination case.

As you can see from this slide, there are no changes to the key skill for area of study one, just to emphasise that those last two key skills really allow students to do a bit of a deep dive into actual hypothetical scenarios and potentially argue whether a person is liable or not based on the elements and the defences. Moving now to area of study two, this is called remedies. The title remains the same and the focus largely remains the same. The focus of this area of study is to allow students to develop an understanding of how civil disputes are resolved, what are some of the methods and the institutions that are used, and what are some of the remedies that might be awarded. They also explore in some detail the principles of justice.

In relation to the outcome statement, There really is a key change to note. In the current study design, the outcome statement requires students to discuss the principles of justice in relation to the resolution of civil disputes and remedies. So it was conflating that remedies and resolution of civil disputes in relation to the principles of justice. Those two concepts are separated out, such that there is now a requirement for students to discuss the principles of justice in relation to experiences of the civil justice system. And those words experiences of the civil justice system are picked up in the key knowledge on the next slide. And then requiring students to discuss the ability of remedies to achieve their purposes.

So looking at remedies in relation to their actual purposes and looking at the principles of justice in relation to experiences of the civil justice system. In relation to the key knowledge for area of study two, there is a subtle but important change, which is the use of these two subheadings. The first subheading is called the principles of justice and experiences of the civil justice system. And then there are six key knowledge that sit under that heading, so that is referable to what is in the outcome statement in that when students are discussing the principles of justice, they're discussing them in relation to these specific key knowledge. And then in relation to remedies, when students are discussing remedies, they're discussing them in relation to their purposes.

So for example, when they're looking about, looking as to whether fairness is achieved or not, they're looking at fairness in relation to the methods used to resolve a civil dispute, institutions, courts, and jury. And then this new key knowledge, which is looking at the difficulties faced by different groups in the civil justice system. Those groups that are listed in the study design, they are some of the groups that students might consider. They are not the only groups and they are not exhaustive, so some students might look at other groups. The only other change to note in relation to this key knowledge is that previously, students looked at two recent civil cases in detail that is now no longer required. Rather, students look at recent civil cases throughout the whole area of study.

Moving now to the key skills, there is that change to the recent civil cases in that students no longer just look at two recent civil cases, but they look at recent civil cases throughout the entire area of study, and recent still is in the past four years. In relation to the principles of justice, again, there's that clarification of that key skill in that students discuss the principles of justice in relation to the experiences of the criminal justice system. So again, referable to that subheading in the key knowledge.

And then the last key skill has changed in that students no longer look at the principles of justice in relation to two recent civil cases, because that key knowledge is gone. But instead, that synthesis and application key skill has been brought into this area of study. In relation to area of study three, which is called human rights, really, the focus of this area of study is for students to explore how rights are protected in Australia, and whether those ways in which rights are protected are effective or not. And then students will now explore a particular human rights issue in detail.

There is a change to the outcome statement, because there is quite a bit that has been removed from this area of study, which will look at in the next slide, but really, which reflects some of the feedback from the consultation in that teachers in particular, felt quite rushed at the end of the year in trying to get through all that was required in this particular area study. So as a result, there is a change to the outcome statement in that a lot of it is no longer relevant, because some of the key knowledge has been removed and that's a much more straightforward outcome statement in that students explain a particular human rights issue, and then students also evaluate the ways in which rights are protected.

As you can see from the key knowledge, there is quite a bit that has been changed in this area of study. More particularly, there has been quite a bit that's been removed and that really reflects the feedback from the consultation process in that teachers felt quite rushed in this area of study, and felt that they weren't really doing it justice. So as a result, all of this key knowledge has been removed. There are now three key knowledge in this area of study. The first is a slightly new one, which is students look at the meaning and development of human rights, including the significance of the Universal Declaration of Human Rights. So really, sort of scaffolding this a little bit more, providing students with an understanding of what are human rights and how have they developed over time.

And in terms of the development, their students might look at, for example, how particular human rights have significantly changed over time as society has changed. The right to vote is just one example. They also look at the significance of the Universal Declaration of Human Rights, so what was so significant about it. This particular key knowledge, which is an overview of the ways in which human rights are protected, that is really the one key knowledge that has remained the same. This last key knowledge is different though. Rather than students only looking at a particular Australian case, what they instead look at is one human rights issue in Australia. And in relation to that issue how the human right has developed and what it means, what are the laws that are applied, possible conflicting attitudes, possible reforms to the protection of the actual right, and then one case study in relation to the human rights issue.

