

Legal Studies

Upper Secondary Teacher Guide



Papua New Guinea
Department of Education

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Secretary's message

This teacher guide is to be used by Legal Studies teachers when implementing the Upper Secondary Legal Studies Syllabus throughout Papua New Guinea. The Legal Studies syllabus identifies the learning outcomes and content of the subject as well as assessment requirements. The teacher guide gives practical ideas about ways of implementing the syllabus: suggestions about what to teach, strategies for facilitating learning and teaching, how to assess and suggested assessment tasks.

Legal Studies develops students' knowledge, understanding and skills in relation to the law and the legal system and its effectiveness in promoting a just and fair society, with a view to empowering students to participate effectively as citizens at the local, national and international level.

A variety of suggested learning and teaching activities provides teachers with ideas to motivate students to learn, and make learning relevant, interesting and enjoyable. Teachers should relate learning in Legal Studies to real people, issues and the local environment. Teaching using meaningful contexts and ensuring students participate in appropriate practical activities assists students to gain knowledge and understanding, and demonstrate skills in Legal Studies.

Teachers are encouraged to integrate Legal Studies activities with other subjects, where appropriate, so that students can see the interrelationships between subjects and that the course they are studying provides a holistic education and a pathway for the future.

I commend and approve the Legal Studies Teacher Guide for use in all schools with Grades 11 and 12 students throughout Papua New Guinea.



DR JOSEPH PAGELIO

Secretary for Education

Introduction

The purpose of this teacher guide is to help you to implement the Legal Studies syllabus. It is designed to give you the opportunity to develop meaningful teaching programs and lessons by accommodating appropriate and relevant learning activities and teaching strategies. It will encourage you to research and look for new and innovative ways of facilitating students learning.

The teacher guide and the syllabus must be used side by side. The syllabus states the learning outcomes for the subject and units and outlines the knowledge, skills and attitudes to be developed. It also gives you the structure of the subject and which units are to be taught in each term of Grades 11 and 12.

The teacher guide provides direction for you in using the outcomes approach in your classroom. The outcomes approach requires you to consider the assessment requirements early in your planning. This is reflected in the teacher guide.

This teacher guide provides examples of learning and teaching strategies. It also provides detailed information on criterion-referenced assessment, and the resources needed to teach Legal Studies. The section on recording and reporting shows you how to record students' marks and how to report against the learning outcomes.

The outcomes approach

In Papua New Guinea, the Lower Secondary and Upper Secondary syllabuses use an outcomes approach. The major change in the curriculum is the shift to what students know and can do at the end of a learning period, rather than a focus on what the teacher intends to teach.

An outcomes approach identifies the knowledge, skills, attitudes and values that all students should achieve or demonstrate at a particular grade in a particular subject (the learning outcomes). The teacher is responsible for identifying, selecting and using the most appropriate teaching methods and resources to achieve these learning outcomes.

Imagine the student is on a learning journey, heading to a destination. The destination is the learning outcome that is described in the syllabus document. The learning experiences leading to the learning outcome are to be determined by the teacher. The teacher uses curriculum materials, such as syllabus documents and teacher guides, as well as textbooks or electronic media and assessment guidelines, to plan activities that will assist students achieve the learning outcomes.

The outcomes approach has two purposes. They are:

- to equip all students with knowledge, understandings, skills, attitudes and values needed for future success
- to implement programs and opportunities that maximise learning.

Three assumptions of outcomes-based education are:

- all students can learn and succeed (but not on the same day or in the same way)
- success breeds further success
- schools can make a difference.

The four principles of the Papua New Guinean outcomes approach are:

1 *Clarity of focus through learning outcomes*

This means that everything teachers do must be clearly focused on what they want students to be able to do successfully. For this to happen, the learning outcomes should be clearly expressed. If students are expected to learn something, teachers must tell them what it is, and create appropriate opportunities for them to learn it and to demonstrate their learning.

2 *High expectations of all students*

This means that teachers reject comparative forms of assessment and embrace criterion-referenced approaches. The 'principle of high expectations' is about insisting that work be at a very high standard before it is accepted as completed, while giving students the time and support they need to reach this standard. At the same time, students begin to realise that they are capable of far more than before and this challenges them to aim even higher.

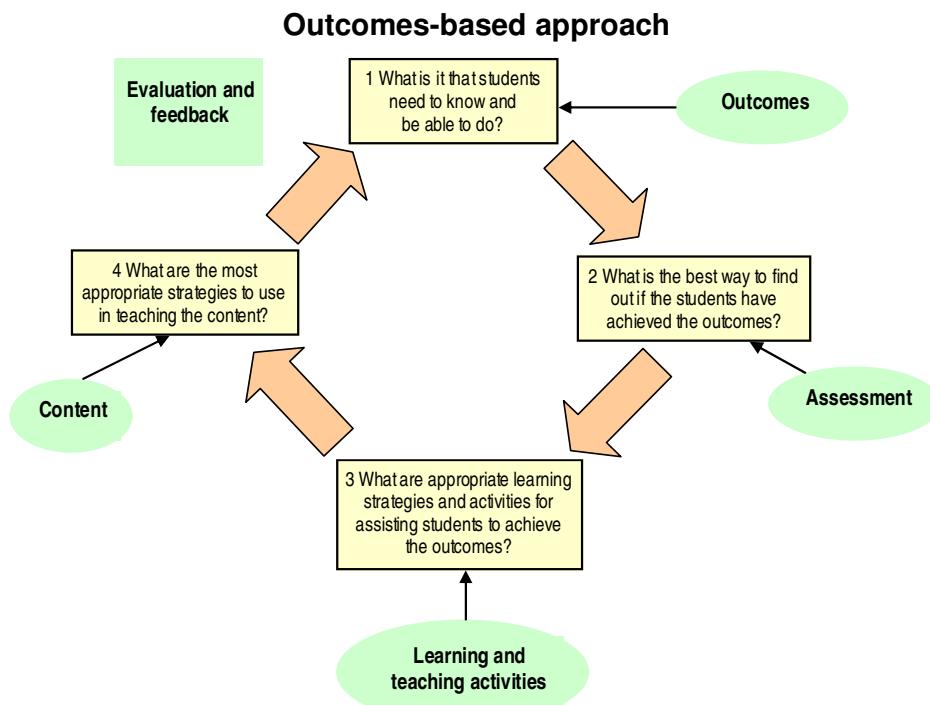
3 *Expanded opportunities to learn*

This is based on the idea that not all students can learn the same thing in the same way in the same time. Some achieve the learning outcomes sooner and others later. However, most students can achieve high standards if they are given appropriate opportunities. Traditional ways of

organising schools do not make it easy for teachers to provide expanded opportunities for all students.

4 *Planning and programming by ‘designing down’*

This means that the starting point for planning, programming and assessing must be the learning outcomes—the desired end results. All decisions on inputs and outputs are then traced back from the learning outcomes. The achievement of the outcome is demonstrated by the skills, knowledge and attitudes gained by the student. The syllabuses and/or teacher guides describe some ways in which students can demonstrate the achievement of learning outcomes.



Learning outcomes provide teachers with a much clearer focus on what students should learn. They also give teachers greater flexibility to decide what is the most appropriate way of achieving the learning outcomes and meeting the needs of their students by developing programs to suit local content and involve the community.

The outcomes approach promotes greater accountability in terms of student achievement because the learning outcomes for each grade are public knowledge; that is, they are available to teachers, students, parents and the community. It is not the hours of instruction, the buildings, the equipment or support services that are the most important aspect of the education process but rather, what students know and can do, as they progress through each grade. The outcomes approach means that learning

- has a clearer purpose
- is more interactive—between teacher and students, between students
- has a greater local context than before
- is more closely monitored and acted upon by the teacher
- uses the teacher as a facilitator of learning as well as an imparter of knowledge.

Learning outcomes

The syllabus learning outcomes describe what students know and can do at the end of Grade 12. The level of achievement of the learning outcomes should improve during the two years of Upper Secondary study, and it is at the end of the study that students are given a summative assessment on the level of achievement of the learning outcomes. The learning outcomes for Legal Studies are listed below.

Students can:

1. demonstrate an understanding of what law is, the laws of Papua New Guinea and the functions of law in society
2. demonstrate an understanding of the structure and operation of Papua New Guinea's legal system
3. demonstrate an understanding of the use of basic legal concepts, principles and terminologies
4. demonstrate an understanding of their legal rights and responsibilities
5. analyse legal issues and identify strategies for appropriate action.

Learning and teaching

You, as a teacher, must teach the knowledge that is included in the syllabus documents. You have to be able not only to teach what students should know, but also to interpret that knowledge for students in a way that makes it relevant to them, and enables them to begin to acquire skills of analysis and problem solving, which will support learning and teaching. You also need to give students some opportunities to apply their knowledge, to be creative and to solve problems.

Learning and teaching strategies

Students who participate in guided instruction learn more than students who are left to construct their own knowledge (Mayer 2004). You need to employ a variety of learning and teaching approaches because all students do not learn in the same way. The ‘auditory learner’ prefers to use listening as the main way of learning new material whereas a ‘visual learner’ prefers to see things written down. Students should be actively involved in their learning and therefore you need to design appropriate practical activities or experiments, using resources that can be found in your location.

In Grades 11 and 12, students will already have had a wide variety of experiences. You need to make use of your students’ experiences when designing and conducting learning in class, so that learning is connected to your students’ world. There are many learning and teaching strategies described in the Lower Secondary teacher guides.

