

## COMMONWEALTH OF AUSTRALIA

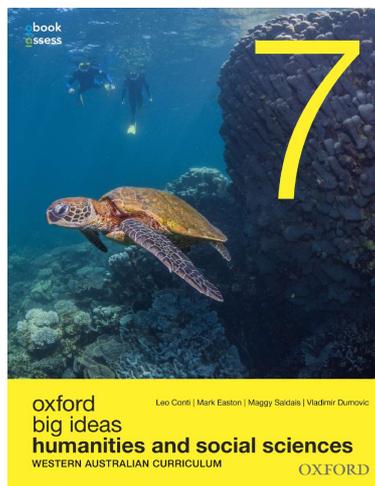
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# 15.1 Innovation and entrepreneurship

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## Entrepreneurs

An entrepreneur is someone who takes on the risk of starting their own business. They see an opportunity or have an idea for a new business that will earn them an income and possibly satisfy other personal goals. However, not all businesses are successful. Many entrepreneurs risk losing the time, effort and money that they have invested in the business idea if it doesn't work out.

Successful entrepreneurs are often characterised by the following:

- willingness to take calculated risks
- resilience or the willingness to bounce back from failures
- strong work ethic
- passion for the business they are in
- understanding of finances.



**Source 1** Michael Malone started his company iiNet in a garage in Padbury, Western Australia, with his friend Michael O'Reilly. In 2015, they sold the internet company in a deal for over 1.5 billion dollars.



**Source 2** Janine Allis is an Australian entrepreneur who founded Boost Juice in 2000. Boost now has more than 350 stores in 17 countries.

## Innovation

Innovation is the act of creating or starting something new and different. Innovators can improve on an existing idea or create something completely new from scratch. Businesses that are innovative will be successful as they are constantly finding new ways to stay ahead of their competition. This is known as a **competitive advantage** and is incredibly important for today's businesses, which can face competition from all over the world. Quite often, an innovative idea will present an opportunity for an entrepreneur to start a business. Innovation not only creates business opportunities but can benefit society as a whole. It is responsible for nearly every item that you use on a day-to-day basis.

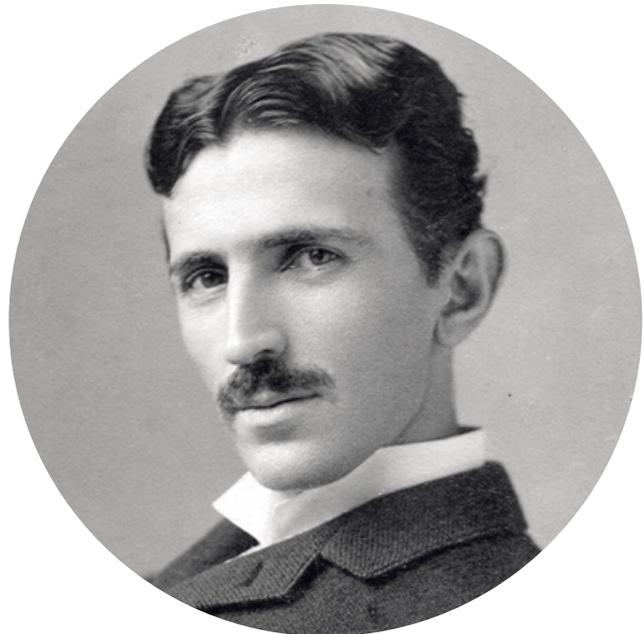
Successful innovators are often characterised by the following:

- 1 They question everything and consider new possibilities.
- 2 They observe their surroundings and look for ways to improve things.
- 3 They network with different types of people and are open to different ways of thinking.
- 4 They experiment with new ideas.
- 5 They draw connections between the different things that they learn about.

**Source 4** Serbian scientist Nikola Tesla had hundreds of inventions from AC and wireless electricity to the radio. He was not motivated by money but rather the desire to help people.



**Source 3** New technologies such as this 3D printer are constantly creating new opportunities for businesses.



### Check your learning 15.1

#### Remember and understand

- 1 What is an entrepreneur?
- 2 List the five common characteristics of an entrepreneur.
- 3 What is innovation?
- 4 List the five common characteristics of innovators.

#### Apply and analyse

- 5 Why do you think each of the five entrepreneurial characteristics would be important for anyone who is starting their own business?

- 6 Look at Source 3. Explain how 3D-printer technology might create business opportunities.

#### Evaluate and create

- 7 Use the internet to research a famous entrepreneur. Write a short biography and list the key characteristics that you think would have helped them to become a successful entrepreneur.
- 8 Use the internet to research a famous innovator. Write a short biography and list the key characteristics that you think would have helped them to become a successful innovator.

# 15.2 Skills of entrepreneurs

As we have learned, entrepreneurs are often characterised by their resilience, strong work ethic, passion and willingness to take risks. But being a hard working risk taker does not automatically make a person an entrepreneur. Entrepreneurs also have skills.

Entrepreneurs have the ability to turn an innovative idea into a successful business. They do this by combining a number of skills (see Source 1).



Source 1 Skills often required by an entrepreneur

## Demonstrating initiative

Entrepreneurs can demonstrate initiative in many different situations. This means they take action before others when they see an opportunity or problem that needs to be addressed.

Entrepreneurs can demonstrate initiative by keeping up with change, developing new ideas and acting on them to stay ahead of competitors and becoming (or remaining) leaders in their chosen field.

People who do not have the skills to show initiative can struggle in the business environment. Without ideas and the ability to put them into action, a person could not be considered an entrepreneur.

The business environment is constantly changing, as fashions and trends change the needs and wants of consumers. For example, new and improved smartphones are frequently released by Apple and Samsung, meaning the market for phones or smart devices is always developing. Businesses that cannot keep up with new developments in the market or consumer demand will fall behind or possibly even fail.

## Planning

Entrepreneurs need to be able to plan in order to make their ideas a reality. We don't know what will happen in the future, but making plans can prepare us for different possibilities.

Entrepreneurs need to make plans and strategies in order to turn their ideas into a real business.

For instance they might plan:

- what goods or services a business will provide or sell
- how these products will be produced and distributed
- how to brand or market the business (i.e. how do they want the business to be known, will there be logos, colours, slogans associated with their business's identity)
- where the business should be located to reach the most consumers
- how they will compete with similar businesses (if any exist).



Source 2 The quick development of mobile phones is a good example of how entrepreneurs and their businesses must demonstrate initiative to keep up with competitors and consumer demand.



**Source 3** Entrepreneurs must have the ability to respond innovatively to problems and change.

## Problem-solving

A major part of being an entrepreneur is the ability to solve problems. It is usually in the process of solving problems that entrepreneurs come up with an idea for a business or organisation. For example, Professor Graeme Clarke invented the 'bionic ear' in the 1960s because he wanted to solve the problem of people not being able to hear. The bionic ear, otherwise known as the cochlear implant, is an electronic device that can create a sense of sound for people who are deaf or hard of hearing. Now manufactured by Cochlear Ltd, the bionic ear has allowed over 180 000 people around the world to hear sound.

The ability to problem-solve is also important for keeping up with and responding to the business environment. Businesses are faced with different problems every day. For example, there might be another business selling the same product, or consumers have become bored of a product that used to be fashionable. Entrepreneurs take these problems as challenges, and rather than giving up, come up with solutions to these problems that might make their business even better than it was.

## Networking

Networking refers to the way people can build relationships with others that may be helpful in the future. Have you ever heard the expression 'It's not what you know, it's who you know'? This expression

## 15A What are the characteristics of an entrepreneur?

refers to the way the contacts people make can be more important to a person or entrepreneur's success than any practical skills they might have.

Networking can be useful for many reasons. For example, entrepreneurs might rely on contacts or connections to help them get funding, or money, to start their business. They might also network to seek advice from other experienced entrepreneurs.

Entrepreneurs can build their business by developing good relationships with their customers. Customers who have good relationships with a business, and who like a business owner, may be more willing to recommend the business to others. Known as 'word-of-mouth' marketing, businesses can generate a lot of business from customers who recommend them to their friends. It can also be a cheaper way of spreading the word about a product than traditional advertising.

### Check your learning 15.2

#### Remember and understand

- 1 Name and describe two skills of an entrepreneur.
- 2 How did Professor Graeme Clarke show skills as an entrepreneur?

#### Apply and analyse

- 3 What do you think is the most important skill for an entrepreneur to have? Justify your answer.
- 4 Look at Source 1. Choose one of the skills not already described in this unit and suggest why you think this skill might be important.

#### Evaluate and create

- 5 Using the Internet, research one business (such as one we have discussed in this chapter) to answer the following questions.
  - a What is the business?
  - b How is the business innovative? (E.g. do they offer something other people don't? Is there something creative about their business?)
  - c How do the people who run the business show entrepreneurial skills? (E.g. do they demonstrate initiative? Or have they solved any problems?)
  - d If you were an entrepreneur working for the business, how do you think it could be improved?

# 15.3 Establishing a shared vision

While the main goal or objective of most businesses is to make a **profit**, there are many other goals that a business wishes to achieve. These goals might include to grow the business over time or to improve an area of the business's operations. Entrepreneurs may have more creative goals than to just make a profit. For example they might want to develop a new product or improve an existing service using new technology. Whatever they are, a good business will set goals so that everyone in the business knows what they are working towards and can focus on achieving those goals.

## S.M.A.R.T goals

It is very important for a business or entrepreneur to set the right goals. A goal-setting technique commonly used by both individuals and businesses is the S.M.A.R.T goal principle.

## Financial vs non-financial goals

Financial goals are directly related to money. A business will often set financial goals around increasing its sales and profit or reducing its costs. For example, a small business might set a goal to increase its sales by 10% from one year to the next.

Non-financial goals are those that are not directly related to money. Although many of these goals will ultimately help the business to earn money, they are not based on or measured by dollar amounts. Businesses might set non-financial



**Source 1** The famous philosopher Seneca described setting goals as something that is required for success to be possible.

S

- **Specific**

Clear and easy to understand. The goal should say exactly what will be achieved and when it will be achieved.

M

- **Measurable**

Must be easily identified as a number, and can be measured in dollars, time, quantity, etc.

A

- **Achievable**

Goals must be challenging, but doable.

R

- **Relevant**

The goal is something that the business should be aiming to achieve.

T

- **Time-bound**

A realistic time by which the goal should be achieved.

**Source 2** Businesses and individuals can use the S.M.A.R.T goal principle to help them set the right goals.

goals around improving **customer satisfaction**, training **employees** or reducing their environmental impact. For example, a small business might want to increase its level of customer satisfaction by 5% over the next six months. It could measure this by asking customers to complete a **survey** about their experience with the business.

Once the business has set its goals, it can develop a **strategy** or plan for how it will best achieve the goals. For example, it might plan to achieve its goal of improving customer satisfaction by training its employees to deal with customer complaints in a friendly manner.

## A shared vision

Ensuring that everyone is on the same page and working towards the same goals is key to the success of a business. An entrepreneur is able to not only create and commit to a vision for the business themselves, but is able to get people on board to help make that vision a reality. Sometimes the vision itself is so powerful that people will accept it no matter what, but other times the entrepreneur needs to sell the idea so that others share their passion and motivation for achieving it.



**Source 3** A successful business needs to develop strategies that will help it achieve its goals and compete against other businesses.

## Check your learning 15.3

### Remember and understand

- 1 What is the main objective of most businesses?
- 2 What is the difference between financial and non-financial goals?
- 3 What is a strategy?

### Apply and analyse

- 4 Look at Source 1.
  - a Explain in your own words what you think Seneca meant when he said 'If one does not know to which port one is sailing, no wind is favourable'?
  - b Do you think this saying applies to businesses, individuals or both?

- 5 Look at Source 2 and determine whether the following goals are S.M.A.R.T.
  - a The business will be better than its competitors in the next financial year.
  - b The business will increase its level of sales by 10% over the next six months.
  - c The business will offer three new products.

### Evaluate and create

- 6 Create a S.M.A.R.T goal that you wish to achieve. You may wish to focus on improving your test scores during the year or learning to play a certain number of songs on an instrument by the end of the term. Make sure you reflect on whether or not you have achieved your goal when the time you set for it finishes.

# 15.4 Innovation in Western Australia

Western Australia is home to many successful and innovative businesses. Many people and entrepreneurs have started businesses, both small and large, based on new ideas and identifying the wants and needs of consumers in our state. Spudshed and Sodashi are just two examples of successful businesses we might recognise in Western Australia.

## Spudshed – Fresh Food Market

Founded by Tony Galati, the Spudshed business has grown into a serious competitor for supermarkets such as Coles and Woolworths. With seven stores and counting, one would hardly believe that the business grew from a small five acre property in Yangebup, which grew a simple crop of beans for the local market. Tony has not stopped working in the farming business to be part of the supermarket industry, rather he has developed a new business model that combines the two. By cutting out the middle man (see Source 1), Tony is able to offer his fresh farm produce straight to consumers for a fraction of the price that competitors can.

Tony's success is no doubt due to his hard work and determination, which has successfully carried the business through several controversial disputes with government authorities over food regulations. Tony has also received criticism over disputes with employees over working conditions and pay. Despite the growing success of the business, Tony refuses to rest. He is reported to work twenty-hour days, where he is actively involved in all areas of food production, distribution and sale to the final customer.

Spudshed has remained a family business with Galati family members heavily involved in its operations to this day.

Spudshed's successful business model is one that is raising eyebrows around Australia, where retail supermarket chains have long been the only option for consumers. Now, purchasing fresh food directly from farmers through their supermarket outlet has proven to be a real possibility. Despite the controversy that surrounds him, Tony Galati has proven that with the right idea, hard work and determination, an entrepreneur can build a successful business to rival the big boys.

## Sodashi

Founded in 1999 by New Zealand-born Megan Larsen, Sodashi has grown from a small Fremantle business to a world-renowned skin care company. Sodashi owes much of its success to the firm commitment and values of its entrepreneur Megan who was determined to create a range of 100% natural skin care products.

Sodashi produces products of the highest quality for both men and women, considered to be the purest skin care range in the world. This has seen its products become increasingly popular with high-end spa and beauty businesses around the world. The name Sodashi is a translation from Sanskrit meaning wholeness, purity and radiance.



**Source 1** Most consumers buy products from a 'middle man' or distributor. Spudshed sells direct from farmer to consumers.

The business is committed to social responsibility through ensuring its products are never tested on animals. They use environmentally friendly packaging that is recyclable and printed with natural vegetable dyes. The business is committed to its values of integrity, honesty, the environment, creativity, continual improvement and mutual respect. It demonstrates these values in the way that it treats its customers, employees, partners and therapists.

Through its dedication, hard work and quality products, Megan Larsen's Sodashi is destined to continue its path to success in the global beauty industry.



Source 2 Sodashi founder Megan Larsen

## Check your learning 15.4

### Remember and understand

- 1 What kind of a business is Spudshed and who are its main competitors?
- 2 How does Spudshed compete with its competitors?
- 3 What personal qualities have contributed to Tony Galati's success?
- 4 When, where, and by whom was Sodashi founded?
- 5 What is the main business activity of Sodashi?
- 6 Why is Sodashi becoming more popular around the world?

### Apply and analyse

- 7 Using the Internet or shopping catalogues from Coles, Woolworths and Spudshed, compare the prices of different foods at each supermarket.

a Which outlet is cheapest?

b Which outlet is most expensive?

- 8 How does Sodashi show its care for the planet?
- 9 What are the Sodashi's core values?

### Evaluate and create

- 10 Visit the Sodashi website and write a list of qualities that you think would have helped Megan Larsen become a successful entrepreneur. <http://www.sodashi.com/meet-the-team/megan-larsen>

## 15A rich task

# Social entrepreneurs: Thankyou

Not all entrepreneurs are interested in making money for themselves. Social entrepreneurs, like the founders of Thankyou, aim to make the world a better place through their business activities.

The Thankyou Group was started in 2008 by enthusiastic Australian university students Daniel Flynn, Justine Flynn and Jarryd Burns. They saw an opportunity to help the 900 million people who did not have access to safe drinking water by starting their own not-for-profit bottled water business named 'Thankyou Water'. Although it took three years before the product saw some success, it eventually became popular with consumers who wanted to know their spending money was going to a good cause.

# thankyou.™

**Source 1** The Thankyou Group currently has four brands: Thankyou Water, Thankyou Food, Thankyou Baby and Thankyou Body Care.

Thankyou Group has given millions of dollars to fund projects in over 17 countries, providing hundreds of thousands of people with water, food, hygiene and sanitation solutions.

Thankyou represents more than just another business idea. Its story is an example of what people can achieve when they use their entrepreneurship to make a difference.



**Source 2** The Thankyou Group was founded to help provide people around the world with safe drinking water.



**Source 3** Co-founders Jarryd Burns, Daniel Flynn and Justine Flynn took a different approach to business. They saw it as a way of helping people rather than making money.



**Source 4** The Thankyou Group helps people in need across 17 countries, including Kenya.

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### Interviewing an entrepreneur

Interviews are a great way of finding out, first hand, about a subject we are interested in. With the right approach and preparation, we can learn more about how and why people such as entrepreneurs do what they do. We might even be able to get a few tips to help us become successful entrepreneurs.