The case doesn't need to be an actual court case. It could just be a case study, so for example, it could even be a case study on a demonstration or a petition, for example, where someone has sought to influence greater protection of the right. Although, there are quite a few changes to the key knowledge, there aren't as many changes to the key skills, because really, a lot of the key skills still remain the same, but it's in relation to the particular human rights issue that students study. The key skill that has been gone is that comparison key skill, because students no longer look at the approach of another country in terms of the protection of rights. There is a new key skill which requires students to explain the meaning and development of human rights.

So picking up that first key knowledge. In terms of the other changes, students now no longer analyse the impact of a case, but analyse the impact of a case study. But really, the discussion of the possible reforms to the protection of rights will now be done in relation to the particular human rights issue that students study. The final change to note is that the current study design limited the application of legal principles to actual cases that's now been broadened, so that you can use both actual and/or hypothetical scenarios.

In relation to the possible assessment tasks that can be used, they are listed in the study design and also listed here. And the study design also provides some information around how to assess unit two. So in relation to the principles of justice, there is some change to the definitions of the principles of justice. Teachers are encouraged to take a look at the unit one video to get a bit of an understanding of what those changes are. As mentioned in one of the previous slides, one of the new key knowledge in unit two, area study two is a focus on some of the difficulties experienced in the civil justice system by different groups in the community.

So whether they be a potential plaintiff or a potential defendant, what are some of the challenges that they might experience in the civil justice system or when trying to engage with that system? The study design provides potential or lists potential groups. They're also here on this slide, but again, they're not exhaustive and it's not expected that students would look at every group.

So taking culturally and linguistically diverse people as an example, some of the difficulties that students might explore include language barriers, differences in culture, a potential distrust in the civil justice system, because there is a lack of familiarity or otherwise. And potential issues with the availability of interpreters to assist a person. How this affects the principles of justice? So for example, this might affect a person's ability or willingness to participate. And participation is one of the key features of fairness. Or it might even affect their ability and willingness to engage. And this, therefore, affects access, because engagement is one of the key features of access. In terms of some of the responses, there might be a consideration of the availability and access to interpreters, VLA and community legal centres, and even courts and other service providers that provide support or information in other languages. Or there might be a consideration of potential outreach programmes that might be used to seek to help inform people about the civil justice system.

Taking a look now at that change to unit two, area study three, in that students look at a human rights issue rather than Australian case. These are just some of the human rights that students might explore. Again, not exhaustive, there may well be others. So taking a look at the right to freedom of speech is just one example of one of the human rights issues that students might explore. Students look at the nature and development of the human right.

So what is the right to freedom of speech and how has it developed over time? Have there previously been restrictions on the freedom? For example, they'll look at the laws that apply. So for example, the constitutional implied right to freedom of political communication, and various statute laws that provide for the right. They look at possible conflicting attitudes. So for example, they might look at differences in opinion in relation to the restriction on the right to freedom of speech, defamation laws, and that interaction between discrimination and vilification and freedom of speech. In terms of the possible reforms to the protection of the human right, they might look at, for example, the potential constitutional protection. They might look at changes to statute law in terms of changes to some of the restrictions that might be imposed on the right to freedom of speech.

And in relation to one case study in relation to the human rights issue, again, it doesn't need to be an actual court case. It could be, for example, a demonstration, a petition. It could be, for example, a submission in relation to inquiry, or it could be a court case. So for example, the students could use the Lange case or the ACT and Commonwealth case. In relation to the resources and support that will be available, there is a suggested time allocation in those resources and that's contained here. Again, reflecting that area of study three is really the smaller areas of study with the bulk of the hours spent on those first two areas of study.

Teacher resources and materials will be available on the VCE Legal Studies page, which is available through that link. And those resources will be provided underneath that heading, "Study design for implementation from 2024". Teacher activities will be part of those learning materials and that'll include learning activities for each of the areas of study.

There'll be a Q&A Webinar on the 8th of August and you can sign up using that link. It'll be live, and you can email questions about the study design in advance to Megan Jeffery. Megan Jeffery is the Curriculum Manager for Business and Economics, which includes VCE Legal Studies. Her contact details are on this page, and as mentioned, she can be emailed in relation to any questions that you have in advance of the webinar.

[Copyright Victorian Curriculum and Assessment Authority](https://www.vcaa.vic.edu.au/Footer/Pages/Copyright.aspx) 2023