The most efficient and long-lasting learning occurs when teachers encourage the development of higher-order thinking and critical analysis skills, which include applying, analysing, evaluating and creating. Attention should also be paid to developing students’ affective and psychomotor skills. To make sure that this happens, you should encourage deep or rich—rather than shallow—coverage of knowledge and understandings.

Developing Legal Studies skills

Students need to develop legal skills and techniques. Skills development should happen as a part of students’ learning experiences and the learning and practising of skills needs to take place in the context of legal studies.

Skills learning tends to be most effective when:

- students go from the known to the unknown
- students understand why it is necessary to master specific skills
- skills are developed sequentially at increasing levels of difficulty
- students identify the components of the skill
- the whole skill and the components of the skills are demonstrated
- there are frequent opportunities for practice and immediate feedback
- the skills being taught are varied in terms of amount and type, according to the needs of students
- the skill is used in a range of contexts.

What do students do in Legal Studies?

Students learn the skills and activities that make a person a law-abiding and responsible member of society. The skills that students should develop are elaborated through particular activities such as the following.

Research

Research is an essential part of Legal Studies. It is an activity that facilitates the understanding of the law, legal processes and the legal system.

Research can enhance learning opportunities for a wide range of students because it caters for a variety of learning and teaching styles.

Research enables students to:

- acquire knowledge about the law, the legal process and the legal system by observing, collating, investigating, inquiring, analysing and recording information in the real world in a variety of places, including the school, library, the community
- develop analytical and advocacy skills
- use different kinds of tools, including information and communication technology, to assist in the interpretation of, and decision-making about, legal issues
- locate, select, organise and communicate facts and information on legal issues
- explore different perspectives on legal issues.

Inviting a speaker

A speaker or an invited guest is a person who is invited to the school or class to share his or her experiences, knowledge and skills with the students. The person invited may be a parent, a member of the local community or a representative from a group, organisation or institution (such as the law and justice sector).

What do teachers of Legal Studies do?

The Legal Studies teacher:

- is interested in and concerned about events and movements in the local, national and global community
- actively seeks to keep informed while also maintaining a critical stance towards sources of information
- takes a principled stand, and supports others who do so, against injustices and inequalities relating to race, gender, class, physical or mental attributes
- informs himself or herself about environmental issues as they impact upon his or her community and on communities and ecological systems globally
- values democratic processes as the best means of bringing about positive change
- engages in some form of social action to support her or his beliefs.

As a teacher, she or he will:

- model democratic values of fairness, justice and equal respect
- use a range of teaching styles that foster both individual development and group cooperation and enable learners to make the best use of their differing learning styles
- encourage her or his learners to adopt a reflecting and questioning position in relation to geographic knowledge
- teach the prescribed curriculum well with an emphasis on infusing issues dealing with human rights, relationships, self-esteem and respect for diversity
- be a critical and thoughtful teacher.

Developing a program

A teaching program outlines the nature and sequence of learning and teaching necessary for students to demonstrate the achievement of the learning outcomes. The content of the syllabus describes the learning context and the knowledge required for the demonstration of each outcome. The relevant learning outcomes for each unit or topic are stated at the beginning of the unit and the requirements of the outcomes are elaborated.

Teachers must develop programs that include appropriate learning activities to enable students to develop the knowledge and skills identified in the outcome statements.

The content prescribed in the units indicates the breadth and depth with which topics should be treated. The sequence of teaching is prescribed by the sequence of content. The learning outcomes and assessment, however, must be central to the planning of the teaching program.

Planning and programming units

The main purpose of planning and programming is to help you to arrange the presentation of the unit in an organised manner. This will help you to know what to teach and when to teach it. It is strongly recommended that you make plans with the other teachers who teach the same subject. By planning together, you will *all* have better lessons and make better use of your limited resources.

Points to consider when programming

- Which outcomes are students working towards?
- What is the purpose of this unit or topic or learning experience?
- Which learning experiences will assist students to develop their knowledge and understandings, skills, values and attitudes, in Geography?
- What are the indicators of student learning that you would expect to observe?
- How can the learning experiences be sequenced?
- How do the learning experiences in the unit relate to students' existing knowledge and skills?
- How are individual learning needs to be catered for?
- What are the literacy demands of this unit or learning experience?

- What authentic links can be made with the content of other subjects?
- How can school events and practices be incorporated into the program?
- Do the assessment methods address the outcomes and enhance the learning?
- How can the assessment be part of the learning and teaching program?

The planning process

In this teacher guide, ideas for programming and organising have been provided. These have been arranged in steps to help you teach the unit. The steps follow the thinking processes involved in the outcomes approach.

Step 1: Interpreting the learning outcomes

The first step is to read the description in the syllabus. Then study the learning outcomes and what students do to achieve the learning outcomes, in order to determine what students will know and be able to do by the end of the unit.

You need to look at the action verb, concept and context of each learning outcome. This will help you to see what skills and knowledge are embedded in the outcome.

Step 2: Planning for assessment

It is necessary to plan for assessment early to ensure that you teach the content and skills students need to achieve the learning outcomes.

You will have to decide when to schedule assessment tasks to allow yourself time to teach the required content and time for students to develop the necessary skills. You will also need time to mark the task and provide feedback. Practical tasks may, for example, be broken into a series of stages that are marked over several weeks as students progress with making their product. It is not appropriate to leave all the assessment until the end of the unit.

This teacher guide provides performance standards and examples of a marking guide. You should develop marking guides when you are marking tasks to ensure consistency in your assessment. You must also develop clear and detailed instructions for completing the task and make sure all students know exactly what they have to do.

Step 3: Programming a learning sequence

This step requires you to develop a program outlining a sequence of topics and the amount of time spent on each topic. If the unit involves a project, for example, you may plan to teach some theory at appropriate stages during the project, rather than teaching all the theory before the students start the project.

To develop your program you need to study the topics listed in the syllabus and to think about which learning activities will best provide students with the opportunity to learn the content and practise the appropriate skills, and how long the activities will take. You will have to think about some major activities that last several weeks and smaller activities that may be completed in a single lesson.

Step 4: Elaboration of activities and content

Once you have mapped out your program for the term, you must then develop more detailed plans for each topic in the unit. All units require

students to be actively engaged in learning, not just copying from the board. Make sure you develop a range of activities that suit all learning needs—some reading and writing, some speaking and listening, some observing and doing.

Browse through the textbooks and teaching resources you have access to and list the chapters, pages or items that you will use for each topic in your program. The textbooks should also provide you with ideas for activities related to the topic. You may have to collect or develop some resources for yourself.

Once you have sorted out your ideas and information, you can then develop your more detailed weekly program and daily lesson plans.

This teacher guide gives some suggested learning and teaching activities for each unit and some suggested assessment tasks that you might like to use to ensure active learning.

Using the internet for classroom activities

Planning

- Where appropriate, incorporate computer sessions as part of planned learning experiences.
- Be aware that computers can be time-consuming and may require extra teacher support at unexpected times.
- Consider methods of troubleshooting, such as having students with computer expertise designated as computer assistants.
- Design activities that provide the opportunity for students to access, compare and evaluate information from different sources.
- Check protocols, procedures and policies of your school and system regarding the use of the internet.

Managing

- Ensure that all students have the opportunity to explore and familiarise themselves with the technologies, navigation tools, e-mail facilities and texts on the internet. It is likely that students will have varying degrees of expertise in searching for information and navigating the internet. Students will also have varying experiences of, and be more or less familiar with, the way texts are presented on the World Wide Web.
- Ensure that all students understand how to access the internet and how to perform basic functions, such as searching, sending and receiving e-mail.
- Students with more experience in using the internet may have information that will benefit the whole class. Provide opportunities for students to share their experiences, interests, information and understandings. As well as planning lessons to instruct students in these skills, pairing students and peer tutoring on the computer can enable more experienced students to assist other students.
- Ensure that students critically analyse legal information gathered on the internet, just as they would for any other text. They should be aware that material posted on the Web is not necessarily subject to the conventional editorial checks and processes generally applied to print-based publications. When evaluating information, students might consider:
 - the intended audience of the site

- bias in the presentation of information, or in the information itself, including commercial or political motives
- accuracy of information
- balanced points of view
- currency of information, including publishing dates
- authority of source or author (institution, private individual)
- ownership of the website (such as corporate, small business, government authority, academic)
- cultural or gender stereotyping.
- Ensure that software and hardware (computer, modem) are maintained in good working order.
- Ensure that all students are given equal opportunities to use the computer.

Assessing student work containing material from the internet

- Students can download large quantities of information from the internet. In itself, such information provides very little evidence of student effort or student achievement. Students must make judgements about the validity and safety of information when working from the Web. They must consider the purpose of the text, identify bias, and consider the validity of arguments presented and the nature and quality of the evidence provided.
- When assessing student work that includes material drawn from the internet, it is therefore important to recognise how students have accessed the information, what value they place on it and how they have used it for the topic being studied in class. It is useful to look for evidence of critical evaluation, and the development of students' capacities to access, manipulate, create, restore and retrieve information.

Legal Studies requirements

There are five units in Grade 11 and five units in Grade 12, which all students must complete. There are also assessment tasks.