**Step 1** Respectfully approach an entrepreneur and politely request to interview them at a time that suits them.

**Step 2** Prepare a list of questions that you wish to ask the entrepreneur. Because entrepreneurs are often busy running their business, a good idea would be to ask a maximum of 10 questions. Your questions could focus on the following areas:

- the business and how it runs
- the reasons they became an entrepreneur
- what it takes to be an entrepreneur
- the challenges and successes faced as an entrepreneur.

**Step 3** Prepare the right equipment. It is better to record the interview with your smartphone or camera than it is to try to write down the responses to your questions as you go, but remember to ask permission before you record someone.

**Step 4** Conduct the interview. Make sure you are well presented, polite and punctual to the interview. When you complete the interview be sure to ask the entrepreneur if they have any questions for you and thank them for their time.

**Step 5** Write up the interview responses and any other notes you made from the interview.

### Apply the skill

- 1 Use the above steps to interview the owner of a small business. Make sure you are supervised by an adult when you conduct the interview. If this is not possible you can conduct the interview over the phone.
- 2 Write a 200-word reflection on what you learnt from the interview and how it helped you to better understand the world of business.

## Extend your understanding

- 1 Visit the Thankyou Group website ([thankyou.co](http://thankyou.co)) and write a brief report on how the social enterprise is helping those in need.

part

4



# civics and citizenship

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## Concepts and skills

# The civics and citizenship toolkit

**Civics** and **citizenship** is the study of the **rights and responsibilities** that Australians have in our society. It looks at how we can work together to shape our nation into one that is fair and just for all. By building an understanding of these rights and responsibilities we can develop our own sense of what it truly means to be Australian.

Civics and citizenship teaches us to 'agree to disagree'. That is, we learn to form our own opinions but accept that other people will have different views. To do this, we must first learn to gather information about various issues before we come to conclusions.

As open-minded citizens we can promote the values of freedom, respect, compassion and equality that allow us to live in harmony.



## 16A

What are the civics and citizenship concepts?

## 16B

What are civics and citizenship skills?



**Source 1** Parliament House in Canberra is where elected federal politicians meet to make important decisions about how our nation is run.

# 16.1 Civics and citizenship concepts

Civics and citizenship students can use a wide range of concepts to help them understand the workings of Australia's political and legal systems. These concepts may be used together or as separate ideas. As you learn to use each of these key concepts you will begin to think like an active citizen.

The six key concepts of civics and citizenship are:

- democracy
- democratic values
- the Westminster system
- justice
- participation
- rights and responsibilities.

## Democracy

A democracy is a system of **government** run by the people, for the people. In most democratic societies, citizens are involved in the running of society by electing people who will represent them in government. Representatives of the people then develop policies and make **laws** on behalf of the people who have elected them.

The concept of democracy has been around for a long time, with many civilisations and societies throughout history. The term democracy comes from the Greek words 'demos' (meaning citizen) and 'kratos' (meaning rule). The people of ancient Greece practised what is known as a **direct democracy**. A direct democracy involves citizens meeting together to make laws for their society.

Today, most democratic societies such as Australia are **representative democracies**. This means we elect representatives to make laws on our behalf. In Australia, citizens over the age of 18 are required to vote for candidates in elections for federal, state and local government. Our system of voting is compulsory, unlike other democracies such as the United Kingdom or the United States where participating in elections is optional.



**Source 1** The Australian House of Representatives is made up of the people we have elected to represent us in our democracy.

## Democratic values

Democratic values are the beliefs and ideals that are held by our society as a democracy. Such values include respect, equality, fairness and freedom (see Source 2). It is important to understand democratic values when examining Australia's political system. By understanding democratic values and their purpose, we can assess if a government is operating as a true democracy.

For example, in Australia (like many democratic nations), freedom is a very important part of society. In Australia we are free to say and do many things. For example, we are free to protest if we do not agree with something or if we feel passionately that something should change. We are free to practice whatever religion we want to, including no religion.

These freedoms are a very important part of living in a democracy as they allow us to participate and have a say in the way our country is run. If we couldn't safely participate in our society, then it wouldn't be a democracy at all.

Democratic value	Definition
respect	treating others with consideration and valuing their views, beliefs and rights
equality	rights and privileges for all, without <b>discrimination</b> based on gender, race, religion, age, sexual orientation or level of education; all citizens have the right to the same opportunities
fairness	all people are treated fairly, or without injustice, and are given equal opportunity; also known as a 'fair go' in Australia
freedom	rights, privileges and responsibilities for all without interference, or control from other citizens or government

Source 2 Democratic values

## The Westminster system

Australia's system of government is based on the Westminster system. The Westminster system is a form of parliamentary government originating in the United Kingdom. It is named after the area of London where the British **parliament** is located (see Source 3). The Westminster system has been adopted by a number of countries, including Canada and New Zealand. It includes:

- an upper and a lower house of parliament that has been elected democratically by the people
- a head of state or sovereign (such as the Queen or Governor General) whose job is mainly ceremonial
- a head of government (such as a prime minister) who leads the majority of representatives in the lower house
- an executive or cabinet made up of members of parliament (MPs)
- an independent civil service that serves the government in power
- an independent **judiciary** (made up of the courts), which upholds the rule of law.

In Australia, the Westminster system is used by both our federal and state governments.



Source 3 Westminster Palace, Houses of Parliament, London

## Justice

The concept of justice can have many different definitions. The idea of justice can mean different things to people from different societies and cultures. For some it might mean payback, while for others it might mean fairness. However, the concept of justice in Australia ultimately means that people should treat each other in a manner that is fair and balanced.

Our legal system has strong ties with the concept of justice. In fact, it is sometimes referred to as 'the justice system'. In Australia, when people break the law and are convicted by the courts it is said that they have been 'brought to justice'.

As we will begin to learn, the key features of the Western Australian legal system and the Australian legal system are designed to deliver justice to all. Through its key principles and procedures (such as the right to a fair trial), the legal system encourages the delivery of justice to all citizens, whether they be guilty or innocent. Our laws and rights are also written and enforced so that we can enjoy a fair and just society.

The government's ability to publicly deliver justice to its people is an important part of retaining the trust of citizens. It is also an important factor in stopping people from breaking the rule of law, by knowing that there are consequences for **crimes** and that the legal system is in place to protect us from injustice.



**Source 4** Australia's legal system is designed to serve justice to citizens.

## Participation

The concept of participation is an important part of living in a democracy. It refers to the way good citizens contribute to or take part in society. In Australia, we participate in the running of society in a number of ways, such as by voting in an election or referendum, serving on a **jury** or paying taxes. These things help our government to deliver services to our community, which we in turn will benefit from.

One of the most important ways we can participate in a democracy is by voting in an election. By voting for the issues that are important to us, we have the power to influence the way our country is run.

Other ways of participating in a democracy might include:

- protesting or demonstrating about important issues (to make your opinions known to the rest of the community)

- participating in a political discussion
- signing petitions that aim to make a change to society
- contacting your local member of parliament (such as by writing letters or emails)
- campaigning for a person or party who is trying to get elected
- becoming a member of parliament.

As a part of democratic societies, participation is important in giving citizens a sense of ownership or accountability in the running of society.



**Source 5** People can participate in a democracy by protesting issues they feel are important.

## Rights and responsibilities

The concept of rights and responsibilities refers to our entitlements and duties as citizens. The rights and responsibilities we experience in Australia are an important part of living in a democracy. Our rights ensure we are able to have a say in the way our country is run and are treated fairly in the process. On the other hand, our civic responsibilities ensure we contribute to our society in order to keep it going as a strong democracy. A list of some of these rights and responsibilities is shown in Source 7.

In the United States, the rights of the citizens are protected by their Bill of Rights. This **Bill** (or list of rights) makes sure the freedoms of US citizens are protected, including the freedom of speech and the freedom to assemble or gather in protest. In Australia, we do not have a national Bill of Rights that officially protects our rights. Rather, our constitution says we have a number of rights (see Source 7), including the right to vote. In Australia, we have no official protection for our right to freedom of speech, but the democratic values held by our society ensure that this privilege is rarely prevented.



**Source 6** Voting in elections is both a right and responsibility of Australian citizens.

Rights	Responsibilities
the right to vote	voting in elections
protection against acquisition of property on unjust terms	jury service
the right to trial by jury	paying taxes
the right to freedom of religion	obeying the law
protection against discrimination	

**Source 7** The rights and responsibilities of Australian citizens

## Check your learning 16.1

### Remember and understand

- 1 What is a democracy?
- 2 What kind of democracy is Australia?
- 3 Name and describe two democratic values.
- 4 What is justice?
- 5 What rights do we have in Australia that are protected by our constitution?

### Apply and analyse

- 6 Why is it important for citizens to participate in a democracy?
- 7 What other values do you think are important to our democratic society?

### Evaluate and create

- 8 Research the government of another democratic society (such as New Zealand, Canada or Japan). How is its form of government similar to or different from Australia's form of government? Present your findings as a poster or audiovisual presentation.
- 9 Consider the statement 'Australia should have its own Bill of Rights'. Using the Internet to conduct research, develop an argument both for and against this statement.

# 16.2 Civics and citizenship skills

Active citizens learn to question, interpret information and argue their point of view. For civics and citizenship students, the classroom is a place where you learn to share your opinions and see things from different perspectives. You should take this approach when examining the identity and democratic system of Australia, as well as the legal rights and responsibilities of its citizens.

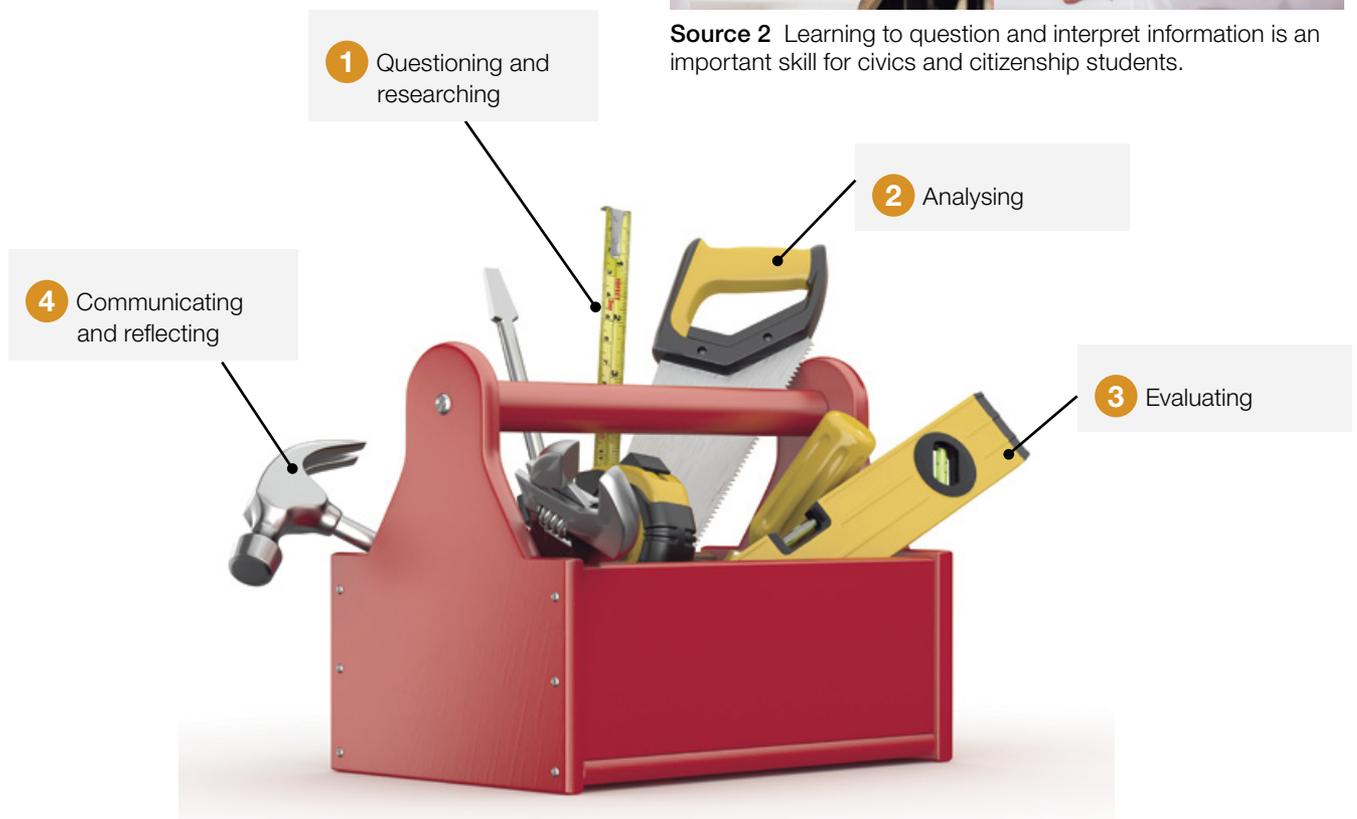
Studying civics and citizenship requires you to analyse information and ask a range of questions to find out more about a topic. You will learn to question and research information asking what, why, when, how and who to uncover the truth about an issue. Through investigating an issue you are able to develop your own point of view, whilst understanding the reasons why others have different opinions.

As shown in Source 1, there are four stages in any civics and citizenship inquiry. They are:

- 1 Questioning and researching
- 2 Analysing
- 3 Evaluating
- 4 Communicating and reflecting



**Source 2** Learning to question and interpret information is an important skill for civics and citizenship students.



**Source 1** There are four stages in any civics and citizenship enquiry. At each stage, we use a number of different skills. Each of these skills is like a tool in a toolkit.

# 16.3 Questioning and researching

## Developing questions

Civics and citizenship students ask lots of questions. They don't believe everything they read and carefully consider why someone takes a certain point of view or acts in a certain way. For example, when they see politicians talking in the media, they listen to their arguments and seek out different points of view.

They also check facts and look at the arguments for and against a certain issue before reaching their own conclusions. When civics and citizenship students state their own viewpoint, they support their views with evidence such as statistics, cases from the past, quotes from what others have said and sound reasoning.

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## Developing civics and citizenship questions

As active citizens, we should ask questions about the society we live in rather than just accepting it or taking things for granted.

You can learn to investigate a civics and citizenship issue, such as the keeping of asylum seekers in detention centres, by starting your questions with the words 'what', 'where', 'how', 'why', 'what impact' or 'what should'. When examining a source, whether it is a cartoon, video footage, newspaper article or election slogan, the following approach may be helpful.



**Source 1** A political cartoon about the controversial issue of keeping asylum seekers in detention centres for an unspecified period of time, often years.

**Step 1** Brainstorm a list of questions and then try to answer them. Some questions, such as, 'What is happening?', might be easily answered, whereas other questions, such as, 'Why is it happening?', might need further research.

**Step 2** Look at the source itself to try to understand the context. The 'who' question is important here. 'Who is saying this?' can be just as important as, 'What is being said?' Identifying where the source comes from can quickly alert you to whether the truth of their statements should be examined more carefully.

**Step 3** The 'how' question is also important. In this example you might ask, 'How are the asylum seekers being detained and processed?', but you also might ask, 'How does this source (cartoon) affect me?' Are there any emotions such as fear, persuasion or humour that are being used to influence your judgement?

### Apply the skill

- 1 Where could you look to find answers to the question, 'What is the issue with detaining asylum seekers?'
- 2 Why is it important to know the author of the source when discovering the truth about an issue?
- 3 Why is examining how the source affects you sometimes more important than basic descriptive questions such as, 'What is happening?'
- 4 What tactics have been used to convey the cartoonist's message about the issue of asylum seekers in detention centres?

## Collecting information and data

Sources provide information for civics and citizenship students. They can take many different forms, from written records in books or online, to live video and audio recordings. Some examples of sources include case transcripts and judgments, newspaper articles, letters, tweets, blogs or Facebook posts, cartoons and interviews.

Locating a range of relevant sources is a valuable skill, which usually involves a number of different search methods, such as:

- using online search engines such as Google
- following social media such as Facebook and Twitter
- looking at newspaper and magazine articles in print or online
- contacting local members of parliament or asking people with expertise in the subject
- speaking with other class members or family members to gain an insight into their views on a particular issue.

## Using technology to locate relevant sources

Although books and newspapers are valuable sources of information, most research today is conducted online. In order to ensure that sources gathered online are accurate, reliable and relevant, a number of guidelines should be followed:

- Search engines such as Google are useful research tools but much of the material on these sites is unreliable and inaccurate. When using search engines, be sure to define your search using keywords. Your librarian or teacher are good people to ask for help with this.
- A reliable way of searching for sources is to use sites linked to educational institutions, government departments, reputable companies, universities and educational institutions. A quick way of telling if a site is reputable is to look at the domain name in the URL (internet address).
- Avoid blogs posted by unknown individuals. If you happen to find information relevant to your investigation on a blog or social media site, always verify it by using a more reliable source.
- Never cut and paste information from the Internet without referencing where it is from. Taking someone else's work, ideas or words and using them as if they were your own is called plagiarism and is against the law, as well as school rules.

### Check your learning 16.3

#### Remember and understand

- 1 When do citizens ask questions?
- 2 Why is it important to ask questions as citizens?
- 3 What should we be wary of when looking for information to answer questions?

#### Apply and analyse

- 4 As an active citizen, develop a question to ask about the following scenarios:
  - a A local politician promised to fix and reopen the local pool but nothing has happened.
  - b Young people in the local area are bored and desperate for things to do.
  - c The number of children that can read in one state of Australia is decreasing.

#### Evaluate and create

- 5 Identify an issue in your local area. Develop three questions to ask your local politician about that issue.



