



SWINBURNE
SENIOR SECONDARY COLLEGE

Legal Studies

HOLIDAY HOMEWORK

Year 12, 2019



[Insert interesting and engaging image above]

Teacher(s)/Subject Coordinator:	kassandra.hall@sssc.vic.edu.au
Work required in preparation for start of 2019:	Please complete the following booklet (students attending Transition will be given a hard copy to complete) during the holidays. All instructions are within this book. Students who do not attend transition are encouraged to print this book out and complete it. Please email Kass if you have ANY questions.
Textbooks and other resources:	Blake, Edwards and Richardson, <i>Legal Fundamentals in Australia</i> (1 st Edition), CPAP Publications, 2018.
Key Links:	VCAA Legal Studies Study Design https://www.vcaa.vic.edu.au/Documents/vce/legalstudies/LegalSD_2018.pdf
Due date:	Thursday 31 January 2019

1. Please read Chapter 1 of your textbook, *Legal Fundamentals in Australia: The Victorian Criminal Justice System*.

In your notes, focus your reading on understanding on the following terms:

- The Principles of Justice
 - Fairness
 - Equality
 - Access
- The presumption of innocence
- The standard of proof
- Summary offences
- Indictable offences
- The burden of proof
- The right to trial by jury
- The rights of victims

2. Read the following article and answer the questions afterward:

Peter Brown jailed for 30 years for murdering Simone Fraser after wrong man brought to court

A man who bashed a Melbourne mother to death with a brick and a golf club after being unable to repay a debt to her has been sentenced to 30 years' jail.

Peter Brown, 57, pleaded guilty to murdering Simone Fraser, also 57, at Rockbank, west of Melbourne, in March this year, after an argument about a loan which he had failed to repay.

Brown's sentencing was delayed after a different Peter Brown was initially brought to court, prompting Justice John Champion to express his displeasure with Corrections Victoria.

The Supreme Court heard Ms Fraser had previously dated Brown, and she had lent him about \$3,800, which he sent to a woman in the Philippines he had met online.

After hitting her on the head with the brick, he wrapped her head in a plastic bag, wrapped duct tape around the bag, hit her with a golf club, and drove 300km to New South Wales, where he dumped her body near a state park at Mulwala.

Brown will serve a minimum of 24 years in prison before being eligible for parole.

There were audible gasps in the court as the sentence was handed down.

In sentencing, Justice Champion said Brown had become infatuated with a younger woman in the Philippines, and had sent her about \$26,000, despite the fact they had never met.

You, "fantasised that she would become your life partner", the judge told Brown.

In February, Brown had got back in touch with Ms Fraser and asked her for money.

The judge said Ms Fraser had agreed to meet Brown on March 9 to go to a bank to retrieve her funds, but Brown was unable to repay the money she had lent him.

According to Brown's account to police, when they met, tempers flared, and Ms Fraser said she was no longer interested in excuses, and wanted her money back.

"You picked up a house brick and lashed out at her, hitting her head several times," Justice Champion said.

Justice Champion said Ms Fraser was a kind and generous person, and the attack on her was unprovoked and extremely violent.

"You used four different weapons to kill her, the brick, the bag, the tape, and the golf club," he said.

"At no stage did you help her, and you treated her body with a complete lack of regard."

Brown then dragged Ms Fraser's body to the garage and placed it in her car boot, before driving her through Rockbank, throwing her phone out the window as he went.

A short time later, he registered one of Ms Fraser's credit cards with a remittance company, and tried to transfer money overseas.

When that didn't work, he tried to set up a Western Union account to transfer money in her name.

Earlier, the judge expressed frustration with Corrections Victoria after — for the second time in the case — the wrong Peter Brown was brought into the court.

The judge's associate immediately recognised it was the wrong person.

Justice Champion said he was at a loss to understand what had occurred.

"What particularly unimpresses me is I don't detect anyone here from Corrections," he said.

"They haven't had the courtesy to appear before the court, knowing the mistake had been made."

Corrections Victoria apologised for the mix-up.

"Due to case of mistaken identity, Corrections Victoria delivered the wrong prisoner to a court hearing this morning," a statement said.

"We apologise for the error and worked quickly to rectify it, with the correct prisoner now at court and the matter proceeding."

Using the article to illustrate, define how each Principle of Justice and describe how it has been exercised.

Who was the accused in this case?

Who was the victim in this case?

Describe how the possibility of parole is a Principle of Justice.

3. Over the holidays, find a newspaper article about an indictable offence before the Courts in Victoria. Identify:

- **The article title**
- **Date of the article**
- **Source of the article**
- **Describe the accused and the victim, including any relationship they might have had**
- **Describe the offence committed and why it is an indictable offence**
- **Describe the sanction handed down (if any)**
- **Describe whether parole is an option and how parole meets the Principles of Justice**
- **Outline how each Principle of Justice has been upheld in this case.**

Write your answer in long form, as though it is a 10-mark answer on an exam.

Lined paper with 25 horizontal lines.