Legal Studies requirements

Grade	Weeks	Term	Units	Essential resources for activities and assessment
11.1	5	1	What is Law?	The Constitution of Papua New Guinea Introduction to Law Pacific Islands Legal Information Institute www.paclii.org <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
11.2	5	1	The Legal History of Papua New Guinea	Papua New Guinea colonial history Pacific Islands Legal Information Institute www.paclii.org <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
11.3	10	2	The Laws of Papua New Guinea	Pacific Islands Legal Information Institute www.paclii.org The Constitution of Papua New Guinea <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
11.4	10	3	The Constitution of Papua New Guinea	The Constitution of Papua New Guinea Teaching material for Introduction to Law <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
11.5	10	4	The Structure of Government	Pacific Islands Legal Information Institute www.paclii.org Teaching material for Introduction to Law <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
12.1	5	1	The Courts of Papua New Guinea	The Constitution of Papua New Guinea Teaching material for Introduction to Law <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
12.2	5	1	Protection of the Law	HAMP Act <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i> The Constitution of Papua New Guinea
12.3	10	2	Natural Resources and the Law	The Constitution of Papua New Guinea <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
12.4	10	3	The Law and You	Pacific Islands Legal Information Institute www.paclii.org The Constitution of Papua New Guinea <i>A Law Awareness for Papua New Guinea: Our guide to the rule of law</i>
12.5	4	4	Current Issues	Pacific Islands Legal Information Institute www.paclii.org Teaching material for Introduction to Law

Assessing Legal Studies

Assessment is an important part of learning and teaching. It is used to:

- evaluate and improve learning and teaching
- report achievement
- provide feedback to students on their progress
- provide feedback to stakeholders.

Criterion-referenced assessment

Assessment in Legal Studies is criterion-referenced and measures students' achievement of the learning outcomes described in the syllabus. In criterion-referenced assessment, particular knowledge, skills or abilities are specified as criteria that must be achieved. The extent to which they are achieved is assessed and facilitated by the teacher.

Criterion-referenced assessment often takes on a problem-centred orientation, rather than a knowledge-based orientation. To achieve an outcome means having to demonstrate the attainment of skills and attitudes, not just write about them. Assessment then becomes more than just a means of judging knowledge and performance—it becomes an integral part of the learning process itself.

Criterion-referenced assessment is:

- standards or criterion-referenced; that is, outcomes are judged against pre-defined standards (see below)
- direct and authentic, related directly to the learning situation. This has the potential for motivating learning, since students can see a direct relevance between what is learnt and what is assessed.

Norm-referenced assessment

'Norm-referenced assessment' makes judgements on how well the student did in relation to others who took the test. It is often used in conjunction with a curve of 'normal distribution', which assumes that a few will do exceptionally well and a few will do badly and the majority will peak in the middle, normally judged as average.

Example of a criterion-referenced test

The driving test is the classic example of a criterion-referenced test. The examiner has a list of criteria, each of which must be satisfactorily demonstrated in order to pass; for example, completing a three-point turn without hitting either kerb. The important thing is that failure in one criterion cannot be compensated for by above-average performance in others; nor can a student fail in spite of meeting every criterion (as they can in norm-referenced assessment) simply because everybody else that day surpassed the criteria and was better than him or her. Criterion-referenced assessment has the following characteristics:

- a syllabus that describes what students are expected to learn in terms of aims, outcomes and content

- a syllabus that provides a clear sense of the syllabus standards through its aims, outcomes and content
- tasks designed to produce an image of what students have achieved at that point in the learning and teaching process relative to the outcomes
- standards of performance at different levels: the ‘performance standards’
- a report that gives marks referenced to predetermined standards
- assessment tasks that refer to syllabus outcomes, content, assessment components and component weightings
- external examinations that are based on syllabus outcomes and content. External markers use standards-referenced marking guidelines developed by the Legal Studies Examination Committee.
- assessment that is better-integrated with learning and teaching.

Criterion or standards-referenced assessment in Legal Studies

Learning outcomes performance standards					
Learning outcomes	Very high achievement	High achievement	Satisfactory achievement	Low achievement	Below minimum standard
1. Demonstrate an understanding of what law is, the laws of Papua New Guinea and the functions of law in society	Demonstrates an extensive range of knowledge and understanding to fully grasp the ideas, concepts and information in a logical manner	Demonstrates the ability to grasp ideas, concepts and information of what law is, the laws of Papua New Guinea and the functions of law in society	Demonstrates some knowledge and understanding of the ideas, concepts and information	Displays limited understanding and demonstration of the concepts, ideas and information	Has failed to meet the minimum standard required
2. Demonstrate an understanding of the structure and operation of Papua New Guinea’s legal system	Demonstrates extensive knowledge and understanding and the ability to outline and explain legal principles, processes, structures and operation of Papua New Guinea’s legal system	Demonstrates sound knowledge and understanding of the legal principles, processes, structure and operation of Papua New Guinea’s legal system	Demonstrates some knowledge and understanding of the structure and operation of Papua New Guinea’s legal system	Demonstrates limited knowledge of the structure and operation of Papua New Guinea’s legal system	Has failed to meet the minimum standard required
3. Demonstrate an understanding of the use of basic legal concepts, principles and terminologies	Produces an extensive range of ideas, key concepts and information which is highly organised and succinctly focused demonstrating an understanding of the use of basic legal concepts, principles and terminologies	Identifies and produces a range of ideas, concepts and information which is communicated effectively demonstrating an understanding of the use of basic legal concepts, principles and terminologies	Demonstrates knowledge and understanding of the use of basic legal concepts, principles and terminologies	Displays limited understanding of the use of basic legal concepts, principles and terminologies	Has failed to meet the minimum standard required
4. Demonstrate an understanding of	Demonstrates clear understanding of	Demonstrate sound understanding of	Develop some understanding of	Shows limited capacity to	Has failed to meet the

of their legal rights and responsibilities	the ways in which individuals, groups and organisations exercise their legal rights and obligations	the ways in which individuals, groups and organisations exercise their legal rights and obligations	the ways in which individuals, groups and organisations exercise their legal rights and obligations	express how individuals, groups and organisations exercise their rights and obligations	minimum standard required
5. Analyse legal issues and identify strategies for appropriate action	Demonstrates a sensitive grasp of values and an acute awareness of bias, perspectives and cultural issues when analysing legal issues and identifying strategies for appropriate action	Perceives the significance of particular values, bias and key differences when analysing legal issues and identifying strategies for appropriate action	Recognises bias and differences when analysing legal issues and identifying strategies for appropriate action	Shows partial recognition of the significance of values or cultural experience when analysing legal issues and identifying strategies for appropriate action	Shows limited or lack of understanding of values, bias or perspective

Assessment for learning

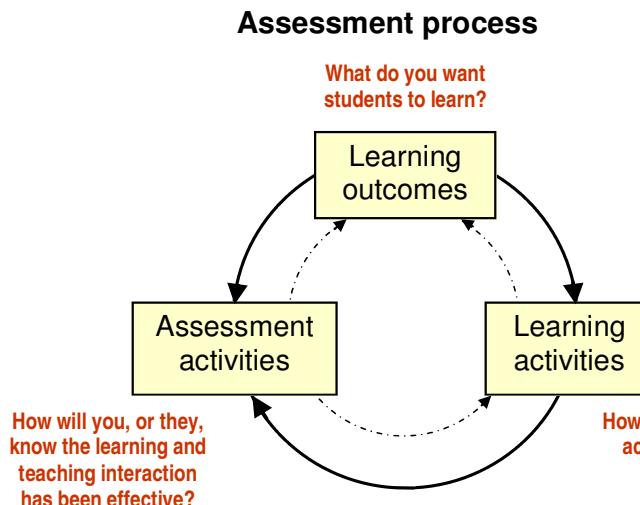
Assessment *for* learning is often called ‘formative assessment’ and is assessment that gathers data and evidence about student learning during the learning process. It enables you to see where students are having problems and to give immediate feedback, which will help your students learn better. It also helps you plan your program to make student learning, and your teaching, more effective. Often it is informal—students can mark their own work or their friend’s. An example is a quick class quiz to see if students remember the important points of the previous lesson.

Assessment of learning

Assessment *of* learning is often called ‘summative assessment’. Summative assessment is used to obtain evidence and data that shows how much learning has occurred, usually at the end of the term or unit. End-of-year examinations are examples of summative assessment. It is usually done for formal recording and reporting purposes.

In Geography, the learning outcomes are assessed using the range of assessment methods specified in the syllabus. In deciding what to assess, the starting point is, ‘what do you want students to do and/or learn?’ and following from this, ‘how will the students engage with the material?’, which in turn leads to the design and development of learning tasks and activities. It is crucial that at this point the assessment tasks clearly link back to the learning outcomes and are appropriate for the learning activities.

The assessment can be used for formative and summative purposes. Assessment can be represented as follows:



Once it is clear what needs to be assessed and why, then the form the assessment will take needs to be determined. There are many types of assessment tasks that can be implemented; the factors that will determine choices include:

- the students—how many are there, what is expected of them, how long will the assessment task take?
- the learning outcomes of the subject and how they might be best achieved.

During the year you must set assessment tasks that ensure that all the learning outcomes of the subject have been assessed internally. Each task you set must include assessment criteria that provide clear guidelines to students as to how, and to what extent, the achievement of the learning outcomes may be demonstrated.

Marking guides and assessment criteria help you with the marking process and ensure that your assessment is consistent across classes. It is important that marking guides and assessment criteria are collectively developed.

Students must complete the assessment tasks set. Each task must provide clear guidelines to students for how the task will be completed and how the criteria will be applied. When you set a task, make sure that:

- the requirements of the task are made as clear as possible to the student
- the assessment criteria and performance standards or marking guides are provided to students so that they know what it is that they have to do
- sources or stimulus material used are clear and appropriate to the task
- instructions are clear and concise
- the language level is appropriate for the grade
- it does not contain gender, cultural or any other bias
- materials and equipment needed are available to students
- adequate time is allowed for completion of the task.