**Source 2** Littering is an example of a local issue you may want to ask your local politician about.

# 16.4 Analysing

## Analysing information and ideas from a range of sources

A useful source is one that will add to your understanding of a civics and citizenship inquiry. The source needs to be relevant to the topic and reliable. The following are good questions to ask in order to determine whether a source is useful:

- Is it a reliable source?
- Is there enough information and sufficient detail to help me answer the inquiry question?
- Does the information support evidence from other sources?
- Is it balanced or does it present one point of view (bias)?
- Is it based on fact or opinion?
- Is the information current?

### Separating fact from opinion

Sources are only really useful if they help you to form an opinion. In many cases, this means separating fact from opinion. A fact is something that can be proved: when an event took place, what happened and who was involved. An opinion is based on what people believe is likely to be true. A simple way to detect whether a statement is fact or opinion is to look closely at the language used. The use of words such as 'might', 'could', 'believe', 'think' and 'suggests' all indicate that an opinion is being expressed.

For example:

- **Fact:** Australia detains asylum seekers for an unspecified period of time.
- **Opinion:** Keeping asylum seekers in detention centres is unethical as they have not committed a crime.



**Source 1** Separating fact from opinion in civics and citizenship is an important skill.

### Check your learning 16.4

#### Remember and understand

- 1 What is the difference between a fact and an opinion?
- 2 How can we tell if a source is useful?

#### Apply and analyse

- 3 Matt wants to know more about the government's policies on education. He has found a few blogs on the subject but doesn't know where else to look. What advice would you give Matt.

# 16.5 Evaluating

## Evaluating different points of view and negotiating to resolve issues

In civics and citizenship it is important to understand not only what opinion is being expressed but why it is being expressed. It is useful to consider why a person may have a certain point of view. For example, the family of a victim of crime may say to the media that a sentence given to a criminal was insufficient and unjust. This may be true, but it's important to consider how the opinion of these family members might be influenced by the emotions of losing a loved one. Listening and being respectful of opinions that may be different to our own is an important skill to learn in civics and citizenship.

## Planning a course of action

A democratic process exists when everyone has an opportunity to have their say. This might include giving all members of a group the opportunity to contribute to a discussion, making sure that all group members have access to information and taking a vote.

A democratic process exists when everyone has an opportunity to have their say. This can include giving all members of a group the opportunity to contribute to a discussion in order to communicate their opinion. Often in a democratic system, it is also useful to make sure that all group members have access to any relevant information regarding the discussion or issue. Once all group members have had their say the group will then conduct a vote.

Once the vote has been completed and all members of the group have reached an agreed outcome, a plan must be developed that will be used for that action or issue.



**Source 1** One way to reach a decision that reflects the majority view is to take a vote.

## Check your learning 16.5

### Remember and understand

- 1 What is a democratic process?
- 2 Give an example of a democratic process in action.
- 3 Why is it important to recognise different points of view?

### Apply and analyse

- 4 A PE teacher has given a class a choice of what sport they are allowed to play during a double period. The class is divided between people who want to play netball, people who want to play football and people who want to play hockey. Suggest a process to help the class make a fair decision.

### Evaluate and create

- 5 Create a handbook or class wiki providing tips on how to make class decisions when not everyone agrees.

# 16.6 Communicating and reflecting

## Presenting conclusions

In every subject, there is a common language that is used. Certain terms form part of important concepts and are essential in helping us understand these concepts. Source 1 lists and defines some commonly used terms in civics and citizenship; additional civics and citizenship terms can also be found in the glossary at the end of this book. If you come across a term that you are unsure of, you should use a dictionary, the Internet or your teacher to help you understand what it means. It is a good idea to keep a glossary of subject-specific terms, as well as any other new words that you come across, in your workbook.

Term	Definition
<b>citizenship</b>	a person's status as a citizen; a citizen is a person who legally lives in a geographical area such as a town or country; in a wider context, citizenship encompasses the rights and responsibilities citizens exercise
<b>civics</b>	the study of the rights and responsibilities of citizens and how government works
<b>government</b>	the elected members of parliament who make decisions for a nation or state; the government is made up of the party or coalition that has won a majority of seats in the lower house of parliament; the lower house of federal parliament is the House of Representatives; the upper house is the Senate
<b>multiculturalism</b>	the way in which people of many different cultures, races and religions live peacefully with one another as equals
<b>parliament</b>	the national or state law-making body that is made up of elected representatives in both the upper and lower houses with a head of state; in Australia, the national parliament is referred to as the Commonwealth or federal parliament
<b>parliamentary democracy</b>	a system of government where people elect representatives to parliament in order to make laws which reflect the views of the majority of voters

Source 1 Some useful civics and citizenship terms

## Reflecting on our role as citizens

Australian citizens have many rights and responsibilities as members of a democratic society. We have a right to live freely in a society where we allow others to live freely. As individuals, we should always think about what we can do to make the world a better place. This goes above and beyond simply obeying the law, but rather a higher level of social consciousness that helps us make our world more beautiful through the positive changes that we make to it. Australian citizens are global citizens, and understand that the decisions we make can affect the entire planet and its inhabitants. Ultimately, we are free to choose what kind of a world we live in.

### Check your learning 16.6

#### Remember and understand

- 1 Explain the following terms using your own words:
  - a citizen
  - b civics
  - c government.
- 2 What can you do when you come across a term you do not understand?

#### Apply and analyse

- 3 List three ways you could help to improve your local community.

#### Evaluate and create

- 4 Develop a class project that you think would help your local community. It can be anything from picking up litter to raising money for a local charity. Suggest a plan of action for this project and reflect on this in terms of how it might help you to fulfil your role as an active citizen in your community.

## Designing our political and legal system

# Designing our political and legal system

In 1901, the six Australian colonies of Western Australia, South Australia, Victoria, Tasmania, New South Wales and Queensland voted to unite as one nation known as the Commonwealth of Australia. In order to become its own independent nation, Australia created and developed its own political and legal system. The foundation of this system was the **Australian constitution**, a set of rules that guide the way we run our country and that reflects our values of fairness and **justice**.



## 17A

How is Australia's political system shaped by the constitution?

- 1 What do you think is the role of the Australian parliament?
- 2 Why do you think it is important for people to vote on really important decisions that affect the whole nation?

## 17B

What are the key principles of Australia's legal system?

- 1 Why do you think it is important that the legal system treats everyone equally?
- 2 How did it make you feel the last time you were treated unfairly?



**Source 1** Like the other states and territories, Western Australia has its own parliament, which focuses on state issues.

# 17.1 The purpose and value of the Australian constitution

The Australian constitution is a written document that sets out the rules to govern our nation.

Between 1890 and 1900, the document was worked on by many people, from politicians and lawyers to ordinary people. Although they came from many different backgrounds, they all wanted to see the colonies united as one nation.

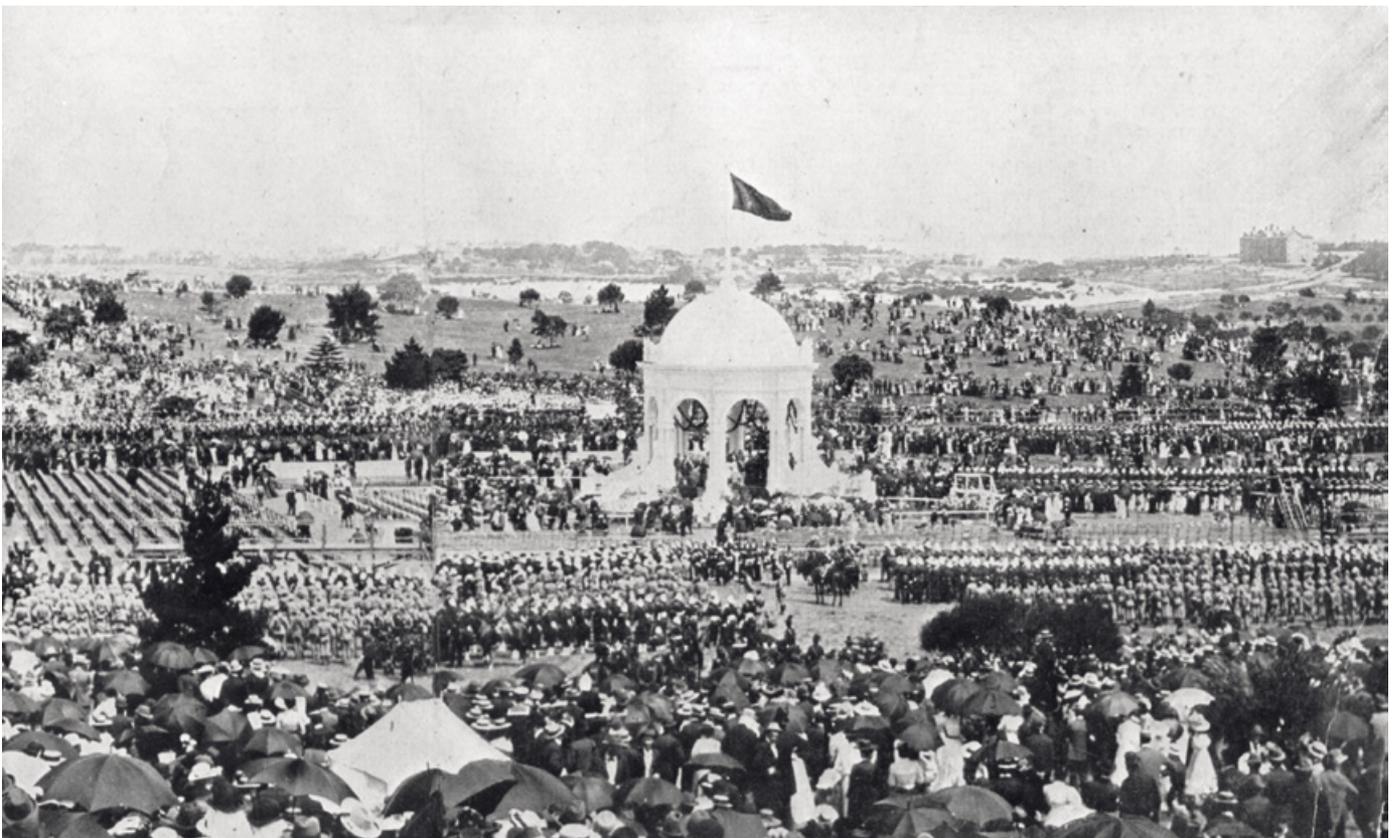
The constitution first came into effect on 1 January 1901 when the six British colonies of Australia finally united, or federated, to form one nation.

The constitution is an agreement among the six colonies outlining the division of power and the rules or laws in what would be the new federal parliament of Australia. These six colonies are now Australia's states.

## The purpose of the Australian constitution

Our constitution is the most important document in Australia. Its many purposes include:

- establishing the **government** of the Commonwealth of Australia as a democracy (Australia would not exist as a united nation without the constitution)
- outlining how the government should be structured
- making sure the people in government have been chosen by the people (through elections) and that anyone can run for government if they want to



Source 1 The Australian constitution first came into effect when Australia was federated in 1901.

- stating what **rights and responsibilities** we have as Australian citizens (such as making sure we all have the right to vote)
- outlining the roles and duties of the state governments
- making sure that all people obey the **laws** (that are set out in the constitution).

At the time of federation, many people also felt the constitution was important because they wanted to have their own national identity apart from that of Britain.

## The value of a written constitution

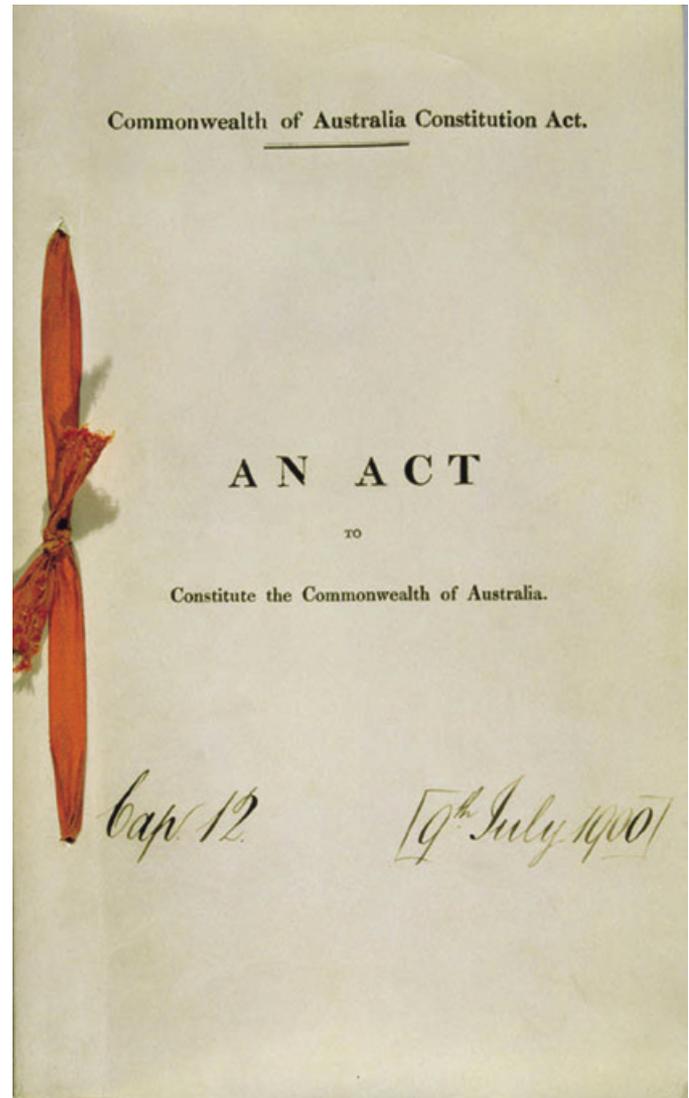
The Australian constitution is divided into eight chapters and sections. It is considered by many as the 'birth certificate' of our nation.

It is important to have a written constitution for many reasons, including the following:

- It gives us a set of laws that can be followed or enforced consistently (meaning people can't make things up as they go along).
- It describes the role of government and how it should be structured so that decisions are made on behalf of the country.
- It defines how power should be divided, making sure no single person can have complete control over the way our country is run.
- It allows citizens to read and understand the structure and laws of our country.

One important feature of our constitution is that it can be changed. This is because the laws that were important to people of the past might not be important to us now. In the same way, laws that are important to us today might not be relevant to

Australians in the future. We will learn more about how the constitution can be changed later on in this chapter (see pages 445–447).



Source 2 The Australian constitution

### Check your learning 17.1

#### Remember and understand

- 1 What is the Australian constitution?
- 2 When did our constitution first come into effect (when did we start using it)?
- 3 Name two of the constitution's purposes.

#### Apply and analyse

- 4 Why do you think some people call the Australian constitution our 'birth certificate'?
- 5 Why is it important to have a written constitution?
- 6 What do you think is the most important thing about the Australian constitution?

# 17.2 Three levels of government

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In Australia we have three levels of government. They are:

- the federal government
- state and territory governments
- local government.

Each level of government makes laws, provides services to the community and is able to punish people for breaking its laws. Australians who are 18 or older have the responsibility of voting for our federal, state and local governments in elections.

## Federal government

When we talk about federation, we are talking about when Australia's six colonies joined together to form the federal government of Australia. The federal government of Australia makes laws for the entire country. It has many responsibilities, including developing good relationships with other countries, defending the nation, and dealing with issues such as immigration or the environment. It is also the federal government's responsibility to manage Australia's money.

The leader of the federal government is known as the prime minister.

## State and territory government

After federation, the colonies kept some of their power to look after and make rules for themselves. The former colonies became our states, and today state and territory governments make laws for the people and issues relevant to their state or territory.

Laws made by the state or territory governments only apply to people in that state. For example, the state government of Western Australia cannot make laws for people living in Queensland and vice versa.

The states have their own constitutions, which outline laws on issues not covered in the Australian federal constitution. If something in a state's constitution (such as a law) conflicted with a federal law, then the federal law would overrule it.

The Australian territories (the Northern Territory and Australian Capital Territory) were once managed by federal laws, until they were given what is known as the self-government act. Much like a constitution, the self-government act of each state allows the Northern Territory and Australian Capital Territory to make laws that suit needs of their people.

The territory governments' laws can also be overruled by the federal government if they contradict each other. For example, in 2013 the Australian Capital Territory made same-sex marriage legal. However, because this law did not agree with federal marriage laws, the High Court ruled that it could not exist.

## Local government

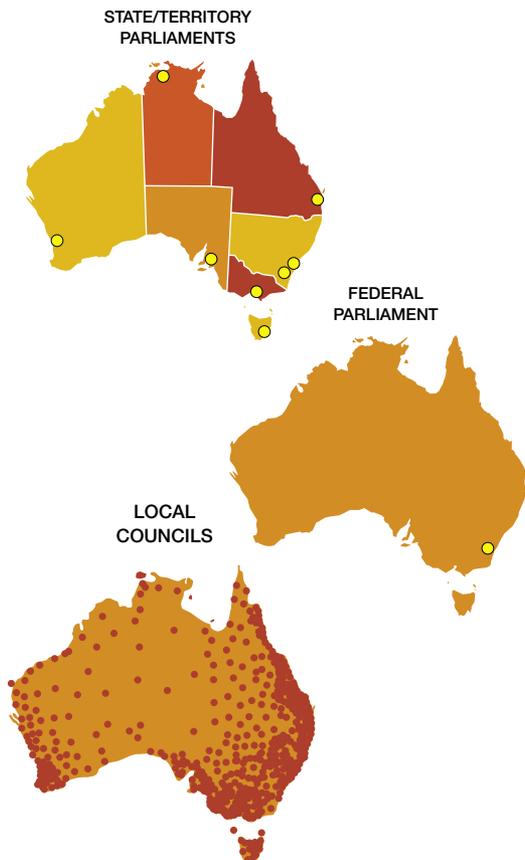
The third level of government is local government. We have over 560 local governments, or councils, in Australia. Our local councils make rules for the local community, known as by-laws. These by-laws can cover local parks, parking, garbage collection, and many other features of a local community that are not regulated or managed by the state or federal governments.

