

Foundations of Law & Justice

Law & Justice · Answer Key · 24 Questions

1. What is the primary role of a legislature in a legal system?

- A) To interpret existing laws
- B) To enforce court decisions
- C) To create and amend laws**
- D) To preside over criminal trials

2. In common law systems, 'stare decisis' means:

- A) To disregard previous rulings
- B) To follow precedents set by higher courts**
- C) To create entirely new legal principles
- D) To appeal to a higher authority immediately

3. What is the burden of proof in most criminal trials in Australia?

- A) Beyond a reasonable doubt**
- B) On the balance of probabilities
- C) Clear and convincing evidence
- D) Probable cause

4. A lawsuit filed to resolve a dispute between two private parties is typically categorized as:

- A) Criminal law
- B) Constitutional law
- C) Civil law**
- D) Administrative law

5. The principle that no one is above the law is known as:

- A) Judicial review
- B) Rule of law**
- C) Due process
- D) Habeas corpus

6. Which branch of government is primarily responsible for the administration of justice?

- A) Legislative
- B) Executive
- C) Judicial**
- D) Federal

7. A legal system derived from ancient Roman law is known as:

- A) Common law
- B) Civil law**
- C) Sharia law
- D) Customary law

8. What does 'mens rea' refer to in criminal law?

- A) The act itself
- B) The criminal intent or state of mind**
- C) The consequence of the act
- D) The legal definition of the crime

9. The power of a court to hear and decide a case is called:

- A) Jurisdiction**
- B) Precedent
- C) Statute
- D) Plea

10. In a civil case, the party bringing the lawsuit is known as the:

- A) Defendant
- B) Prosecutor
- C) Plaintiff**
- D) Respondent

11. What is the term for a law enacted by a legislative body?

- A) Regulation
- B) Ordinance
- C) Statute**
- D) By-law

12. The principle of 'innocent until proven guilty' is a fundamental aspect of:

- A) Civil litigation
- B) Criminal justice**
- C) Administrative proceedings
- D) International law

13. A legal document that formally initiates a lawsuit is called a:

- A) Writ
- B) Subpoena
- C) Complaint**
- D) Affidavit

14. Which legal concept protects individuals from being tried twice for the same crime?

- A) Habeas corpus
- B) Double jeopardy**
- C) Pro bono
- D) Estoppel

15. The body of law that governs the relationship between individuals and the state is called:

- A) Private law
- B) Public law**
- C) International law
- D) Commercial law

16. What is the highest court in the Australian federal legal system?

- A) Federal Court of Australia
- B) High Court of Australia**
- C) Family Court of Australia
- D) Supreme Court of a state

17. The legal right to bring a lawsuit to court is known as:

- A) Standing
- B) Locus standi**
- C) Capacitas
- D) Autoritas

18. A judge's decision in a previous similar case that serves as a guide for future decisions is called a:

- A) Statute
- B) Regulation
- C) Precedent**
- D) Doctrine

19. What is the primary function of a jury in a criminal trial?

- A) To determine the sentence
- B) To advise the judge on legal matters
- C) To decide on questions of fact**
- D) To present evidence

20. The branch of law dealing with rules and principles that govern the activities of businesses and commerce is:

- A) Family law
- B) Contract law**
- C) Environmental law
- D) Criminal law

21. What is the term for a law passed by a local government, such as a council?

- A) Statute
- B) Act
- C) Ordinance**
- D) Decree

22. The legal right of a person to be brought before a court and to have the legality of their detention reviewed is:

- A) Prohibition
- B) Mandamus
- C) Certiorari
- D) Habeas corpus**

23. Which legal principle ensures that legal proceedings are conducted fairly?

- A) Act of God
- B) Due process**
- C) Force majeure
- D) Res judicata

24. The body of law that concerns the rights and responsibilities of individuals in their personal relationships is known as:

- A) Public law
- B) Criminal law
- C) Family law**
- D) Constitutional law