Assessment methods

Although assessment components and weightings are stipulated in the syllabus, you decide which assessment method to use when assessing the

learning outcomes. You should use a variety of assessment methods to suit the purpose of the assessment. Assessment can be classified into four categories:

- tests
- product or project assessments
- performance assessments
- process skills assessments

Because each has limitations, maintaining a balance of assessment methods is very important.

Tests

A 'test' is a formal and structured assessment of student achievement and progress, which the teacher administers to the class. Tests are an important aspect of the learning and teaching process if they are integrated into the regular class routine and not treated merely as a summative strategy. Tests allow students to monitor their progress and provide valuable information for you in planning further learning and teaching activities.

Tests will assist student learning if they are clearly linked to the outcomes. Evidence has shown that several short tests are more effective for student progress than one long test. It is extremely important that tests are marked and that students are given feedback on their performance.

There are many different types of tests. Tests should be designed to find out what students know, and also to find out about development of their thinking processes and skills. Open questions provide more detailed information about achievement than a question to which there is only one answer.

Principles of designing classroom tests

Tests allow a wide variety of ways for students to demonstrate what they know and can do. Therefore:

- students need to understand the purpose and value of the test
- the test must assess intended outcomes
- clear directions must be given for each section of the test
- the questions should vary from simple to complex
- marks should be awarded for each section
- the question types (true or false, fill-in-the-blank, multiple-choice, extended response, short answer, matching) should be varied.

Tests should:

- be easy to read (and have space between questions to facilitate reading and writing)
- reflect an appropriate reading level
- involve a variety of tasks
- make allowance for students with special needs
- give students some choice in the questions they select
- vary the levels of questions to include gathering, processing and applying information
- provide enough time for all students to finish.

Product or project assessments

A 'project' can be an assessment task given to an individual student or a group of students on a topic related to the subject. The project results in a 'product' that is assessed. The project may involve both in-class and out-of-class research and development. The project should be primarily a learning experience, not solely an assessment task. Because a great deal of time and effort goes into producing a quality product from a project assignment task, you should allow class time to work on the project. A product or project:

- allows the students to formulate their own questions and then try to find answers to them
- provides students with opportunities to use their multiple intelligences to create a product
- allows teachers to assign projects at different levels of difficulty to account for individual learning styles and ability levels
- can be motivating to students
- provides an opportunity for positive interaction and collaboration among peers
- provides an alternative for students with problems reading and writing
- increases the self-esteem of students who would not get recognition on tests or traditional writing assignments
- allows for students to share their learning and accomplishments with other students, classes, parents, or community members
- can achieve essential learning outcomes through application and transfer.

Assignments

'Assignments' are unsupervised pieces of work that often combine formative and summative assessment tasks. They form a major component of continuous assessment in which more than one assessment item is completed within the term. Any of the methods of assessment can be set as assignments, although restrictions in format, such as word limits and due dates, are often put on the assessment task to make them more practical.

Investigations

An 'investigation' involves students in a study of an issue or a problem. Teachers may guide students through their study of the issue; or individual students, or groups of students, may choose and develop an issue in consultation with the teacher. This assessment component emphasises the student's investigation of the issue in its context, by collecting, analysing, and commenting on secondary data and information. Students should be encouraged to consider and explore a variety of perspectives as they develop and state their position on the issue. Students may present the investigation for assessment in a variety of forms, including one or a combination of the following: a written report, an oral presentation, a website, linked documents, multimedia, a video or audio recording.

Criteria for judging performance

The student's performance in the investigation will be judged by the extent to which the student:

- identifies and describes the issue or problem

- describes and explains the causes and effects
- critically analyses information and outlines possible steps leading to a solution or recommendation.

Portfolios

Portfolios provide evidence for judgements of student achievement in a range of contexts. Portfolios contain a specific collection of student work or evidence. This collection of work should provide a fair, valid and informative picture of the student's accomplishments.

Computer-based tasks

Using computers to administer student assessment can provide flexibility in the time, location or even the questions being asked of students. The most common type of computer-based assessment is based on multiple-choice questions, which can assist teachers to manage large volumes of marking and feedback.

Presentation assessments

Presentations provide opportunities for students to develop skills and confidence when performing or presenting to an audience. When presentations and performances are used for assessment purposes, how the students present or perform is as important as what they present.

Performances and presentations can be formal or informal. Class or group performances must be timed and the purpose clearly defined. All participants in the performance have a task to perform however, as part of teaching and learning or formative assessment all members should have an opportunity to perform different roles throughout the year. Group presentations can be shared among members thus allowing all members a turn at talking or presenting.

Group and individual oral presentations can be very time-consuming, both in their use of valuable lesson time and in marking. The best approach is to allocate or allow students to choose from a variety of topics, to develop clear criteria for presentations, and to require the rest of the class (audience) to take notes, identify key points or write an evaluation to enhance their learning.

'Spotlighting' uses individual student checklists. This method can be used to focus on a few selected aspects of student presentations or outcomes. It is best to focus on five to six students at a time, systematically working through the class over time.

'Focused questioning' is a technique often used together with spotlighting. With focused questioning, teachers can be more aware of whether or not students understand the concepts or skills being taught.

Process skills assessments

This method of the assessment component, the 'process skills assessment', involves assessing students' understanding of concepts based on the practical skills that can be used, the evaluation of work done, and/or the reporting of information. These skills include, for example:

- interpretation skills

- evaluation skills
- reflection skills
- communication skills (such as writing, speaking and listening).

Types of assessment tasks

Using different assessment tasks is the way to make sure that students are able to demonstrate the range of their abilities in different contexts. Each category has advantages in assessing different learning outcomes. For example, a selected response assessment task, such as a series of multiple-choice questions, is able to assess all areas of mastery of knowledge, but only some kinds of reasoning.

Assessment ideas for individual students or groups

Tests	Products or projects	Performances	Process skills
Assignments	Advice columns	Activities	Anecdotal records
Multiple-choice	Audio cassettes	Anthems	Checklist observations for processes
Matching	Autobiographies	Character sketches	Concept mapping
Short answer	Banners	Charades	Conferences: teacher and peer
Research	Book reviews	Conferences	Debriefing interviews
	Books	Cooperative learning group activities	Debriefing questioning for lesson closure
	Brochures	Debates	Experiences checklists
	Cartoons	Demonstrations	Interactional analyses
	Case studies	Discussions	Interviews
	Crossword puzzles	Explanations	Invented dialogues
	Databases	Field trips	Journal entries regarding processes
	Diaries of historical periods	Interactive book reviews	Learning logs
	Directories	Interviews	Observations
	Displays	Introductions	Oral questioning
	Graphs, charts, diagrams	Person-on-the-street interviews	Process folios
	Handbooks	News reports	Question production
	In-class group essays	Oral histories of events	Responses to reading
	Journals	Presentations	Retelling in own words
	Letters to parents, editor, TV station, or a business	Reports	Tailored responses
	Maps	Role-plays	Telling how they did something and justifying the approach
	Models	Speeches	
	Movie reviews	Surveys	

	Pamphlets Peer-editing critiques Pen-pal letters Photographs Portfolios Posters Projects Proposals Protest letters Questionnaires Research papers Results of surveys Reviews of TV programs Short stories Student-kept charts Tests Timelines Travel folders Videotapes Work products	TV talk shows	
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What tasks best assess learning outcomes?

The primary goal is to choose a method or task that most effectively assesses the outcomes of the unit. Some suitable tasks are listed below for the following broad categories of Upper Secondary learning outcomes.

Outcome: Thinking critically and making judgements

Thinking critically and making judgements, developing arguments, reflecting, evaluating, assessing and judging

- essay
- report
- journal
- letter of advice to ... (about policy, public health matters, ...)
- present a case for an interest group
- prepare a committee briefing paper for a specific meeting
- book review (or article)
- write a newspaper article
- comment on an article's theoretical perspective

Outcome: Solving problems and developing plans

Identifying problems, posing problems, defining problems, analysing data, reviewing, designing experiments, planning, applying information

- problem scenario
- group work
- work-based problem
- prepare a committee of enquiry report
- draft a research bid to a realistic brief
- analyse a case
- conference paper (or notes for a paper plus annotated bibliography)

Outcome: Performing procedures and demonstrating techniques

Computation, taking readings, following protocols, carrying out instructions

- demonstration
- role-play
- make a video (write script and produce or make a video)
- produce a poster
- observation of real or simulated professional practice

Outcome: Managing and developing oneself

Working cooperatively, working independently, learning independently, being self-directed, managing time, managing tasks, organising

- journal
- portfolio
- learning contract
- group work

Outcome: Accessing and managing information

Researching, investigating, interpreting, organising information, reviewing and paraphrasing information, collecting data, searching and managing information sources, observing and interpreting

- annotated bibliography
- project
- dissertation
- applied task
- applied problem

Outcome: Demonstrating knowledge and understanding

Recalling, describing, reporting, recounting, recognising, identifying, relating and interrelating

- written examination
- oral examination
- essay
- report
- comment on the accuracy of a set of records
- devise an encyclopaedia entry

- produce an A - Z of ...
- write an answer to a client's question
- short-answer questions: true or false; multiple-choice questions (paper-based or computer-aided-assessment)

Outcome: Designing, creating, presenting

Imagining, visualising, designing, producing, creating, innovating, presenting

- portfolio
- presentation
- hypothetical
- projects

Outcome: Communicating

One and two-way communication, communication within a group, verbal, written and non-verbal communication. Arguing, describing, advocating, interviewing, negotiating, presenting; using specific written forms

- written presentation (such as essay, report, reflective journal)
- oral presentation
- group work
- discussion or debate or role-play
- participate in a 'court of enquiry'
- presentation to camera
- observation of real or simulated professional practice

Feedback

When you assess the task, remember that feedback will help the student understand why he or she received the result and how to do better next time. Feedback should be:

- *constructive*, so students feel encouraged and motivated to improve
- *timely*, so students can use it for subsequent learning
- *prompt*, so students can remember what they did and thought at the time
- *focused on achievement*, not effort. The work, not the student, should be assessed
- *specific to the unit learning outcomes*, so that assessment is clearly linked to learning.