Local councils are not mentioned in the Australian Constitution, but they are included in the constitution for each state government. This means local councils get their power to manage communities from the state government (and therefore can be overruled by the state government too). Australia is divided in local cities, towns or shires which each have their own local council.

Councils are important to Australian communities because they address the issues that are important to an area. Services can be changed or managed depending on the needs of the community. For example, local councils such as the City of Karratha will deal with different issues to the City of Fremantle. Having separate councils to manage the needs of different areas means that places in Western Australia (and other states) can operate more smoothly than if we all shared the same laws that might not apply to us.

Source 2 A comparison of federal, state and local government

	Federal government	State government	Local government
Structure	Bicameral (made up of two houses – the Senate and the House of Representatives)	Bicameral (made up of two houses, excluding Queensland and the territories which are unicameral)	Unicameral (made up of one house)
Location	Canberra	Western Australia: Perth Queensland: Brisbane New South Wales: Sydney Victoria: Melbourne South Australia: Adelaide Tasmania: Hobart Australian Capital Territory: Canberra Northern Territory: Darwin	Located in every shire, city or municipality in Australia
Laws	Apply to all of Australia and include: <ul style="list-style-type: none"> <li>• defence</li> <li>• immigration</li> <li>• foreign policy</li> <li>• trade and commerce</li> <li>• marriage</li> <li>• quarantine</li> <li>• currency</li> <li>• taxation</li> </ul>	Apply to just that state and include: <ul style="list-style-type: none"> <li>• schools</li> <li>• hospitals</li> <li>• roads and railways</li> <li>• public transport</li> <li>• mining and agriculture</li> <li>• community services</li> <li>• police</li> <li>• prisons</li> <li>• ambulance services</li> </ul>	Apply to just that municipality and include: <ul style="list-style-type: none"> <li>• local roads, footpaths</li> <li>• waste management</li> <li>• parking</li> <li>• recreational facilities such as parks, sports fields and swimming pools</li> <li>• town planning</li> <li>• building approvals and inspections</li> <li>• land and coast care programs</li> <li>• pet regulation</li> </ul>



Source 1 The location of Australia's federal, state and territory, and local governments

## Check your learning 17.2

### Remember and understand

- 1 What are the three levels of government in Australia?
- 2 What kind of laws does the federal government make?
- 3 What is the difference between federal and state government?

### Apply and analyse

- 4 Think about your week so far and list the services or rules you have come across that were relevant to federal, state or local government.
- 5 What is the name of your local council? What kind of laws would they be able to make?
- 6 Identify if the following issues would be managed by local, state or federal government.
  - a Another country asks Australia to join a war.
  - b Police officers go on strike.
  - c A new railway line is being built.
  - d A library needs an access ramp built.

### Evaluate and create

- 7 Draw a chart, divided into three columns, that shows the responsibilities of each level of government in Australia.

# 17.3 The separation of powers

The first three chapters of the Australian constitution define the separate roles of three main branches of government. They are the **legislature**, the **executive** and the **judiciary**. These three powers of government are independent of each other. This means that one cannot influence the other.

## Legislature

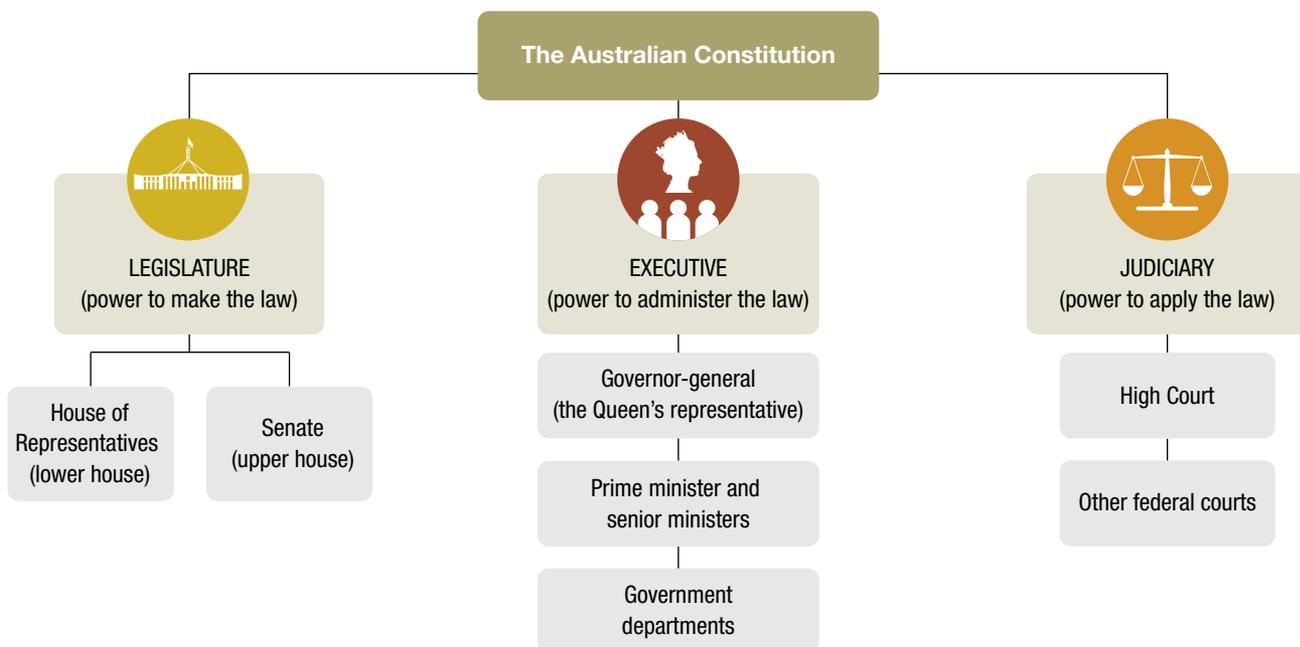
The legislature is responsible for creating the law. The legislature is made up of the two houses of **parliament** — the Senate (the upper house) and the House of Representatives (the lower house). Both the Senate and the House of Representatives are responsible for debating and passing new laws.

## The lower house

The House of Representatives is made up of 150 members of parliament (MPs), each representing one of Australia’s federal electorates. The role of the lower house



**Source 2** Parliament House is located in Canberra. It is home to both the House of Representatives, known as the lower house, and the Senate, known as the upper house.



**Source 1** The separation of powers at a federal level is set out in the constitution.

is to represent the views of Australian citizens and to make and scrutinise laws based on these views. A majority of proposed laws, called **Bills**, are introduced into parliament by the House of Representatives.

### The upper house

The Senate is made up of 76 senators who represent the states and territories. It shares the role of making laws with the House of Representatives and reviews laws before they are made. The Senate can reject laws proposed by the lower house but it can also approve a Bill, with or without changes.

### Executive

The executive is responsible for approving laws and putting them into action. It is made up of the prime minister, ministers and the governor-general who is the queen's representative in Australia.

The prime minister chooses the ministers who are commissioned by the governor-general to be part of the executive and implement that law. For example, the prime minister will select an MP to be the Minister for Education. This minister will be responsible for all matters relating to the education system and will be in charge of the Department of Education.

**Source 3** The High Court decides on special cases that can affect the entire nation and on how the constitution is applied.

### Judiciary

The role of the judiciary system is to make rulings or judgments about the law. It is made up of the High Court and other federal courts. These courts interpret the laws passed by parliament and apply them to specific cases and disputes.

In Australia there are four main federal courts where laws can be enforced. They are the:

- High Court of Australia (the highest court in Australia)
- Federal Court of Australia (hears cases on a variety of things including bankruptcy, tax and trade)
- Federal Circuit Court of Australia (hears less complex cases than the Federal Court but on similar issues)
- Family Court of Australia (hears cases on family disputes).



### Check your learning 17.3

#### Remember and understand

- 1 What is meant by the separation of powers?
- 2 Who does the governor-general represent?
- 3 How many senators are there in the Senate?
- 4 How many MPs are in the House of Representatives?

#### Apply and analyse

- 5 Why do you think it is important to have a constitution?
- 6 Why do you think a prime minister would appoint ministers?

#### Evaluate and create

- 7 Visit the Parliamentary Education Office website, go to 'Closer Look' and 'Australia's Parliament House' (peo.gov.au). Create a poster with an annotated map of Parliament House. Be sure to clearly identify the Senate as well as the House of Representatives. Your poster should include information about the roles of each house as well as any other relevant information.

# 17.4 Australia's bicameral parliament

Australia's system of government is best described as a constitutional monarchy and a representative democracy. Being a constitutional monarchy means that Australia's head of state is the monarch (the king or queen) of Great Britain. Our current head of state is Queen Elizabeth II. The queen is represented by the governor-general. Our current governor-general is Sir Peter Cosgrove.

Being a representative democracy means that we vote for people to represent us in parliament in an election. Our federal government is formed by the elected representatives voted into parliament.

## What is the role of parliament?

The main role of parliament is to make laws in areas that the Australian constitution identifies as the responsibility of the federal government. For example, laws are needed to allow the federal government to build the new National Broadband Network (NBN). Other roles of parliament include being a place to debate important national issues such as free trade agreements, international relations and immigration. Parliament is a meeting place for elected representatives that allows them to discuss a range of views on how Australia should be governed. It allows for the broad range of our opinions, beliefs and interests to be represented. Finally, it is a place where a representative can check that the

federal government is carrying out its duties and responsibilities for the good of the Australian people.

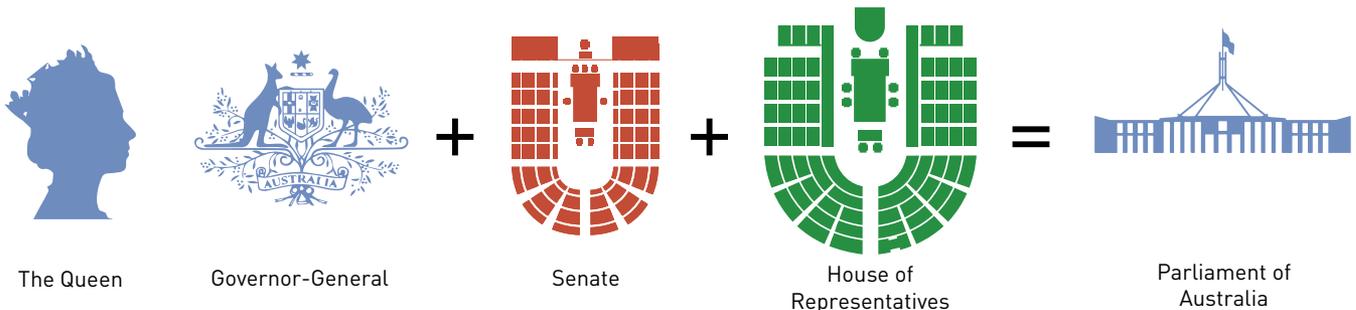
## What is the bicameral system?

Australia's parliament is bicameral, which means that there are two houses. They are the House of Representatives (also known as the lower house) and the Senate (also known as the upper house).

## The House of Representatives

### Who gets elected into the House of Representatives?

Australia is divided into 150 electorates, each of which represents an area of the country that has around 100 000 people who are allowed to vote. These people vote for a person to represent them in the House of Representatives. The House of Representatives therefore has 150 members of parliament (MPs), with each seat representing an electorate. This is representative democracy in action. More populous states, such as New South Wales and Victoria, have more seats in the House of Representatives than states with smaller populations, such as Western Australia, South Australia and Tasmania.



**Source 1** Australia's parliament has two houses: the House of Representatives and the Senate. Parliament also includes the British monarch, represented by the governor-general.

## Who forms government and what is their role?

People who are elected into parliament not only represent their electorate, but are also usually part of a political party. A political party is a group of people who share similar beliefs on how Australia should be governed. Australia has two major political parties, the Liberal party and the Labor party. The political party with the most seats in the House of Representatives forms government and the leader of this party becomes the prime minister (PM) and is the head of government. The role of the prime minister is to make important decisions about national issues, attend question time (when MPs ask questions of the prime minister and ministers) and choose members of parliament to be ministers. Ministers are people in charge of an area of responsibility outlined in the constitution, such as defence, immigration and health. The prime minister and ministers make up a group called cabinet, which is headed by the prime minister and meets on a regular basis to create and amend important laws.

## Who is the opposition?

The political party that has the most non-government seats becomes the opposition. The leader of the non-governing party is known as the leader of the opposition. The role of the opposition is to represent alternate views and to cast a critical eye over the business of government. This is most evident during question time when the opposition ask questions of the government to make them account for their actions. In particular, ministers often have to answer questions relating to their area of responsibility. For example, the Minister for Communications may be asked questions over the cost and installation of the National Broadband Network (NBN).



**Source 2** The House of Representatives in Parliament House, Canberra. The House of Representatives is also known as the lower house.

## What is the role of a member of the House of Representatives?

The people who have a seat in the lower house are known as members of the House of Representatives. Most members of the House of Representatives belong to a political party where members vote together on Bills (proposed laws). This is because these members have similar beliefs on how Australia should be governed. However, some members do not belong to a political party and are known as independents. Regardless of political party association, the role of members of the House of Representatives is to create and amend laws through debate and voting on Bills. They are also expected to carry out and scrutinise the work of government. Question time, debates and voting in the lower house are managed by the speaker, who is a member of the house of representatives elected into the position.

## The Senate

The Senate is also known as the upper house. A person elected into the Senate is known as a senator. The Senate is made up of 76 senators, 12 from each state and two from each territory irrespective of population. The main reason for this is that the original purpose of the Senate was to protect the interests of less populous states, such as Western Australia and Tasmania, against the interests of the more populous states, such as New South Wales and Victoria. Given that a Bill has to pass both the Senate and House of Representatives to become law, giving equal representation to all states makes sure that the populous states can't out vote the rest of the states in parliament. However, in practice senators vote according to their political party affiliation rather according to state or territory affiliation.

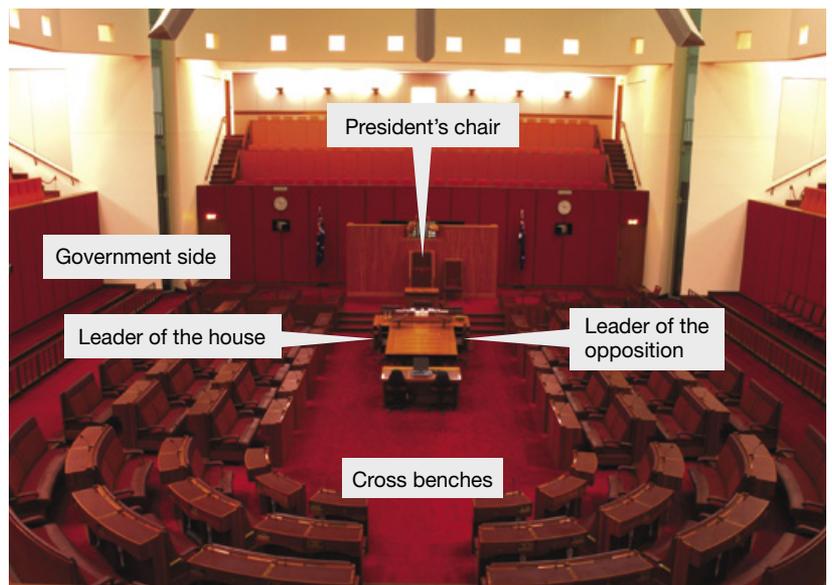
## How do members get elected into the Senate?

Members of the Senate are voted in by proportional voting, which means that the representation of political parties in the Senate closely matches the proportion of the total vote. When voting for the House of Representatives, citizens can only vote for the candidates in their electorate, with each electorate electing a local member. However, when voting for the Senate, citizens can vote for any candidate or party running in that state. The seats in the Senate are then allocated to each party according to the proportion of the total votes it received. This makes it more likely for independents or members representing small parties to be elected as senators, which is important since it means the government frequently does not have a majority in the Senate. Despite having a majority in the House of Representatives, the government must then negotiate with minor parties to pass Bills in the Senate, otherwise they will not become law.

## What is the role of the Senator?

As elected members, senators are there to represent the views of their voters. They make and amend bills,

examine the business of government and debate matters of national importance. Given that opposition and minor party senators may outnumber government senators, it provides them the opportunity to check government Bills and establish committees that check the work of the government closely. These committees can produce reports for the public so they can be informed as to the performance of the government. This is why the Senate is also known as the house of review. Just as the speaker manages the House of Representatives, the Senate is managed by a president, who makes sure the Senate operates in an orderly manner. The leader of the government in the Senate presents the views of the government and the leader of the opposition in the Senate represents the alternate views.