Types of feedback

Feedback can be:

- *informal* or *indirect*—such as verbal feedback in the classroom to the whole class, or person to person
- *formal* or *direct*—in writing, such as checklists or written commentary to individual students, in either written or verbal form
- *formative*—given during the topic with the purpose of helping the students know how to improve

- *summative*—given at the end of the topic with the purpose of letting the students know what they have achieved.

Who assesses?

Teacher assessment

Assessment is a continuous process. You should:

- always ask questions that are relevant to the outcomes and content
- use frequent formative tests or quizzes
- check understanding of the previous lesson at the beginning of the next lesson, through questions or a short quiz
- constantly mark or check the students' written exercises, class tests, homework activities and so on
- use appropriate assessment methods to assess the tasks.

Frequency of assessment

You should schedule the specified assessment tasks to fit in with the teaching of the content of the unit that is being assessed. Some assessment tasks might be programmed to be undertaken early in the unit, others at the end of the unit. You should take care not to overload classes with assessment tasks at the end of the term.

Judging student performance

Student achievement is recorded and reported against standards. You must use performance standards or marking guides, examples of which are provided in this teacher guide, when making a decision about the achievement of your students in relation to the learning outcomes. The performance standards describe the level at which the student has to be working to achieve a particular standard or mark.

Students should always have access to a copy of the assessment criteria and the performance standards, so that they know what it is they have to know and be able to do to get a good mark in a particular task. The performance standards will help you in your marking and will help your students improve their performance in the future. They are useful when providing feedback to students, as they explain what it is the student needs to do to improve.

Moderation

To make sure that you are interpreting the performance standards correctly when assessing your students, it is important to undertake Legal Studies moderation of student work within your school and with teachers of nearby schools. To moderate student work, a common assessment task must be used and a marking scheme developed so that all students complete the same task under the same conditions, and all teachers use the same marking scheme. Teachers can then compare (moderate) the students' work and come to a common understanding of the performance standards and the requirements for a particular mark or level of achievement.

Moderation enables you to be sure that your understanding of the required standards for levels of achievement is similar to the understanding of other teachers and that you are assessing students at the appropriate level.

Self-assessment and peer assessment

Self-assessment and peer assessment help students to understand more about how to learn. Students should be provided with opportunities to assess their own learning (self-assessment) and the learning of others (peer assessment) according to set criteria. Self-assessment and peer assessment:

- continue the learning cycle by making assessment part of learning
- show students their strengths and areas where they need to improve
- engage students actively in the assessment process
- enable students to be responsible for the learning
- help to build self-esteem through a realistic view of their abilities
- help students understand the assessment criteria and performance standards.

Managing assessment tasks for Legal Studies

Usually, the marking of assessment tasks is done by the teacher. To reduce the amount of work it is necessary to develop a strategic approach to assessment and develop efficiencies in marking.

In Legal Studies there are some assessment tasks that may be new to teachers and students. Below are suggestions on how to manage some of these tasks to minimise marking or presentation time.

Develop efficiency in marking

Clarify assessment criteria

Plan the assessment task carefully, and make sure that all students are informed of the criteria before they begin. Discuss the task and its criteria in class, giving examples of what is required. Distribute a written copy of the instructions and the criteria, or put them on the board. Making the assessment criteria explicit speeds marking and simplifies feedback.

Supply guidelines on what is required for the task

Supplying guidelines reduces the amount of time wasted evaluating student work that is irrelevant.

Use attachment sheets such as marking guides

An assignment attachment sheet, which is returned with the assessed work, rates aspects of the task with a brief comment. Such a system enables each student's work to be marked systematically and quickly. This strategy can be applied to posters, presentations and performances.

Assess in class

Use class time to carry out and to assess tasks. Presentations or projects that are marked by you or the students enable instant developmental evaluation and feedback. Brief assessments of projects, stages of the design process, or practical work take less time to mark and are useful because they give immediate feedback to students on their progress and allow you to mark the project in stages with minimum effort.

Feed back to the whole class

Giving feedback to the whole class can cut down on the amount of individual feedback required. On returning assessed work, emphasise the criteria for judging the work, discuss the characteristics of good and bad answers, and highlight common strengths and weaknesses.

Set group-work alternatives

Assess one performance per group. The student's mark is the group mark, but may include a component based on the contribution of the individual. A strategy for allocating an individual mark includes each member of the group using criteria to evaluate the relative contributions of individuals, with the marks averaged for the individual.

Set clear deadlines

Set aside a time for marking. Be careful about extending this period (by allowing students to hand in work late).

Shift the responsibility*Introduce self-assessment and peer assessment*

Develop in students the skills to evaluate their own work and that of their peers. With the students, use the assessment criteria against which work is judged, highlighting strengths and weaknesses. Self-assessment increases the amount of feedback students get. It can supplement or replace teacher assessment.

Treat each task differently

Every piece of work need not be evaluated to the same degree; a mark need not be the outcome in every case; and every piece of student work need not contribute to the final grade. Assessment is designed to enhance the learning and teaching experience for the teacher and the learner, not just to give marks.

Sample assessment tasks

All assessment tasks must test whether or not the student has achieved the outcome or outcomes. Each task must have clear and detailed instructions. Students must know exactly what they have to do. You should develop marking guides when you are marking tasks to ensure consistency of your assessment. Examples of assessment tasks and a marking guide follow.

Grade 11

Task: Debate

Identify a topic and raise arguments for and against, for example, in relation to the proposed abolishing of the Office of the Head of State.

20 marks

Assessment criteria

Students will be assessed on the extent to which they:

- argue persuasively on the content of the information
- communicate information in a logical, structured and coherent manner
- communicate effectively and confidently
- display good outward presentation and appearance
- demonstrate knowledge of content information relating to the topic.

Task specifications

- research, collect, analyse and evaluate appropriate information for or against the debate topic
- explore and familiarise themselves with procedures of debate
- identify, outline and describe the issue or problem clearly to the intended audience
- provide, explain and communicate reasons why
- speak confidently with clear and good voice projection

Grade 12

Task: Research

Identify and select an issue that is affecting the country; for example, 'ethnic conflicts in Papua New Guinea'.

Assessment criteria

Students will be assessed on the extent to which they:

- discover and establish facts
- investigate methods or ways of collecting relevant information

- communicate information in a logical, structured and coherent manner
- establish or develop a plan of action based on facts discovered
- demonstrate knowledge of content information relating to selected topic.

Task specifications

- research, collect, analyse and evaluate relevant and appropriate information
- identify, describe and outline the issue or problem
- provide, explain and communicate ideas
- provide concrete examples in reference to the consequences and extent of the problem
- identify ways of solving these problems.

Example of a marking guide

Marking guides like the one below should be used to assess the tasks you set. You can tick the appropriate box, look at the performance standards and the students' overall achievement and give an on-balance assessment.

If, for example, the students gets two ticks in the Very High Achievement (VHA) column, most of their ticks in the High Achievement (HA) column, several ticks in the Satisfactory column and one tick in the Low Achievement column, then, on balance you would give the students a High Achievement and a mark between 70 and 89.

Sample marking guide

Debate: Should the Office of the Head of State in Papua New Guinea be Abolished?				100 marks			
Criteria		VHA	HA	SA	LA		
Introduction	<ul style="list-style-type: none"> • title or topic made clear • establish purpose or stand taken by each side • specific task made known to the intended audience • adequate elaboration of tasks given, including definition of unusual terms and definitions 						
Demonstrate skills and knowledge of the content information	<ul style="list-style-type: none"> • develop sophisticated grasp of the content • locates sources in appropriate legal and historical context • shows independence and is well organised with the task set • is concise and well focused in vital or polished delivery 						
Analytical and communication skills	<ul style="list-style-type: none"> • demonstrates awareness of influences of bias and perspectives • achieves an insightful and convincing argument • successful integration from range of ideas to make a strong point of view • sustains imaginative, stimulating presentation throughout debate 						
Response to specific situation	<ul style="list-style-type: none"> • confident and enthusiastic • speaker kept to time limit • speech clear and audible to entire audience • well rehearsed and focused • good command and control of the technical aspects: <i>fluency, clarity and projection</i> 						

Learning activities and assessment tasks

Examples of learning activities and assessment tasks for each of the Legal Studies units are provided in the following sections. Some examples are explained in detail.

Grade 11 units

11.1 What is Law?

Suggested activities

- begin a glossary of terms and concepts that you add to throughout each unit. Where possible provide illustrations to make meaning clearer
- define 'law' and describe the different functions of law
- explain the role of law in society
- compare and contrast between the two existing systems of law in Papua New Guinea
- use extended paragraph writing; for example, explain how traditional societies were regulated and organised
- view and discuss multimedia presentations; for example, video shows on natural disasters, genocide, resource development
- use extended oral responses to describe the concepts, terms and processes which define law
- analyse a selected topic—for example, the source of customs and customary practices from their own villages—discuss and present findings and conclusion drawn.

Suggested assessment tasks

- Explain or define terms and concepts; for example, .what is 'accepted minimum standards of behaviour?'
- Research the rules that enabled a community to function in a traditional society
- Identify, analyse and discuss legal implications arising from given situations; for example, identify and discuss the human rights which are breached when a person is tortured and killed by villagers
- Research characteristics of law such as accepted norms, practices, code of conduct, standards of behaviour and the fact that that law has two distinct functions, which are dispute resolution and prevention.
- Identify and explain rules, practices, sanctions, codes of conduct and so on by which activities and life was organised in traditional society.
- Do a short presentation on the role of law in society.

11.2 The Legal History of Papua New Guinea

Suggested activities

- add new terms and concepts to the glossary
- compare and contrast the laws used under the different administrations in Papua New Guinea's history
- interpret and describe information from historical sources
- use extended paragraph writing to demonstrate knowledge of a topic; for example, describe the way in which traditional societies were regulated and organised
- investigate and identify different aspects of colonial laws relating to the native population, such as the laws relating to segregation of races
- investigate and identify different types of sanctions provided under colonial rule in German New Guinea, such as the laws relating to punishment of natives by way of flogging
- describe the effect on colonial laws by the implementation of the Constitution at Independence

Suggested assessment tasks

- Test (can be administered in two parts).
- Research-based written or oral report (or seminar).

Task: Research-based oral report (or seminar presentation)

Students research a selected topic.

11.3 The Laws of Papua New Guinea

Suggested activities

- add new terms and concepts to the glossary
- identify and discuss the laws of Papua New Guinea as stated in Section 9 of the Constitution
- discuss the importance of the Constitution; for example, Constitutional supremacy under Section 11
- state and describe the type of laws which are enacted in response to times of emergency, such as natural disaster or civil unrest; for example, states of emergency, curfew
- discuss some things that Local Level Governments (LLGs) may legislate (or make laws) on
 - refer to Section 44 of the Organic Law on Provincial Government and Local Level Governments, 1995
 - for law-making powers of provincial government refer to Section 42 of the Organic Law

- explain reasons for the delegation of legislative powers
- explain what the Underlying Law is; for example, Section 9(f) of the Constitution, which comprises Customary Law
 - use extended paragraph writing; for example, explain how traditional societies were regulated and organised
 - interpret information; for example, describe the source of customs and customary practices from own villages
 - Common Law and Equity
 - new rules of law made by the National and Supreme Courts, previously under Schedule 2 of the Constitution and, since 2000, under the Underlying Law Act, 2000 (No. 13 of 2000) *Note: this means that this law is the 13th law passed by Parliament in 2000*

Suggested assessment tasks

- Assignment.
- Test.
- Explain what happens when the provisions of one law conflict with another.
- Select any law listed under Section 9 of the Constitution and describe the functions of that particular law:
 - for example, emergency regulations are only enacted during times of emergencies such as volcanic eruptions or tsunamis
 - a distinctive feature of this type of law is its temporary nature. The law is declared by the Head of State in response to the urgency of emergencies. Proper legislative procedure is later followed by Parliament.

11.4 The Constitution of Papua New Guinea

Suggested activities

- add new terms and concepts to the glossary
- discuss the dynamic nature of the Constitution
- explain how the Constitution came into being; for example, the consultative process conducted by the Constitutional Planning Committee, the incorporation of ideas and concepts from other countries, identification of the drafters of the Constitution
- discuss the reasons for the inclusion of the National Goals and Directive Principles in the preamble of the Constitution; for example, they are guiding principles to be used in law making, policy formulation and developmental aims
- discuss and explain the Leadership Code
- identify the various Constitutional offices and discuss their powers and functions
- explain the functions of the Office of the Head of State

- identify a topic and raise arguments for and against; for example, in relation to acts of Parliament, arguments can be raised on making a law that legalises prostitution

Suggested assessment tasks

- Research.
- Do a report on the advantages of the leadership code in Papua New Guinea and its impact.
- Prepare a short seminar presentation.

11.5 The Structure of Government

Suggested activities

- add new terms and concepts to the glossary
- research a selected topic on any of arm of government and discuss the powers and functions of the respective arms of government
- explain the importance and relevance of the Doctrine of Separation of Powers in a democratic society

Suggested assessment tasks

- Diagram or a chart.
- Test.
- Assignment.
- Keep a journal.

Grade 12 units

12.1 The Courts of Papua New Guinea

Suggested activities

- begin a glossary of terms and concepts that you add to throughout each unit. Where possible, provide illustrations to make meaning clearer
- describe each court and its powers and functions
- distinguish between higher and lower courts; for example, the main difference is the jurisdiction of the courts and the fact that the higher courts are specifically established by the Constitution, whereas the lower courts are established by relevant acts of Parliament
- explain the existence of other bodies (quasi-judicial bodies) which operate like courts but are not courts. For example, Leadership Tribunal, commissions of inquiry, Industrial and Administrative Tribunal
- create a flow chart illustrating the hierarchy and position of courts
- describe a court setting and explain why a court is set up in this way; for example, the judge is seated at an elevated position in the front of the court facing all other persons. This reflects the adversarial nature of our court system and shows that the judge is in charge
- describe court proceedings, parties to the court case, decisions made, type of proceedings (whether civil or criminal)
- describe how the welfare of prisoners is administered by the State
- analyse a selected topic, such as local land courts, which are based on custom; discuss and present findings and conclusions drawn
- state why the Supreme Court is known as the highest court in the country
- produce a report on a visit to the court, jail, police station, remand centre or similar
- present a seminar on the findings or conclusions of research on a topic
- produce a chart showing, for example, the positions of different courts in our legal system

Suggested assessment tasks

- Excursion-based written or oral report (or seminar).
- Present a seminar on the findings or conclusions of research on a topic.
- Produce a chart showing, for example, the positions of different courts in our legal system.
- Explain the existence of other bodies (quasi-judicial bodies) which operate like courts but are not courts. For example, Leadership Tribunal, commissions of inquiry, Industrial and Administrative Tribunal.

12.2 Protection of the Law

Suggested activities

- add new terms and concepts to the glossary
- differentiate between criminal and civil law
- identify and explain which rights are affected when a police officer lays a hand on you; for example, as soon as a police officer apprehends you, you are protected by the law stipulated by Section 37 of the Constitution. He or she cannot slap you as punishment because it is the duty of the court to punish people
- distinguish between the following terms: 'apprehended by police', 'arrested', 'detained', 'charged'
- differentiate between what constitutes a minor offence and a serious offence

Suggested assessment tasks

- Explain the steps that may be taken when a wrong is committed against you by: another person; a company (corporation); the State.
- Hypothetical case study on HIV and AIDS.

Example of a hypothetical case study: Jessie's story

My name is Jessie, I am 14 years old and the eldest of six children. I live with my mother. My Dad...well, he took off with a younger woman several years ago. He has no time for us anymore, I guess it's because he has a new family now, so I help my mother take care of my brothers and sisters, pay their school fees etc.

On Friday, March 11, 2004, I was with my friends, Lina, Agnes and James at Tabari Place in Boroko. It was about 5:00pm, and there were lots of people around, some really nice guys too. James, he is a soldier... was like... really getting to chat me up when all these policemen just rushed in from nowhere.

Anyway, the policemen began hitting us with sticks, they forced us outside and ordered us to march to Boroko Police Station. While marching we were forced to chew and swallow condoms. It was really shameful especially when they were telling the crowd that we were 'sex workers' and 'spreading AIDS'. About that, someone told me that 'HIV positive people are skinny and sickly, so I avoid going with such guys'.

Well, my friend Agnes sometimes gives me condoms which I use whenever I feel like using them. Anyway, my mother said, 'Sex workers are prostitutes but I do not see myself as a prostitute. I work for a living'.

At the police station, they released James and all the guys and charged all of us ladies, with 'living off with the earnings of prostitution'. I don't understand, I mean, my mother said that I should just accept 'gifts' from my men friends. Well, we need the gifts especially when it is money and that helps buy food for the little ones. Anyway, it's ok with my mother.

We were locked up until the morning of Monday the 14th, when some Human Rights Centre people bailed us out.

12.3 Natural Resources and the Law

Suggested activities

- add new terms and concepts to the glossary
- discuss the ownership of land under custom
- discuss the ownership of natural resources; for example, mining and petroleum, forestry and fisheries
- discuss the significance of resource development for the Papua New Guinea economy; for example, the logging industry, mining and petroleum industry
- discuss ways in which customary land owners can participate in resource development; for example, spin-off benefits and equity participation
- define sustainable development and consider ways in which the concept is implemented in resource development; for example, reafforestation in the logging industry
- case study on the effects of pollution on the environment through resource development; for example, pollution of rivers, sea and waterways, contamination of the environment through toxic waste

Suggested assessment tasks

- Research and present a detailed report on the ownership of land under custom.
- Case study on the effects of pollution on the environment through resource development; for example, pollution of rivers, sea and waterways, contamination of the environment through toxic waste.
- Case study on the impact on communities located in and within the vicinity of the resource project area; in particular, the ways in which the laws can be used to address issues that arise, such as relocation of customary landowners from project area.