**Source 4** The Senate in Parliament House, Canberra. The Senate is also known as the upper house.

## Check your learning 17.4

### Remember and understand

- 1 Which house of parliament is the:
  - a lower house?
  - b upper house?
- 2 How many electorates are there in the House of Representatives?
- 3 What is the title given to the leader of the majority party in the House of Representatives?

### Apply and analyse

- 4 Discuss the role and function of the House of Representatives.

- 5 Explain why there is an equal representation of members from each state of Australia in the Senate.

### Evaluate and create

- 6
  - a Create a chart to outline the pros and cons of having only one house of parliament in Australia's federal government.
  - b In your chart, indicate which would you prefer: a system of government with only one house of parliament or the current system? Justify your answer.

# 17.5 Changing the constitution

Times have changed considerably since the constitution was first written in 1901. For this reason, it is an important feature of the constitution that it can be changed. To change the Australian constitution, a proposal must first be approved by parliament. This proposal is called a Bill. Once the Bill is passed, it is voted on by the Australian people in what is known as a referendum.

## Referendums

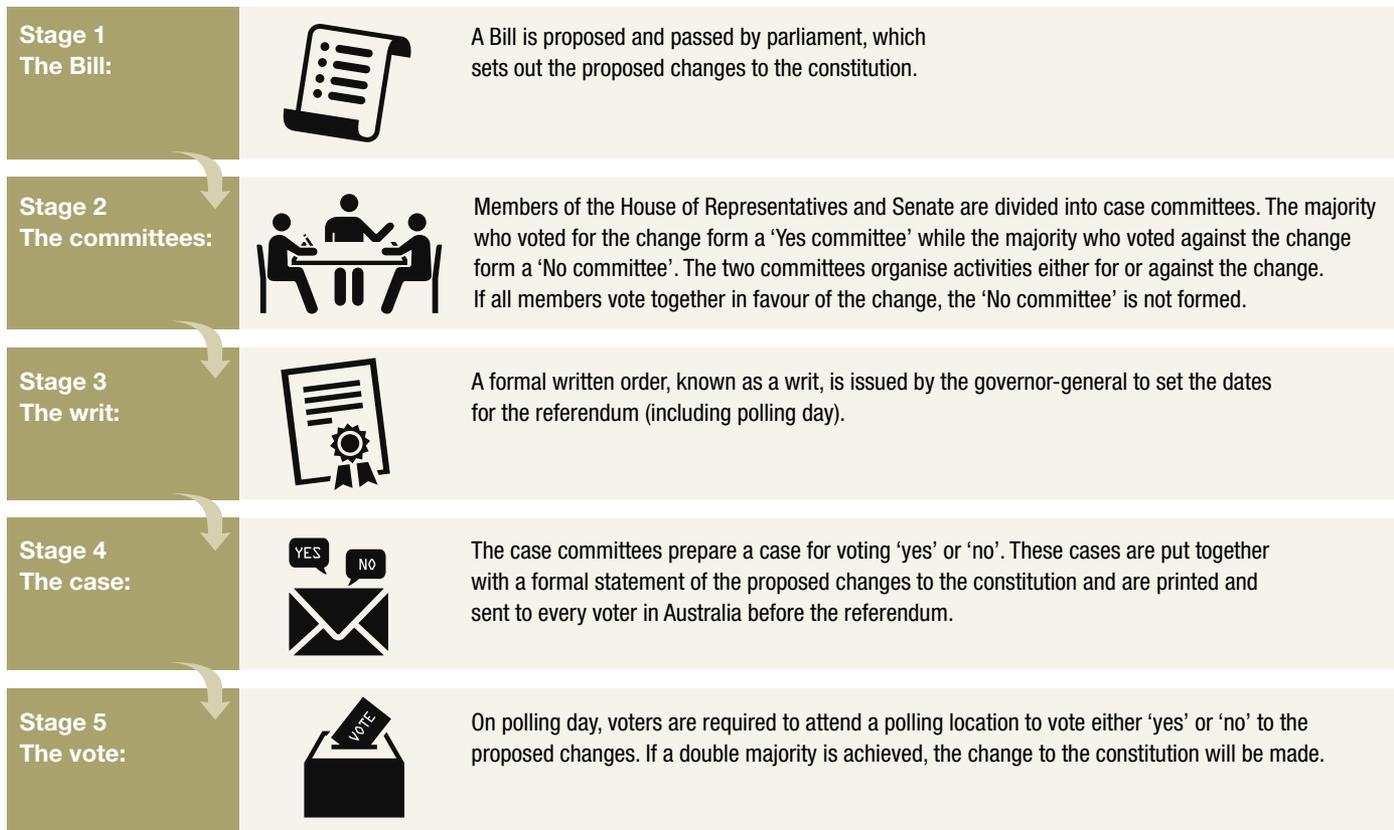
While Australia's democratic system leaves much of the decision-making to politicians elected by the people, changes to the Australian constitution are considered so important that they must also be approved directly by the citizens.

Before the referendum is held, members of parliament put together a list of arguments for and

against the Bill, which is then sent out to every Australian who is eligible to vote. On the day of the referendum all Australian citizens on the electoral roll vote 'yes' or 'no' to the proposed change.

For the change to be accepted, it has to be approved by a majority of voters in a majority of states, and by a majority of voters across the nation. This is known as a double majority. Voters living in the territories are only counted in the national majority. Once the bill is accepted by a double majority, it is given final approval by the governor-general on behalf of the Queen, a formality known as royal assent.

Since Australia became a federation in 1901, 19 referendums have proposed 44 changes to the constitution; only eight changes have been agreed to.



Source 1 The five stages involved in holding a referendum

## The importance of the 1967 referendum

The most successful referendum in Australia's history was held on 27 May 1967 when more than 90 per cent of voters agreed to change the constitution to acknowledge Aboriginal and Torres Strait Islander peoples. Being included in the constitution meant that Indigenous Australians were now abiding by the same laws as the rest of the population. This change was extremely important as it also meant that Indigenous people were given the same rights as other Australian citizens, including the right not to be discriminated against. In the same referendum it was also agreed that Aboriginal and Torres Strait Islander peoples should

be counted when determining the size of Australia's population.

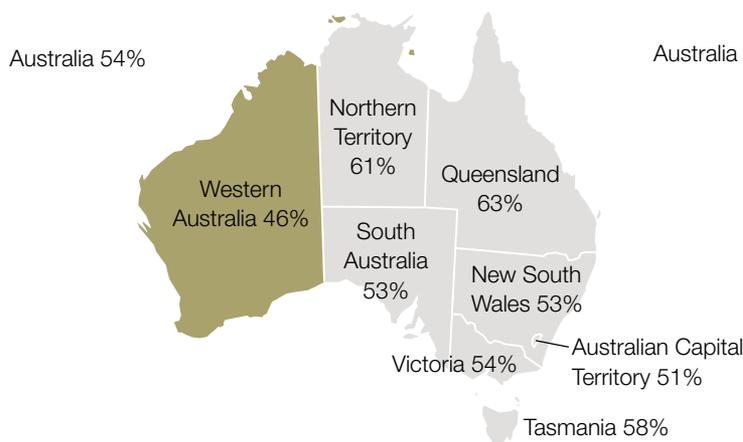
More than the legal consequences, the referendum also had major symbolic implications as it showed that millions of non-indigenous Australians wanted to strengthen the rights of Australia's Indigenous peoples.

Today, 27 May marks the start of National Reconciliation Week, a time when Australia celebrates the relationship between Aboriginal and Torres Strait Islander peoples and other Australians. It is also a time for Indigenous communities to shed light on past and present injustices.

### SCENARIO ONE

CHANGE THE CONSTITUTION

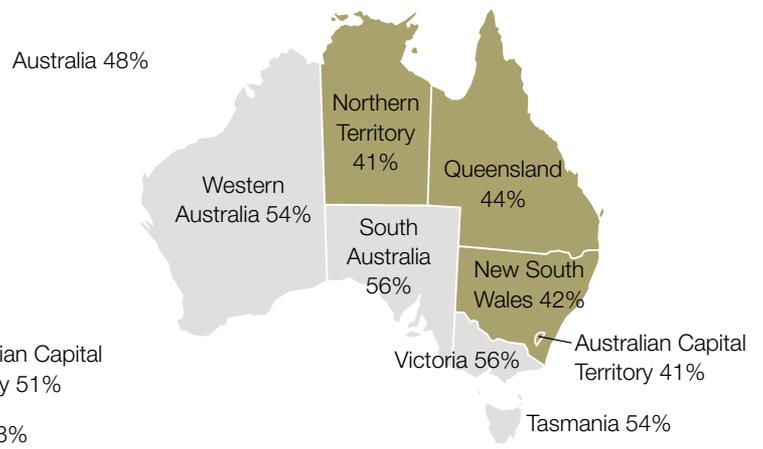
- ✓ Majority of Australian voters
- ✓ Majority of voters in at least four states



### SCENARIO TWO

DON'T CHANGE THE CONSTITUTION

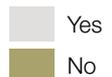
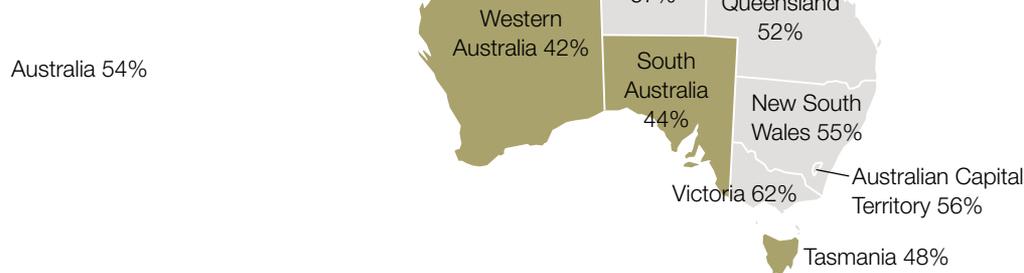
- ✗ Majority of Australian voters
- ✓ Majority of voters in at least four states



### SCENARIO THREE

DON'T CHANGE THE CONSTITUTION

- ✓ Majority of Australian voters
- ✗ Majority of voters in at least four states



**Source 2** The Australian Constitution can only be changed with the support of the majority of voters and a majority of voters in at least four states.

## casestudy

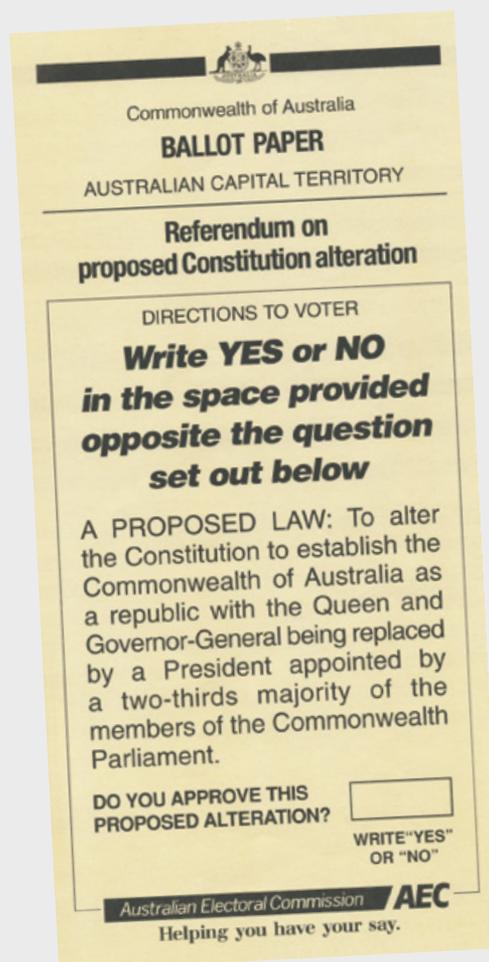
### Rejecting the republic

Our most recent referendum was held on 6 November 1999 when Australians were asked if they wanted to become a republic and replace the Queen and the Governor-General with a president. Unlike the 1967 referendum, which had overwhelming support, the republic referendum divided the nation. Both the 'Yes' side, headed by Malcolm Turnbull, and the 'No' side, headed by Kerry Jones, tried winning voters over with their respective arguments.

The 'Yes' side argued that:

- Australia is an independent nation and our head of state should be Australian, not British
- in a democracy, the head of state should be elected, not born, into their position
- Australia is a multicultural nation and many people feel no affiliation to Britain.
- The 'No' side argued that:
  - the monarchy has been working well for more than 200 years and there is no need to change it
  - the 'Yes' supporters are too divided in their views on how a republic should be organised (e.g. what powers the president would have)
  - some states might want to break out from the federation.

In the end, all six states failed to reach a majority and the 'No' side won by 54 per cent nationally.



**Source 4** The most recent referendum took place in 1999. The public voted against becoming a republic.

## Check your learning 17.5

### Remember and understand

- 1 What is a referendum?
- 2 Why do people vote on a referendum when they have already elected politicians to represent them?
- 3 What is meant by double majority?
- 4 What happened in 1967 and why is this important?

### Apply and analyse

- 5 Look at Source 4.
  - a What is the ballot asking people to vote on?
  - b Australia is a constitutional monarchy, which means that we elect a prime minister as a representative for a monarch (Queen Elizabeth II).

Other countries, such as the United States, nominate a president to lead the country. Do you think Australia should become a republic? Why or why not?

### Evaluate and create

- 6 Create a poster arguing whether Australia should remain a constitutional monarchy or have a referendum to become a republic. Use the Internet to research facts that will support your poster and include images that you believe represent Australia as a constitutional monarchy or republic.

## 17A rich task

# A classroom constitution

Many countries and organisations around the world have developed a constitution, which acts as a set of rules for everyone to follow. A constitution is important as it clearly defines the rights and responsibilities of all members. This helps to promote a fair nation or organisation, as everyone is required to follow the constitutional rules that are developed by the members.

While many organisations have constitutions, they are most important for not-for-profit organisations. A not-for-profit organisation is run as a charity and does not generate a profit. By developing a constitution, a not-for-profit organisation can ensure that it acts within the specific principles and beliefs set by the organisation's constitution.

Many schools also have constitutions which map out the roles and responsibilities for staff, students and anyone else who might be involved in the day to day activities of the school.

The constitution might cover things such as the process for decision-making by the school council, how staff are appointed or how rules and policies can be made or changed.

A constitution should reflect the values and goals of a group or organisation. Imagine your class was creating its own constitution. What shared values and goals do you think should be included?



**Source 1** Work together with your class members to develop a classroom constitution.

## skilldrill

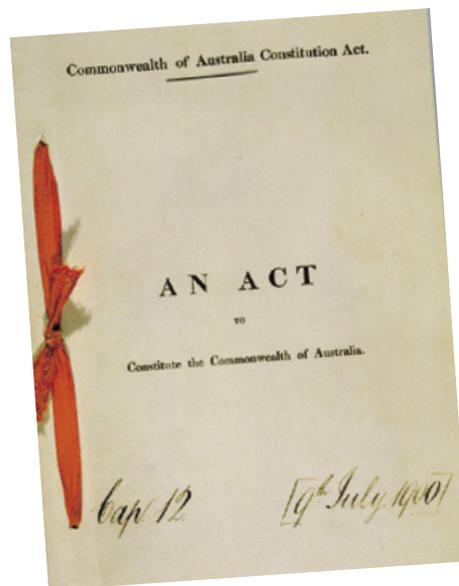
### Creating a constitution

An organisation is any group of people who work together with a common goal. This can include businesses, religious groups, schools or even classes. An organisation's constitution is written by the members of the organisation and is developed to reflect the beliefs and principles of the majority. In this way, it helps the organisation to function to benefit its members.

- Step 1** Write a preamble. A preamble is usually a brief paragraph that states the overall purpose of the constitution.
- Step 2** Write the name of the organisation.
- Step 3** Write the purpose of the organisation.
- Step 4** State who will be considered a member of the organisation.
- Step 5** Provide the rules and responsibilities that relate to the people leading the organisation.
- Step 6** Provide the rules and responsibilities for all members of the organisation.
- Step 7** Outline what action can be taken if members do not follow the rules.
- Step 8** Explain how amendments can be made to the constitution.
- Step 9** Explain how and when a referendum can be called.

### Apply the skill

- 1** Develop a classroom constitution: Developing a classroom constitution will require you to work with your class members and teacher. The constitution you come up with must reflect the rights and responsibilities of all students to create the best possible learning environment for all. Remember that, by law, the teacher has certain rights and responsibilities that are not negotiable. Use the steps of the skill drill to develop your ideas for your classroom constitution. Share your ideas with the rest of the class and then vote on what should be included in the constitution.
- 2** How do you feel about the classroom constitution? Were there any things you feel should or should not have been included?
- 3** What kind of situation do you think would benefit from a classroom referendum?



**Source 2** The Australian constitution sets out the rules of our political system.

## Extend your understanding

- 1** Visit the Parliament of Australia website and go to 'About Parliament', 'Senate', 'Role of the Senate' and then 'The Australian Constitution' ([www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/Constitution](http://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Constitution)) to see the Australian constitution in full.
- 2** What differences can you see between your classroom constitution and the Australian constitution?
- 3** What similarities can you see between your classroom constitution and the Australian constitution?

# 17.6 Australia's legal system

The constitution is not just important for setting out the way government should operate and how power should be distributed. It also sets out the rules we must live our lives by.

Laws are the official legal rules that are set out by the federal and state constitutions. These laws have been designed to guide our society so that we can live and behave peacefully together.

In Australia, the legal system, sometimes known as the justice system, is made up of the people who make the laws and the organisations who must enforce the laws (such as the courts or the police). The purpose of the legal system is to make sure laws are followed and that we are all treated fairly and receive justice.

The three levels of government in Australia each make rules, either laws or by-laws, which must be followed by Australian citizens. If we do not follow these rules, we can be punished.

## The role of the courts

As part of the judiciary, Australia's courts act as a place where people can resolve disputes and laws can be enforced fairly. If we break the law in Australia, we can be called to appear in court to face the consequences or plead that we are innocent. In court, the person accused of a **crime** will be known as the defendant. The court will appoint another party, known as the prosecution, to prove that the accused is guilty.

If we are found not guilty by the court, we can go free. However, if we are found guilty by the court we can be punished. How we are punished depends on the law we have broken and whether or not we meant to break it. For example, in extreme cases, breaking the law can result in a person being put in jail for life. At the other end of the scale, breaking a minor by-law (such as parking somewhere for too long) would result in a fine.

The purpose of Australia's court system is to provide justice to its people. This includes any person who has been accused of something they may not have done. It is therefore very important that the



**Source 1** The Magistrates Court in WA is the busiest court in the state.

court treats all people fairly, as we will see on pages 452–455. Source 2 shows some of the courts involved in Western Australia's justice system.

**Source 2** Some of the courts in Western Australia

Court	Role
Magistrates Court	<ul style="list-style-type: none"> <li>the lowest court in the hierarchy</li> <li>the busiest court in the state</li> <li>hears cases about minor criminal matters and minor legal disputes between people (civil disputes)</li> </ul>
District Court	<ul style="list-style-type: none"> <li>intermediate court in the hierarchy</li> <li>hears cases about serious criminal matters (such as theft, drug offences or assault)</li> </ul>
Supreme Court	<ul style="list-style-type: none"> <li>the highest court in Western Australia</li> <li>hears the most serious criminal cases (such as murder and drug trafficking) and major civil disputes (usually worth over \$750 000)</li> <li>also has the power to review decisions from the lower courts in a process known as an appeal</li> </ul>

## The role of the police

The Western Australian police force was officially established in 1853. Today it is one of eight police jurisdictions (an area over which police have legal authority) in Australia. In fact, Western Australia Police has the largest jurisdiction in the world, covering the entire state and run by more than 150 police stations.

It is Western Australia Police's responsibility to make sure people obey the laws. It does this by preventing, detecting and investigating crime, as well as arresting people who have broken the law. People who are arrested by the police for a crime must go to court, where they will either be found not guilty or guilty.

Police around Australia, and in other countries too, are there to ensure the community is safe. They do this in a number of ways (shown in Source 3). The police force is made up of many different roles or specialist units that look after citizens in different ways.

Source 3 Specialist units of the Western Australia Police

Specialist unit	Role
Water Police	<ul style="list-style-type: none"> <li>responsible for underwater search and rescue missions and safety on boats and other water vessels</li> </ul>
Canine Section	<ul style="list-style-type: none"> <li>uses dogs to help detect explosives or drugs, track people or weapons, and arrest violent offenders</li> </ul>
Mounted Police	<ul style="list-style-type: none"> <li>ride horses so they are more visible to crowds</li> <li>responsible for crowd control, searches for missing people, and attending ceremonies (such as Anzac Day parades)</li> </ul>
Police Air Wing	<ul style="list-style-type: none"> <li>responsible for crime detection, search and rescue missions, and medical transfers by helicopter</li> </ul>



Source 4 The Western Australia Police Mounted Section are often responsible for crowd control.

### Check your learning 17.6

#### Remember and understand

- 1 What are laws?
- 2 What is the purpose of the legal system?
- 3 Organise the District, Supreme and Magistrates Courts in order from lowest to highest, and state one feature of each of the courts.

#### Apply and analyse

- 4 Give two reasons why a person might have to go to court.

- 5 Why do you think we need police?
- 6 Think of another specialist police unit or role the police plays. How does this help us enforce the law?

#### Evaluate and create

- 7 Use the Internet to research one of the specialist police units shown in Source 3. Create a poster on your chosen unit, explaining what they do and why it is important.

# 17.7 Principles of Australia's legal system

There are several key ideas, or principles, that guide Australia's legal system. They focus on our responsibility as individuals to obey the law, as well as our right to fair treatment within the legal system.

The key principles of Australia's legal system are in place to ensure justice is served.

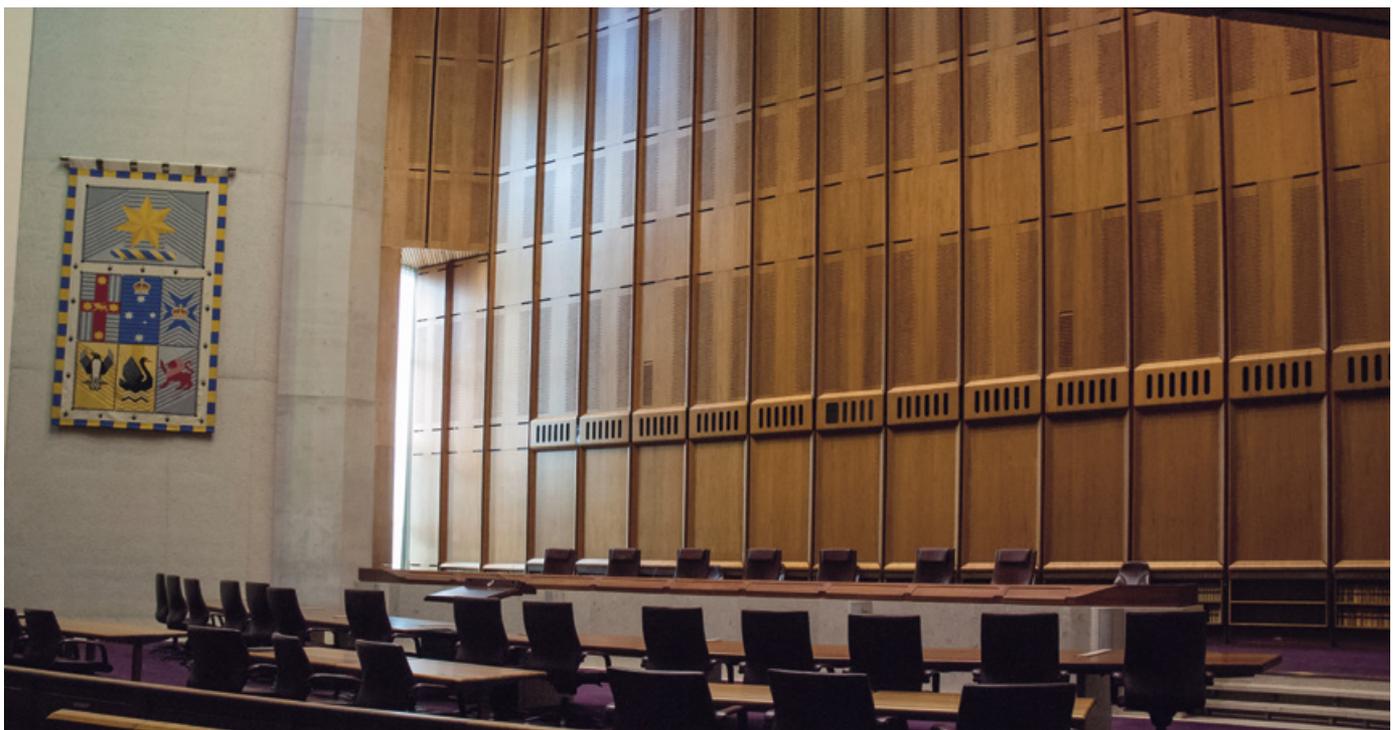
## The rule of law

We don't just make up the rules as we go along; the legal system creates and enforces the laws that determine our rights and responsibilities. This is known as the rule of law.

Laws are the rules we must follow within a society. They are designed to protect our way of life by defining our rights and responsibilities. For example, we have the right to live and work in a safe environment, free from discrimination. This means that we also have the responsibility not to harm or discriminate against others.

The rule of law can be broken down into the following ideas:

- Power is distributed across the three branches of government (known as the separation of powers).
- Laws are made by the legislature and enforced by the judiciary.
- Judges must make decisions independently, without being told what to do.
- Laws are applied to everyone equally, without discrimination or special privileges.
- Everyone should know about the law, so that everyone can obey the law.
- We cannot be punished for an act that does not break any laws.
- We cannot be punished for an act that was committed before a law was created to make it illegal.



Source 1 Trials take place in courtrooms in one of Australia's many courts.



**Source 2** Lawyers such as barristers are highly skilled professionals who use their knowledge of the law to represent people in court.

## The right to a fair trial

The right to a fair trial is a crucial part of justice in Australia. An adversarial system has been adopted in Australia's legal system as a way to provide a fair trial. This means if you are arrested and later charged for breaking the law, you can plead not guilty and have the right to appear in court to face trial. Under the adversarial system, two opposing sides, the defence and the prosecution, present their argument to either a judge or magistrate (depending on which court the trial is conducted in).

The right to a fair trial means that the person's race, sex, characteristics or any other factors not related to the crime should not affect the outcome of the trial. It is also important that the person accused of the crime and the person doing the accusing are treated equally and have the same opportunity to present their arguments in court.

Another cornerstone of a fair trial is the appointment of impartial, independent and unbiased judges. That means, for example, that those involved in the trial cannot be friends or family members of the accused or the victim, or have any other personal

connections that could affect their judgement. In a fair judicial system the court is also separate from the government and without political bias.

In Australia you, as a member of the public, can visit any court and observe the proceedings, except under special circumstances. Allowing the public to visit courts and observe trials helps ensure transparency.

## The right to legal representation

Australia's legal system is complicated. It is made up of many laws and rules that determine how these laws are to be applied in certain situations. Most members of the public have limited knowledge of the law and need help from professionals to understand legal processes. That is why every Australian who is accused of having committed a crime has the right to a legal professional, such as a lawyer, to represent them in court. We will learn more about legal representation on page 447. In addition to a legal representative, a person with hearing disabilities, or who do not speak English, also has the right to access translation services or interpreters.

## keyconcept: Justice

### Getting a sentence reviewed

People who are not satisfied with the outcome of their case have the right to appeal and have their case reviewed in a higher court, as long as there are reasonable grounds. There can be many reasons for an appeal to be granted. For example, new evidence might have surfaced that has the potential to free, or reduce the sentence of, the accused. Appeals can also be granted if there is reason to believe that the trial was not conducted in a fair manner. For example, if it is found that the jury was biased, influenced by

threats or bribed, the accused would have the right to have their case heard again. If a case is reviewed in a higher court, this court will either reverse or confirm the existing sentence.

One of the dangers of appealing a sentence is that a judge in a higher court might find that the original sentence was not enough. Instead of having a sentence reduced, a person might end up in a worse position than when they began their appeal.

For more information about the key concept of justice, refer to page 414 of 'The civics and citizenship toolkit'.

### Presumption of innocence and burden of proof

The idea that someone is innocent until proven guilty is an important part of any legal system. It means that a person who is accused of a crime is not required to prove their innocence. Instead, the prosecutor must prove that the person is guilty of the crime, beyond reasonable doubt. This means that the burden of proof is on the prosecutor, as they are the one required to prove or disprove a disputed fact in court.

Burden of proof is the phrase used in the legal system to indicate who has the responsibility of proving a fact in court. In criminal cases (such as murder, robbery or assault cases) the prosecutor must prove that the person accused of a crime is guilty. In civil cases (such as disputes between people) it is up to the complainant (the person making the complaint) to prove that they are right.

In order to uphold the presumption of innocence, it is important that the jury and others involved a court case are not influenced by what they read or watch in the media (see Source 4). That is why authorities like the police do not make statements about whether or not they think the accused person is guilty. They are not allowed to influence or bias a jury's opinions based on anything else other than the facts of the case.



**Source 3** One of the key cornerstones of our legal system is that people are presumed innocent until proven guilty. This is primarily because we do not want to convict and potentially imprison innocent people.

Presumption of innocence in court is considered a human right around the world and is used as a guiding principle in most democracies. The most basic reason behind this principle is that it is better to free someone who is guilty than to convict someone who is innocent.



**Source 4** Media representations can affect the public's perceptions of a person accused of a crime.

## Trial by media

In order to uphold the idea of presumption of innocence when a case gets to court, it is important that the person accused has not already been judged in the eyes of the public, by what they have read in the newspaper or watched on TV.

'Trial by media' has been a potential threat to fair trials since the birth of the newspaper. That is why most media organisations have ethical codes in place to stop them from, for example, publishing personal information about a suspect before he or she is convicted. However, social media makes it increasingly hard to control the information that is made public before trials.

### Check your learning 17.4

#### Remember and understand

- 1 How does the rule of law protect our way of life?
- 2 What is meant by the right to a fair trial?
- 3 Why might someone need legal representation if they are legally allowed to represent themselves in court?
- 4 Why do you think that the burden of proof is on the prosecutor and not the defendant?

#### Apply and analyse

- 5 Look at the photograph of the barristers in Source 1.
  - a Why do you think they might be wearing that type of clothing?

- b Search the Internet to find out why some barristers wear wigs. Why do you think they don't wear wigs anymore in Western Australia?

#### Evaluate and create

- 6 Have you ever felt like you were being judged unfairly? Has someone accused you of doing something wrong even though they had no proof? Write a diary entry explaining the situation and how that made you feel. In your diary entry, reflect on the importance of following principles such as the right to a fair trial and the burden of proof.

# 17.8 Participants in the legal system

Like the Australian political system, the Australian legal system is designed so that citizens can participate. Throughout our lifetime, many of us will become involved in the legal system, as part of a **jury**, as **witnesses** or maybe even as lawyers or **judges**.

## Juries

Jury service, or jury duty, is the term used to describe a citizen's responsibility to serve as part of a jury.

In Australia, juries are usually made up of 12 people who are chosen at random to listen to a court case and decide together if they believe an accused person is guilty or not. Once they have heard the evidence of a trial, a judge will ask the jury to consider their verdict, or decision. During this time, jury members will discuss the case privately. They may only make a decision based on what has been presented in court, not on any opinions or information they have heard outside of the court room.

The role of the jury in criminal and civil court cases might vary. For example, criminal cases (for offences such as robbery, assault or murder) require the jury to decide whether or not the accused is guilty. In civil cases (which include individual disputes such as fights over property or business), the role of the jury is to decide if a person, known as the defendant, is in the wrong and whether or not they owe any compensation or money to the person who has brought them to court.

Juries are not used in all court cases. Sometimes very minor offences, such as unpaid fines, are heard by a single judge who will make any decisions that are necessary.

People are selected to be part of juries at random from the electoral roll. This means you must be 18 or over to be part of a jury. Citizens who are chosen for jury duty do not need to be experts on law. They just need to listen to the facts of the case, and decide whether or not they believe the accused is guilty. This gives Australians the opportunity to participate in the legal system and help to deliver justice.



**Source 1** Juries play an important role in the delivering justice by listening to the facts of a case and then delivering a verdict, or final decision, about whether or not they believe the accused is guilty.



**Source 2** Witnesses can provide evidence to the court based on what they have seen or heard.

## Witnesses

Witnesses also play a very important role in the legal system. People who have seen or heard an event or dispute may be called upon to present their observations as evidence in a court case. Evidence provided by witnesses can play a crucial role in proving whether or not a person is guilty. For example, many people have been able to get away with a crime because no one has witnessed it.

Witnesses are therefore required to swear an oath that they will tell the truth when giving evidence. However, sometimes witnesses can be mistaken and think they have seen or heard something that never happened. In these instances, the testimony or statements of witnesses in court can be damaging to delivering justice.

**Expert witnesses** are a specific type of witness who can provide important information about a case even though they might not have seen or heard it take place. Expert witnesses, such as doctors or forensic scientists, are often called to apply their understanding, skills and expertise of a topic to a case. For example, a forensic accountant might be called upon to analyse a person's bank accounts if they are suspected of committing a financial crime such as fraud. The evidence provided by expert witnesses can help a jury to better understand the facts of a case, and therefore decide on the best verdict.