12.4 The Law and You

Suggested activities

- add new terms and concepts to the glossary
- discuss some values and responsibilities of the family, like upholding Christian values and principles, responsibility to provide food and shelter
- state the two types of legally recognised marriages in Papua New Guinea. These are: customary marriages; statutory marriages (under Part V of the Marriage Act)
- describe what happens when a customary marriage comes to an end. For example, parties to the marriage resort to the custom under which the marriage took place. This custom dictates the manner in which the

marriage is to be dissolved, who takes custody of children of the marriage and how property of the marriage is to be distributed and so on

- describe what happens when a statutory marriage comes to an end. For example, the marriage will need to be dissolved in the National Court under the Matrimonial Causes Act on certain grounds, which include adultery and desertion. Other issues, such as maintenance and custody of the children and distribution of property, are also addressed here
- describe the different types of contract (agreement) under the law. These include oral, written and part-oral, part-written contracts. Contracts or agreements are used in business, employment or even personal interactions
- discuss the process provided by law to seek damages for injuries (or death) sustained in motor vehicle accidents where the vehicle is

a private motor vehicle: the procedure is provided under Section 54 of the Motor Vehicle (Third Party) Insurance Act

- first the injured party is required to give notice (Notice of Intention to Make a Claim) to the Motor Vehicle Insurance Limited (MVIL) within 6 months from the date of the accident
- once notice has been given, the party can then make a claim within 6 years
- in the event of death, the beneficiaries of the deceased may seek compensation under the *Motor Vehicle (Basic Protection) Insurance Act* immediately following the accident.
- the beneficiaries are also required to give notice and make a claim as mentioned above
- a claim can be made whether the vehicle is registered or not, as long as the injuries are caused by a motor vehicle

owned by the State (or an agent of the State): in this case, the procedure is provided under the Wrongs (Miscellaneous Provisions) Act, Chapter No. 297

- the procedure for damages is similar to the above. The injured party, however, is required to give notice (Notice of Intention to Make a Claim) to the State (Office of the Attorney General) within 6 months from the date of the accident
- once notice has been given, the party can then make a claim within 6 years

Suggested assessment task

- Conduct a survey on legal issues, a topic or any aspect of a topic or law.
 - Identify a target group of persons.
 - Design a simple questionnaire with clear and relevant questions.
 - Determine the limits of the survey, including timeframe.
 - Demonstrate good communication skills in order to obtain information.
 - Organise and analyse information.
 - Evaluate findings and draw appropriate conclusions.

12.5 Current Issues

Suggested activities

- add new terms and concepts to the glossary
- analyse, discuss and present findings and conclusions drawn on a selected topic; for example:

Sexual offences such as incest

- incidents of incest are becoming common; it is an offence under the *Criminal Code*. The law seeks to strengthen family ties and relationships that reflect similar views of society and, in many cases, our customs
- the law is there to protect persons who are going through or who have experienced incidents of incest. It is important to report the matter immediately to someone you can trust
- persons found guilty of the crime of incest are imprisoned

Drug and alcohol abuse

- illicit drugs such marijuana are prohibited substances under the law and heavy penalties are imposed on persons found to be in possession of drugs. Some countries, like Indonesia, sentence people to death for simply carrying drugs (refer to the case of Bali 9)
- on the other hand, alcohol is not illegal; it is the abuse of alcohol which the law prohibits. For example, while the law sets a minimum age of 18 for alcohol consumption, many teenagers younger than 18 break the law when they drink alcohol
- the production and distribution of alcohol is strictly regulated by law to ensure that ingredients used in alcohol are in correct and safe proportions, which do not harm the consumer of the alcohol. The production and consumption of 'home brew' (steam, coffee candy, jungle juice and so on) is a prohibited activity
- a serious side-effect of alcohol and drug abuse might be evidenced by the growing number of substance users facing mental or psychological problems
- some topics you can suggest to the students for project or research purposes include:
 - pornography
 - terrorism and transnational crimes
 - internet crime
 - gun trafficking
 - smuggling (people, endangered and endemic species)
 - piracy
 - protection of intellectual property (copyright, patents and so on)
 - corruption
 - fraud and money laundering
 - border crossing
 - ethnic conflict

- global warming (rising sea level, changing weather patterns)
- sorcery-related killings
- juvenile justice
- HIV and AIDS

Suggested assessment tasks

- Produce a pamphlet or brochure on drugs and alcohol abuse.
- Research task.
- Excursion report.

Recording and reporting

All schools must meet the requirements for maintaining and submitting student records as specified in the *Grade 12 Assessment, Examination and Certification Handbook*.

Recording and reporting student achievement

When recording and reporting student achievement you must record the achievement of the students in each unit and then, at the end of the year, make a final judgement about the overall achievement, or progress towards achievement, of the learning outcomes. To help you do this, descriptions of the levels of achievement of the learning outcomes are provided in the 'Learning outcome performance standards' table.

When reporting to parents, the school will determine the method of recording and reporting. In an outcomes-based system, student results should be reported as levels of achievement rather than marks.

Remember that the final school-based mark will be statistically moderated using the external exam results. The students' overall level of achievement may change.

Levels of achievement

The level of achievement of the learning outcomes is determined by the students' performance in the assessment tasks. Marks are given for each assessment task, with a total of 100 marks for each 10-week unit, or 50 marks for each 5-week unit.

The marks show the students' level of achievement in the unit, and hence their progress towards achievement of the learning outcomes. There are five levels of achievement:

- Very high achievement
- High achievement
- Satisfactory achievement
- Low achievement
- Below minimum standard

A **very high achievement** means overall that the student has an extensive knowledge and understanding of the content and can readily apply this knowledge. In addition, the student has achieved a very high level of competence in the processes and skills and can apply these skills to new situations.

A **high achievement** means overall that the student has a thorough knowledge and understanding of the content and a high level of competence in the processes and skills. In addition, the student is able to apply this knowledge and these skills to most situations.

A **satisfactory achievement** means overall that the student has a sound knowledge and understanding of the main areas of content and has achieved an adequate level of competence in the processes and skills.

A low achievement means overall that the student has a basic knowledge and some understanding of the content and has achieved a limited or very limited level of competence in the processes and skills.

Below the minimum standard means that the student has provided insufficient evidence to demonstrate achievement of the learning outcomes.

Achievement level					
Total marks	Very high achievement	High achievement	Satisfactory achievement	Low achievement	Below minimum standard
600	540–600	420–539	300–419	120–299	0–119
500	450–500	350–449	250–349	100–249	0–99
400	360–400	280–359	200–279	80–199	0–79
300	270–300	210–269	150–209	60–149	0–59
200	180–200	140–179	100–139	40–99	0–39
100	90–100	70–89	50–69	20–49	0–19
60	54–60	42–53	30–41	12–29	0–11
50	45–50	35–44	25–34	10–24	0–9
40	36–40	28–35	20–27	8–19	0–7

Sample format for recording Legal Studies assessment task results over two years

Student name:

Grade 11 assessment task results			
Unit	Assessment task	Mark	Student mark
11.1			<i>These marks would be for the adjustment period</i>
11.2			
11.3			
11.4			
11.5			
	Total marks Grade 11	300	

Student name:

Grade 12 assessment task results			
Unit	Assessment task	Marks	Student mark
12.1			
12.2			
12.3			
12.4			
12.5			
	Total marks Grade 11	300	
	Total marks Grade 11 and 12	600	

Learning outcomes and levels of achievement

Levels of achievement in Grade 11 and Grade 12 are recorded and reported against the learning outcomes. The performance standards for the levels of achievement are described in the table on pages 13 and 14.

Steps for awarding final student level of achievement

1. Assess unit tasks using unit performance standards and assessment criteria.
2. Record results for each task in each unit.
3. Add marks to achieve a unit result and term result.
4. Add term marks to get a year result.
5. Determine the overall achievement using the achievement level grid.
6. Report results using the learning and teaching learning outcome performance standards.

The following is an example of reporting using the learning outcomes performance standards descriptors.

Using the learning outcomes performance standards descriptors

Student Subject School-based assessment	Jonathan Sumale Legal Studies High achievement
This means Jonathan:	
<p>Demonstrates the ability to grasp ideas, concepts and information of what law is, the laws of Papua New Guinea and the functions of law in society</p> <p>Demonstrates sound knowledge and understanding of the legal principles, processes, structure and operation of Papua New Guinea's legal system</p> <p>Identifies and produces a range of ideas, concepts and information which is communicated effectively demonstrating an understanding of the use of basic legal concepts, principles and terminologies</p> <p>Demonstrate sound understanding of the ways in which individuals, groups and organisations exercise their legal rights and obligations</p> <p>Perceives the significance of particular values, bias and key differences when analysing legal issues and identifying strategies for appropriate action</p>	

Resources

Legal Studies becomes more interesting and meaningful when you use a variety of resources and local materials in your teaching. You should be always trying to adapt, improvise, make, find or write material that will be useful for lessons. Legal Studies can be taught without expensive equipment by making use of what is around you, though there are some equipment and materials that are essential to teach the Legal Studies syllabus.

Types of Legal Studies resources

Materials

- textbooks, reference books, magazines, newspapers
- diagrams, charts, posters
- worksheets, information sheets
- pamphlets, brochures
- television and radio broadcasts, video, film, film strips
- computer software
- pictures, photographs, models
- made or found objects

Human resources

- community elders, teachers, parents, lawyers, legal professionals

General guidelines for selecting and using resources

How effective a resource is depends on whether it is suitable for the knowledge or skill to be learned and the attitude of the students. Classroom organisation is the key to using resources successfully. You need to:

- prepare thoroughly. Make sure that you are familiar with the resource so that you use it with confidence and assurance. If equipment is involved, check that it is in working order, make sure that you know how to operate it and that it is available when you need it.
- use the resource at the right place and time—it should fit in with the flow and sequence of the lesson and serve a definite teaching purpose.
- (if the resource is radio, film, video or television), introduce the program by outlining the content. You might also set some questions to guide listening or viewing. Follow up after using the resource, by discussing and drawing appropriate conclusions.