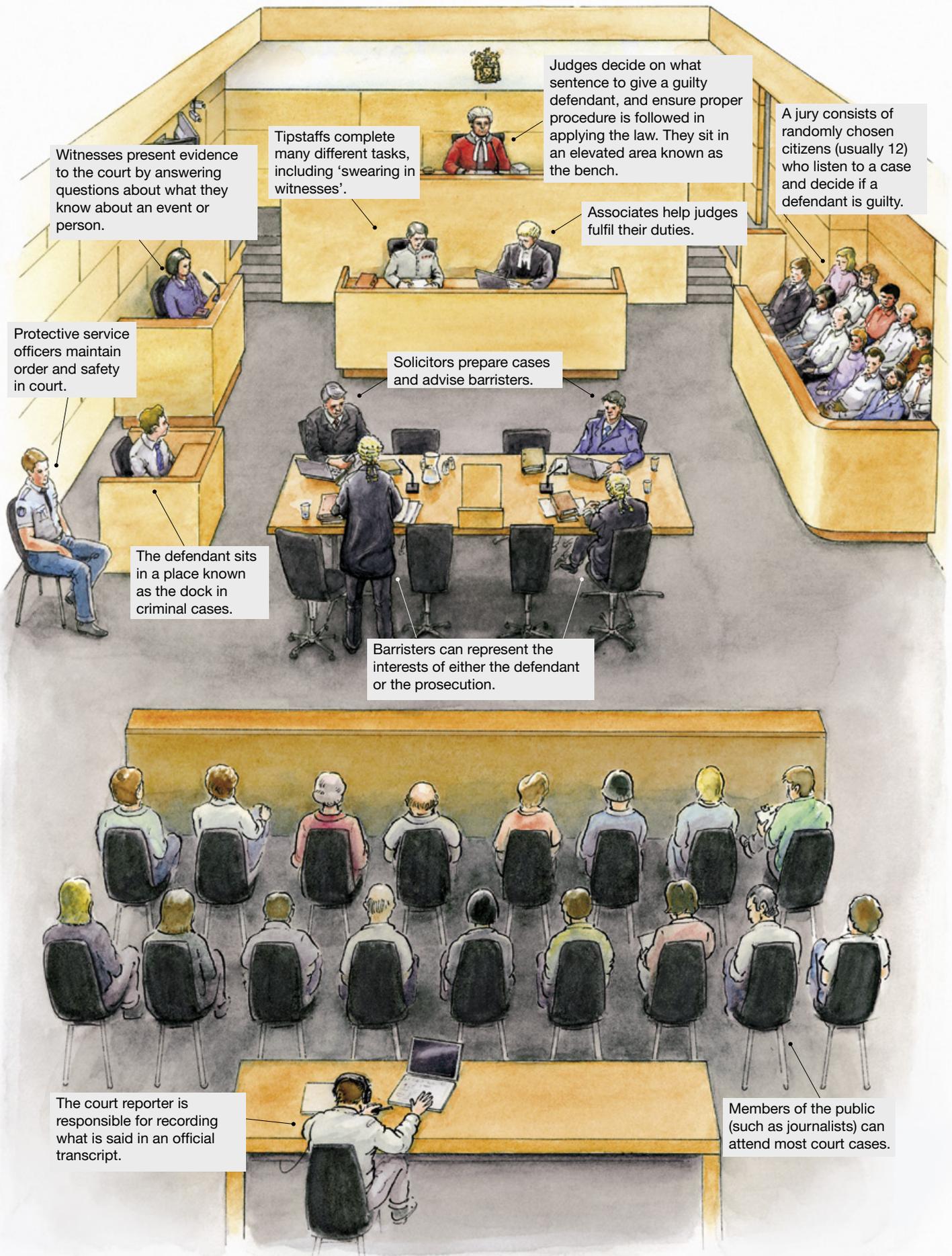
## Judges

As part of the judiciary, judges are extremely important participants in the legal system. They act independently of the executive and legislature to apply laws to different cases.

In Western Australia, judges must swear an oath 'to do right to all manner of people according to the laws and usages of the State without fear or favour, affection or ill will'. This means they promise to apply the law without discriminating against or favouring anyone.

A judge's role can vary depending on the court they are in. Some of the roles they may need to perform include:

- ensuring proper procedures are followed during a court case
- maintaining order in the courtroom during a hearing or trial
- deciding if a person is guilty or at fault based on the facts of the case (in cases that do not have a jury)
- deciding what is an appropriate sentence for a person who is found guilty (in criminal cases) or who is at fault (in civil disputes).



Source 2 People who have been accused of something have the right to legal representation and a fair trial.

## Legal practitioners

Any person has the right to a **legal practitioner** to act on their behalf in court. The law is not only complex, the court must listen to both sides of an argument equally and impartially. A legal practitioner is a person who specialises in knowledge of the law and courtroom arguments. They also have a certificate granted by the legal profession to act on the behalf of a citizen who need their services. Having a legal practitioner act on behalf of a person makes the trial process fairer.

### Solicitors

A solicitor is a registered legal practitioner who practises and represents their client. A solicitor typically spends most of their time out of court. Their day-to-day affairs include communicating with their clients and other people related to the case, listening and taking instructions from clients, writing letters, filling in court documents and on occasions, negotiating settlements out of court. A solicitor may appear on behalf of their client in court but usually it is for less important hearings. More formal court appearances and hearings are left to barristers.

### Barristers

A barrister is a legal practitioner who specialises in court trials, hearings and procedures. They spend most of their time in court. Because they are not involved in the day-to-day to running of a case file for a client, barristers are able to specialise in conducting arguments and knowing specific areas



**Source 3** The people who represent us in court play an important part in making sure we have a fair trial.

of the law. For example, some barristers can become experts in criminal law, family law or contract law. With increasing knowledge of the area of law, barristers have the training and experience to anticipate the range of likely court outcomes. They can then work with the solicitors (and their clients) to choose the most appropriate argument. The level of specialisation in knowledge becomes recognised by the legal profession and often very experienced and respected barristers are given the title of Senior Counsel. Previously, the title was Queen's Counsel (QC).

## Check your learning 17.8

### Remember and understand

- 1 What is a jury?
- 2 What role do witnesses play in the legal system?
- 3 What is a legal practitioner?
- 4 What is a solicitor?
- 5 What is a barrister?
- 6 List three of a judge's responsibilities.

### Apply and analyse

- 7 Why do you think it is important that juries only refer

to information presented during the court hearing when making a decision on a court case?

- 8 In what other jobs or roles could Australians participate in or contribute to the legal system?

### Evaluate and create

- 9 Create a Venn diagram to show the similarities and differences between the roles of typical witnesses and expert witnesses in a court case.

# 17.9 Accessing legal representation

As we have already learnt, everybody in Australia is entitled to legal representation, however, there is no right to free legal representation. Many people pay for a legal practitioner to represent them. The principle of legal representation is so important that if you cannot afford a legal representative, you may be entitled to **legal aid** – a form of affordable legal representation so you can be represented in a court of law.

However, this does not mean that everyone receives the same quality of legal representation. The prosecution has access to state resources to obtain the best solicitors and barristers. Defendants relying on legal aid will only get access to a certain amount of funds, which limits how they will be represented.

## Legal aid

Legal aid is a taxpayer-funded service that ensures that legal practitioners are available for people who cannot afford their own lawyer. This means that citizens will maintain the right to be treated equally by the law and therefore to receive a fair trial. Legal aid is offered by several organisations, including state-based legal aid commissions, community legal centres, and Aboriginal and Torres Strait Islander legal services.

Because it is taxpayer-funded, an important part of legal aid is that a citizen must be assessed for a grant. The assessment is made up of three parts:

- A means test determines whether you can afford a legal practitioner on your own. It doesn't necessarily mean a highly qualified lawyer. If you can afford any lawyer, you will not be eligible for a grant.
- A type of matter test determines whether your problem is one of the identified 'priority' categories. If it is not, you will be directed to get appropriate assistance elsewhere.
- A merit test determines whether you are likely to succeed in your case and whether providing aid to you will achieve what you want.



**Source 1** Community legal centres provide legal services to people in need.

Some of the services legal aid provides include:

- legal representation through lawyers working for Legal Aid WA or for private law firms (only people with incomes below a certain level get their own lawyer)
- minor assistance, which means that solicitors can help you negotiate, write letters, draft documents or prepare to represent yourself in court
- legal advice through its duty lawyers located at court, either a face-to-face meeting, phone conversation or video conference to people in remote areas
- information services such as a telephone information line, community legal education, an informative web site and a range of publications.

## Community legal centres

Community legal centres (CLCs) are non-profit, non-government organisations that provide legal services to people in need. Community legal centres tend to be located in metropolitan areas that are low-income and have an above average number of people from a non-English-speaking background. Both of

these factors can inhibit the people's opportunity for equality before the law. Community legal centres tend to provide legal services pertaining to less serious matters of law. These include laws relating to tenancy (rent), family law, civil law and some minor criminal matters. There is often a strong community bond between community legal centres and the local area as people seek legal advice, education, advocacy and some representation when required. Often lawyers who work for a private firm may provide pro bono work for a community legal centre on a part-time or casual basis. Pro bono originates from the Latin phrase '*pro bono publico*', which means 'for the public good'. In our legal system, it means providing legal services on a free or significantly reduced fee basis, with no expectation of a commercial return.

There are a number of community legal centres but they are not related to one another.

## Law Access – The Law Society of Western Australia

The Law Society of Western Australia is the professional association for Western Australian barristers and lawyers. They manage Law Access, which aims to assist people who cannot afford a lawyer or need legal assistance. It also provides access to lawyers who work in private firms that provide a pro bono service. Similar to legal aid, Law Access carries out a means test in order to determine which people to help because of limited resources.



**Source 2** Some lawyers take on pro bono work on a part-time or casual basis.

### Check your learning 17.9

#### Remember and understand

- 1 What is legal aid?
- 2 What are community legal centres?

#### Apply and analyse

- 3 Explain the test measures that determine a person's ability to access legal aid.
- 4 Why would solicitors and barristers provide services that are pro bono?

#### Evaluate and create

- 5 Should there be a limit to the funds available for people charged with serious crimes, such as murder or drug trafficking? How may this impact the principles of justice? Create a chart that suggests some of the advantages and disadvantages of having limited funds for legal aid.

## 17B rich task

# The code of Hammurabi

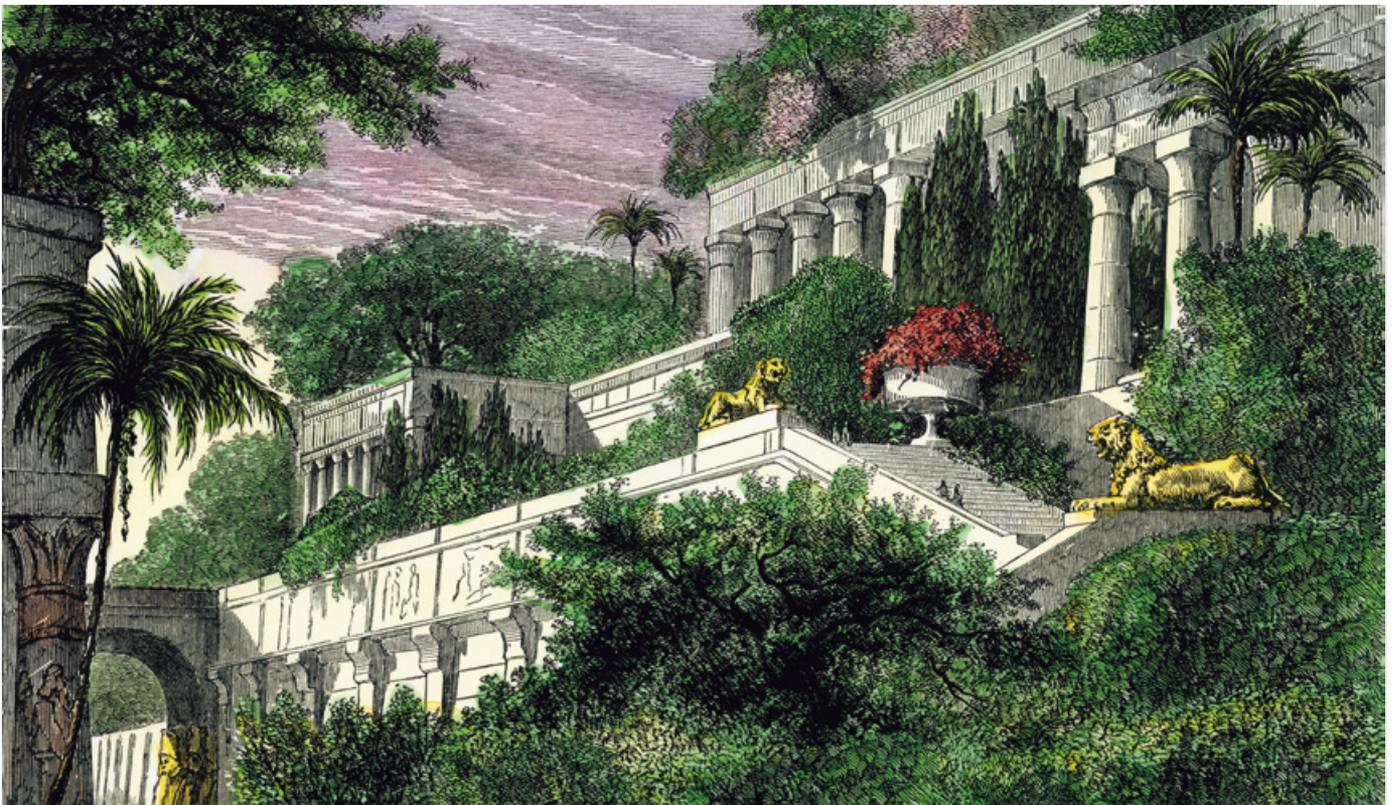
Laws have existed for thousands of years. Without laws or rules people would do whatever they liked, leading to chaos. As ancient tribes grew into complex societies, the need to determine the rights and responsibilities of people became greater. One of the oldest known groups of laws comes from Babylon between 1792 BCE and 1754 BCE. Legend has it that the laws were given to King Hammurabi by Shamash, the god of justice.

The code of Hammurabi had many laws that covered everyday life in that society. One of the most famous laws translates loosely to:

If a man destroys the eye of another man, they shall destroy his eye. If one breaks a man's bone, they shall break his bone.

The ancient Babylonian laws, as enacted by King Hammurabi, were used to govern his fast-growing empire of citizens. There were as many as 300 laws, which covered a wide range of issues, including murder, assault, divorce, debt, adoption, trade and agricultural practices.

Not only did the code stipulate the rules that all citizens must follow, it also dictated what actions must be taken by the judges, accuser and accused.



**Source 1** Ancient Babylonia was one of the first great civilisations. Its capital Babylon was located in modern-day Iraq.

**skilldrill****Interpreting a law in a court case**

To interpret a law we must read and understand what it intends to achieve. We must then apply that to the facts of the case before us.

**Step 1** Read and understand the law thoroughly. What is the context of the law? From what perspective is the law written? What is it trying to achieve?

**Step 2** Carefully consider all of the factors of the court case. This will include factors like evidence, witnesses, and the circumstances of the accused person and the accusing person or group.

**Step 3** Consider how the law applies to the court case. Consider which other laws might apply to the case. Has there been another case of a similar nature or is this the first case of this kind?

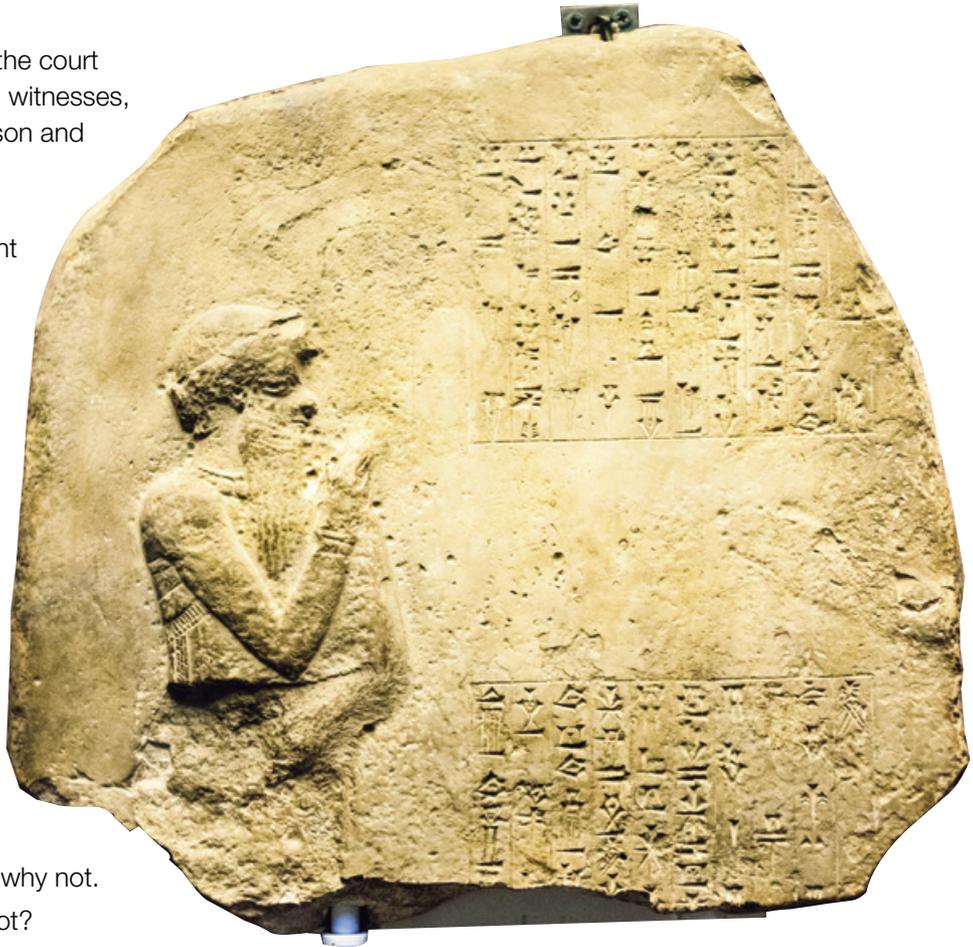
**Step 4** Identify and apply the relevant laws to the court case. Explain and justify why the relevant laws have been applied.