Useful resource books and websites

Liria, SK 2004, *A Law Awareness for Papua New Guinea: Our Guide to the Rule of Law*, Niugini CrossRoads, Port Moresby.

Pacific Islands Legal Information Institute website, www.paclii.org.

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Hornby, AS (ed.) 2005, *Oxford Advanced Learner's Dictionary*, International Student's Edition, Oxford University Press, South Melbourne.

Liria, SK 2004, *A Law Awareness for Papua New Guinea: Our Guide to the Rule of Law*, Niugini CrossRoads, Port Moresby.

Mayer, R 2004, 'Should there be a three-strikes rule against pure discovery learning? The case for guided methods of instruction', *American Psychologist*, vol 59, no. 1, pp. 14–19.

National Department of Education Papua New Guinea 2007, *Lower Secondary Personal Development Syllabus*, CDAD-NDOE, Waigani.

National Department of Education Papua New Guinea 2007, *Lower Secondary Personal Development Teacher Guide*, CDAD-NDOE, Waigani.

Teaching material for 'Introduction to Law' 2004, University of Papua New Guinea, Port Moresby.

The Constitution of the Independent State of Papua New Guinea

Glossary for Legal Studies

Act	An act of Parliament, a statute, a law enacted by National Parliament
Admiralty courts	One of the courts of equity which was developed as a result of inadequacies and deficiencies of the common law based on fairness and equity
Arrest	To restrain a person's liberty by lawful authority either by a warrant of arrest issued by the magistrate or in circumstances where there is reason to suspect the commission of an offence
Beneficiary	Legal recipient of money: somebody entitled to money, property under a will, trust or insurance policy
Bylaws	Laws made for a particular area or activity by an authority that is not in the legislature (the law making authority for the law of the land)
By virtue	By means of or because of something
Code	A systematic collection of laws on a given subject
Compensation	An amount of money or something else given to pay for loss, damage or work done The Motor Vehicle (Third Party Insurance) (Basic Protection Compensation) Act recognises that compensation needs to be paid quickly and to the members of the kinship group
Complainant	A person or an organisation that brings legal action against another person or organisation
Constitution	Set of fundamental principles through which a country is governed. The most supreme law of the land
Conviction	Guilty verdict. an act of finding someone guilty of a crime, or an instance of being found guilty
Court of common pleas	Was the court of the common people which was instituted as a separate jurisdiction by King Henry III of England to look into suits relating to land, and in actions between private people over private rights
Court of exchequer	One of the Common Law courts of England which administered a system of law called the principles and rules of common law
Damages	The most usual remedy in civil actions consisting of an award by the court of monetary compensation for the injury or harm suffered
Defendant	The person against whom a civil proceeding or summary criminal proceedings (action) is brought
Deficiency	Weakness in the provision or performance of something
Delegated legislation	Also called subordinate legislation. Secondary legislation made by bodies conferred with authority by the National Parliament
Delegation	The passing or giving of some power, responsibility, or work to some else to do
Democracy	The right to a form of a government in which power is vested in the people as a whole, usually exercised on their behalf by elected representatives
Desertion	To leave or abandon somebody, especially somebody to whom a duty or obligation is owed
Discharged	The release of a person from a contractual obligation
Dispensation	The act or process of providing something, especially by somebody in authority
Dispute	An argument or a disagreement between two people, groups or countries To argue or disagree strongly with somebody about something
Dissolution	Refers to the termination of legal relationship such as business partnership or marriage

Doctrine	Rule or principle that forms the basis of belief, theory or policy
Ecclesiastical courts	One of the courts of equity or tribunals exercising jurisdiction in religious matters
Enactment	The process of a law becoming official or a law which has been made official
Enforce	Make people obey something: to compel obedience to a law, regulation or command
Equitable remedies	Remedies, e.g. specific performances and injunctions
Equity	A body of rules and procedures which were developed in the Court of Chancery separately from the rules of Common Law developed in the royal courts
Guilty	Responsible for wrongdoing: responsible for a crime, wrong action, or error and deserving punishment, blame or criticism
Illicit	Illegal: not allowed or permitted by the law; considered wrong or unacceptable by prevailing social customs or standards
Inadequate	Falling to reach an expected or required or accepted level of standard
Incest	Sex between close relatives: sex activity between two people who are considered, for moral or genetic reasons, too closely related to have such a relationship
Inconsistency	Unable to maintain a particular standard or level
Injunction	A court order by which a party to an action is required not to do or refrain from doing, a particular thing
Innocent	Not guilty of a crime or offence; within the law permitted or acting within the law
Insufficient	Not large, strong or important enough for a particular purpose
Invalid	Not legal: not legally binding or can not be enforceable
Judicial	Relating to judges in performances of their duty or to a judgement in a court of law
Judiciary	A country's body of judges or central administration which is concerned with dispensing justice in the law of courts
Jurisdiction	The scope of authority of Judicial action. In relation to courts of law, the geographic area in which the court has authority or the type of case it can entertain
Legal remedies	A way of dealing with a problem using the process of the law or as allowed or required by law
Legislation	Law which are made by the National Parliament and is consist of written rules in fixed form
Maintenance	A sum of money paid regularly or in a lump sum by a divorced person, usually as part of divorce settlement or to maintain the standard of living of the ex-spouse or the children
Norm	A standard pattern of behaviour that is considered normal in a society
Null and void	Invalid or having no legal validity
Organic law (fundamental law)	Is a law or systems of laws which forms the foundation of government, corporation or other organisations' body of rules
Override	The act or process of cancelling an action or decision taken by someone else
Parties to proceedings	The people suing or being sued in a trial. These include the plaintiff and the defendant
Plaintiff	The party who is suing someone else in a civil law case
Power	The authority to act or do something according to the rule of law
Preventive	A term used or intended to stop something undesirable from happening or to stop somebody from doing something undesirable
Principle	Moral or ethical standard or basic underlying rule
Provision	A legal clause stating a condition; a clause in a law or contract stating that a condition must be met

Queens bench	One of the courts of the Common Law of England which administered a system of law called the principles and rules of common law
Resolution	The process of resolving or finding answers to difficult cases, dispute or conflict
Segregation	Enforced separation of groups: the practice of keeping ethnic, racial and gender groups separate especially by enforcing the use of separate schools, transport, housing and other facilities and usually discriminating against minority groups
Sentence	A judgement by a court specifying the punishment on somebody convicted of a crime usually stating its nature and duration
Specific performance	A remedy of a court order directing a person who has failed to carry out his contractual obligations, ordering him to perform
Standard	Constituting or not differing from the norm
Subordinate legislation	Another word for delegation legislation
Ultra vires	Beyond legal power, generally to any excess of authority e.g. any act by directors of a company in excess of their powers under the company's constitution
Underlying law	A separate common law of Papua New Guinea sourced from customary law and British common law
Vests	To settle or confer property, power, onto somebody
Witness	A person who gives evidence in a case upon oath or affirmation; A person who gives testimony, either to events in dispute, or as an expert
Writ	The form issued by the court commanding a person to appear to answer the action. This is the first document issued in the National Court proceedings

Glossary for assessment

Syllabus outcomes, criteria and performance standards, and examination questions all have key words that state what students are expected to be able to do. A glossary of key words has been developed to help provide a common language and consistent meaning in the syllabus and teacher guide documents.

Using the glossary will help teachers and students understand what is expected in response to examinations and assessment tasks.

Glossary of key words for assessment

Account	Account for: state reasons for, report on. Give an account of: narrate a series of events or transactions
Analyse	Identify components and the relationship between them; draw out and relate implications
Apply	Use, utilise, employ in a particular situation
Appreciate	Make a judgement about the value of
Assess	Make a judgement of value, quality, outcomes, results or size
Calculate	Ascertain or determine from given facts, figures or information
Clarify	Make clear or plain
Classify	Arrange or include in classes or categories
Compare	Show how things are similar or different
Construct	Make; build; put together (items or arguments)
Contrast	Show how things are different or opposite
Critically (analyse, evaluate)	Add a degree or level of accuracy, depth, knowledge and understanding, logic, questioning, reflection and quality to (analysis or evaluation)
Deduce	Draw conclusions
Define	State meaning and identify essential qualities
Demonstrate	Show by example
Describe	Provide characteristics and features
Discuss	Identify issues and provide points for and/or against
Distinguish	Recognise or note or indicate as being distinct or different from; to note differences between
Evaluate	Make a judgement based on criteria; determine the value of
Examine	Inquire into
Explain	Relate cause and effect; make the relationships between things evident; provide why and/or how
Extract	Choose relevant and/or appropriate details
Extrapolate	Infer from what is known
Identify	Recognise and name
Interpret	Draw meaning from
Investigate	Plan, inquire into and draw conclusions about

Justify	Support an argument or conclusion
Outline	Sketch in general terms; indicate the main features of
Predict	Suggest what may happen based on available information
Propose	Put forward (for example, a point of view, idea, argument, suggestion) for consideration or action
Recall	Present remembered ideas, facts or experiences
Recommend	Provide reasons in favour
Recount	Retell a series of events
Summarise	Express, concisely, the relevant details
Synthesise	Putting together various elements to make a whole