**Apply the skill**

- 1 Consider the law described from the code of Hammurabi. What do you think it is trying to achieve?
- 2 Explain how you think the law would apply to a situation where a person physically attacked someone.
- 3 Do you think the law could apply to a situation whereby someone destroyed another person's property? Explain why or why not.
- 4 Do you think this law is just? Why or why not?

**Extend your understanding**

- 1 Use the Internet to research more laws from the code of Hammurabi. Make a list of the laws in your notebook and state your opinion on whether or not you think each law is a good way of dealing with such issues. Give reasons for your answer.



**Source 2** The code of Hammurabi was carved into stones, which were then placed around the city of Babylon for the public to see.

# Glossary: Geography

## A

- aerial photograph** a photograph taken at some distance above (for example, from an aeroplane)
- alphanumeric grid** a row of numbers and a row of letters on adjacent sides of a map or other image providing an easy way to locate particular features
- annotated visual display (AVD)** a way of presenting the final results of a research project, incorporating images, graphs, notes and explanations in a poster-style format
- aquifer** layers of rock or soil in the ground that hold water or that water can pass through

## B

- bar graph** a graph that shows information as a series of horizontal bars
- BOLTSS** a mnemonic (memory device) for remembering the essentials of a map: border, orientation, legend, title, scale and source
- bore** (also called an Artesian well) a drilled well that brings water up from deep in the ground

## C

- cardinal points** the four main directions shown on a compass; north, south, east and west
- change** a key concept in geography: the dynamic nature of all processes on Earth, whether slow or fast, small or large

- choropleth map** a map that shows particular data or characteristics, such as population density, by using different shades of the same colour or different colours to show variations (e.g. light green to dark green)
- civil unrest** disturbances in a city or country characterised by protests against the government or ruling structures
- climate** the average weather – particularly rainfall and temperature – experienced in a particular area

over a period of time (usually 30 years)

- climate change** the generally accepted idea that the Earth's climate is warming and will continue to warm due to pollution
- climate graph** a combination column and line graph that shows the average monthly rainfall and temperature of a given place; also known as a climograph
- column graph** a graph showing information as a series of vertical columns
- compass** an instrument with a magnetic needle that points to the north; used for navigation
- compass bearings** a precise way of giving compass directions, such as 135° south-east
- compound column graph** a column graph that has subdivided columns for further comparison of groups
- concept map** a diagram or chart used to organise thoughts and ideas to show their relationship
- condensation** the process that takes place when a gas cools and forms a liquid; for example, water vapour becoming water droplets
- consumption** the use of a resource
- continuous resource** a resource, such as the Sun, that will never run out no matter how much we use it
- contour lines** lines drawn on a map that connect points at the same height to show the height and steepness of land

## D

- delta** a fertile area of land that forms at the mouth of a river
- desalination** the process of removing salt from sea water
- desert** area that receives less than 250 mm of rain every year; can be hot or cold
- developing country** a less economically developed country that has some difficulties in supporting its own people
- direction** a way of orienting a map, usually shown by the use of compass points, such as north

**distance** the amount of space between two objects or places, generally measured by using the scale on a map

**distribution** the way in which things are arranged on the Earth's surface; the pattern formed by the way objects or places are distributed across a space

**dot distribution map** a map using dots or other shapes to show the location of a particular feature

## E

- eastings** the gridlines that run vertically on a topographical map
- effluent** contaminated water that flows out of a treatment plant, sewerage system, industrial site, etc.
- environment** a key concept in geography: a specific place on Earth and all the things, both living and non-living, that are there

**Equator** an imaginary line that runs around the middle of the Earth separating the Northern Hemisphere from the Southern Hemisphere

**ethnicity** the background, nationality or culture of a person or group of people

**evaporation** the process by which a liquid (such as water) is converted to a gas

**exception** in geography, a feature that falls outside a usual pattern or does not follow an observed pattern

## F

- feature** a distinctive landform or characteristic of the landscape, either naturally occurring or made by humans
- fieldwork** geographical study that takes place outside the classroom at the site of inquiry
- FIFO** fly-in, fly-out; used to describe the lifestyle of workers who live far away from their place of employment (such as a mine)
- floodplain** low-lying land next to a river or stream that is regularly flooded by water

**flow map** a map that shows movement (such that of as people or goods) from one place to another

**fossil fuel** fuel made from the decomposed remains of plant and animals that lived millions of years ago (e.g. coal, oil)

## G

**geographical inquiry** the stages that geographers follow to guide their investigations

**geothermal energy** energy that comes from the internal heat of the Earth

### Geographic Information System

**(GIS)** a software application designed to capture, store, manipulate, analyse, manage and present all kinds of geographical information

**glacier** a large frozen mass or river of ice that slowly moves down a mountain or valley in response to gravity

**greenhouse gas** a gas (e.g. carbon dioxide, methane) which is partially captured in the Earth's atmosphere preventing some of the Earth's warmth from escaping into space

**gross domestic product (GDP)** the total value of a country's goods and services

## H

**HIV/AIDS** human immunodeficiency virus infection/acquired immunodeficiency syndrome; an illness that disrupts a person's normal immune system, making him or her susceptible to many other diseases

**Human Development Index (HDI)** a set of statistics used to indicate life expectancy, education and income for individual countries in order to compare and rank them

**hydroponics** a method of growing plants without using soil

## I

**ice cap** a permanent layer of ice over the ground, such as found at the North and South Poles

**iceberg** a large mass of ice that has broken away from a glacier or ice sheet and is floating in open water

**infiltration** the process of water seeping through the earth

**infrastructure** the facilities and services necessary for any community, city or country to function (e.g. buildings, electricity, roads, airports and water supply)

**interconnection** a key concept in geography: the relationship between all things, both living and non-living, and all processes, both natural and human

**irrigation** the watering of crops in some way other than by precipitation

## K

**key inquiry question** a question that helps geographers to plan and focus their geographical inquiries

## L

**land use map** a map that shows what segments of land are used for (e.g. residential, commercial, agricultural)

**latitude** imaginary lines running east–west around the Earth's surface, parallel to the Equator, used to work out location and direction

**legend** (also called a key) a guide to the symbols and shading used on a map or other image

**line graph** a graph that displays data as a line

**liveability** a measure of what a place is like to live in according to particular criteria such as access to schools and work, climate, safety, etc.

**longitude** imaginary lines running north–south around the Earth's surface, from the North Pole to the South Pole, used to work out location and direction

## M

**magnetic north** the physical place on Earth, near the North Pole, to which a magnetised needle points

**map** a simplified plan of an area shown from directly above

**megacity** a city with a population of more than 10 million people

**metropolitan** a term used to describe a major city or urban area

**monsoon** weather or climate produced by major wind systems that change direction seasonally; in northern Australia, the north-westerly and south-easterly winds that produce the rainy season between December and February

## N

**natural resource** a resource that occurs in nature (e.g. water, minerals, trees, livestock)

**nomad** a member of a community that moves from place to place, usually based on the availability of seasonal food and resources.

**non-renewable resource** a resource that cannot be regenerated once it is used up (e.g. oil, coal)

**northings** the gridlines that run horizontally on a topographical map

## O

**overlay map** a map on some type of transparent paper or layer that is placed over a base map, used to show the relationship between features or events on the Earth's surface

## P

**physical map** a map that shows the locations and names of physical features of the Earth, such as mountains and rivers

**pie graph** a graphical way of presenting data; a circle is divided up into segments to represent the distribution of data

**place** a key concept in geography: a part of the Earth's surface that is identified and given meaning by people

**plan view** a way of showing something as if the viewer is looking down on it from above; a bird's-eye view

**political map** a map that shows the locations and names of built features of the Earth, such as country borders, cities, roads, dams and railways

**population density** a measurement of the number of individuals per unit area (e.g. 1500 people per square kilometre)

**population pyramid** a graph that displays the percentage of males and females in a region by age-group

**precipitation** the process of water in its various forms (rain, snow, hail, etc.) falling to the ground

**primary data** data for a geographical inquiry that was collected in the field by a geographer conducting the inquiry (e.g. survey data, hand-drawn maps or photographs)

**Prime Meridian** an imaginary line of longitude that runs from the North Pole to the South Pole; longitude is defined as 0° at the Prime Meridian

## Q

**qualitative data** any information that can be recorded in words; for example, 'Uluru is very large'

**quantitative data** any information that can be recorded as numbers; for example, 'Uluru is 3.6 kilometres long'

## R

**refugee** a person who moves to another country because of a natural disaster or to avoid persecution

**region** an area on the Earth's surface that makes it different from surrounding areas

**renewable resource** a resource that can regenerate or be regrown (e.g. trees) as opposed to one that cannot be regenerated (e.g. coal)

**resource** anything human or natural that people can use to satisfy a need

**run-off** water that does not penetrate the ground but flows on the surface towards rivers, lakes and seas

**rural-urban fringe** the area where cities end and country or farming areas begin

## S

**sanitation** measures designed to ensure good health in a community by preventing human contact with health hazards (such as sewage)

**scale** a key concept in geography: the level at which a geographical inquiry takes place – personal, local, regional, national or global

**scale (mapping)** a system that indicates how the distances in the real world are represented on a map (e.g. written scale, line scale, ratio scale)

**secondary data** data used for a geographical inquiry that was not collected by the geographer conducting the inquiry (e.g. textbooks, atlases and government websites)

**six-figure grid reference** a system used to locate exact points on a topographic map

**slum** a settlement within a city where the inhabitants have inadequate housing and poor access to basic services

**space** a key concept in geography: the way things are arranged on the Earth's surface

**spatial pattern** the distribution of features on the Earth's surface that may form particular patterns, such as linear (in lines), clustered or radial (like spokes on a wheel)

**sustainability** a key concept in geography: the ongoing capacity of Earth to maintain all life

**sustainable** capable of being continued with minimum long-term effects on the environment

## T

**tailings** the waste material left over from commercial mining operations

**thematic map** a map that shows details about a particular topic, such as land use or the distribution of resources

**topographic map** a map that shows the shape of the land, its relief and landforms

**trend** a general direction in which something is developing or changing (e.g. the trend in population in Australia is positive)

**tropics** the area of the world between the Tropic of Capricorn and the Tropic of Cancer

**tsunami** a giant ocean wave caused by an underwater earthquake

## U

**unsustainable** not capable of being continued without long-term effects on the environment

**urban sprawl** the growth of a city onto productive farming land on the city fringes

## V

**vertical aerial photograph** a photograph taken from directly above the landscape or feature being photographed, usually from an aeroplane or satellite, giving a **plan view**

**virtual water** the volume of fresh water used to produce a product, measured at the place where the product was actually produced

**voluntary migrant** a person who is free to choose where and when they move

## W

**waste-water** water that has been used by people in domestic or industrial settings for washing, cleaning or flushing that contains waste products

**water cycle** the continuous cycle by which water evaporates from lakes and oceans, condenses into clouds, falls on land as rain, finds its way into rivers (often after human use) and returns to the oceans

**water footprint** an indicator of the amount of water (both direct and indirect) that is used to produce the goods and services

**weather map** a map that shows conditions in the Earth's atmosphere, such as air pressure, wind speed, wind direction, and warm and cold fronts

# Glossary: History

## A

**Aboriginal peoples** a term used to describe the original inhabitants of a country (e.g. Australia); more specifically, the original inhabitants of mainland Australia, Tasmania and offshore islands (except for the Torres Strait Islands)

**acropolis** a raised and fortified area (often on a rocky hill) within a Greek city-state on which public structures such as temples were built

**AD** the abbreviation of *Anno Domini* (year of our Lord), used to indicate any time after the birth of Christ (*see also* CE)

**age** a period of history with specific characteristics that make it stand out from other periods (e.g. Stone Age, Bronze Age)

**agora** a large open area at the base of an acropolis that was both a meeting place and the centre of business and government for a Greek city-state

**amphitheatre** an ancient version of today's football stadiums, where raised seating rose up around a flat central area where events or performances were held

**amulet** a magical charm thought to keep away evil

**ancestors** anyone from whom a person is descended (i.e. a distant family member or relation from the past)

**aqueduct** a channel (often on top of arches; other times underground) that carried water, by gravity, from distant mountain springs to settlements

**archaeological dig** a site known (or thought) to contain artefacts or items of interest from the past that is roped off and dug up by archaeologists

**archaeologist** a person who uncovers and interprets sources from the past, such as the remains of people, buildings and artefacts; archaeologists often take part in archaeological digs

**aristocrat** a person who (through wealth or birth) belongs to the upper class of a social group

**artefact** any object that is made or changed by humans (e.g. a primitive tool, remains of a building)

**artisan** a person who is skilled at working with his or her hands in some specialised way

**auxiliary** a soldier who fought in the Roman army but who was not Roman; often recruited from a faraway province

## B

**battering ram** a long pole (often a tree trunk) with a carved ram's head at one end used to knock through enemy fortress doors

**BC** the abbreviation of Before Christ, used to indicate any time before the birth of Christ (*see also* bce)

**BCE** the abbreviation of Before the Common Era, used to indicate any time before the birth of Christ (*see* bc)

**bias** a prejudicial attitude for or against something

## C

**canopic jar** a jar used in ancient Egypt to store body parts removed during the mummification process

**caste system** a strict hierarchy (class system) used to organise society in India according to the Hindu religion; each person born into society is assigned a certain caste (class) that determines the type of work they will do and their position in society for life; in ancient India there were four main castes – Brahmin, Kshatriyas, Vaishyas and Shudras – as well as untouchables

**cause and effect** a key concept in history: chains of events and developments over time (both long term and short term), and the impact these have on people and places

**CE** the abbreviation of Common Era, which refers to any time after the birth of Christ (*see* ad)

**census** an official population count of a society at a given point in time

**century** 1. a period of 100 years; 2. a military unit in ancient Rome that consisted of between 80 and 100 soldiers

**chronology** a record of events in the order they took place

**chronological order** the order in which events have taken place

**circa** a Latin word meaning 'around' or 'approximately' (abbreviated as 'c.')

**Circus Maximus** a large racing track in ancient Rome where thousands of spectators were entertained by watching horse-drawn chariots race around a circuit

**citizen** someone who through birth (or by meeting certain conditions) is a recognised legal member of a community

**Citizen's Assembly** one of a number of assemblies of citizens set up in ancient Rome to help govern and administer the society

**city-state** an independent settlement (typical of those in ancient Greece) made up of an inner fortified city surrounded by houses

**civilisation** a society with large-scale urban settlements, defined systems of government, social organisation, religion and technologies

**colony** an outpost set up by a country, kingdom or empire, often for reasons of trade or defence

**Colosseum** a large amphitheatre built and used during the Roman Empire to stage gladiator fights and other forms of public entertainment

**concubine** a woman who is kept for the pleasure and entertainment of a man who already has a wife (usually an emperor or leader); a mistress

**conservator** a person who is trained to preserve and restore important historical sources and artefacts (such as paintings, vases, jewellery) that may have been damaged

**conserve, to** to take the action needed to preserve something from the past for future generations; it might be restored to its original condition or adapted in some way; a person involved in this work is called a conservator

**consul** a title given to the top official in ancient Rome; there were two consuls, each with different responsibilities

**contestability** a key concept in history: the state of an interpretation being open to debate, because of a lack of evidence or understanding from a different perspective

**contest, to** to argue against an idea or theory because of new evidence, or because of a different interpretation of existing evidence; an idea or theory that can be contested is said to be contestable

**continent** one of seven main land masses on Earth; the continents are Europe, Asia, Africa, North America, South America, Australia and Antarctica

**continuity and change** a key concept in history: the state of remaining the same over time, and the state of progress or decline

**cosmos** the universe

**culture** the customs and traditions that a community, society or civilisation develops over time that are passed down from generation to generation

## D

**decade** a period of 10 years

**deity (pronounced DAY•ity)** a god or goddess

**democracy** a political system in which people hold the power, either directly or through representative democracy

**demotic** a system of writing based on the original script of ancient Egypt (i.e. hieroglyphs) that is more like running writing; faster and easier to write than hieroglyphs

**dendrochronology** a method used to estimate the age of trees by counting the rings in the cross-section of a tree trunk once it has been cut down

**desert** an area that receives less than 250 mm of rain every year; can be hot or cold

**DNA** the short way of writing deoxyribonucleic acid; DNA is found in the cells of all known living organisms; it is the unique genetic code of each living thing

**Dreaming, the** a belief system at the centre of all Aboriginal cultures; the Dreaming has different meanings for different Aboriginal groups; it gives meaning to everything – including creation, spirituality, family, the land and the law; the Dreaming sets the rules governing relationships between the people, the land and all other things for Aboriginal peoples

**dynasty** a period of rule by members of the same family who come to power one after the other (e.g. the Han Dynasty in China)

## E

**empathy** a key concept in history: the ability to understand from the point of view of a particular group or individual, by taking their special circumstances and values into consideration

**emperor** the title of someone who rules an empire; ancient Rome and ancient China had emperors

**empire** a group of countries and/or areas, often with different languages and having different cultures, that are ruled by a central power or leader (known as an emperor or empress)

**equite (pronounced EH•kwit•ee)** a category of gladiators

**era** a period of time marked by distinctive characteristics, events or circumstances (e.g. the Roman era, the Victorian era)

**evidence** a key concept in history: information provided by a source that supports a given interpretation, or provides support for possible answers to inquiry questions

## F

**feudalism** a system of rules and customs that helped to organise societies in Europe and Asia during the medieval period; feudalism organised every person in society according to a hierarchy (social structure) with the most important and powerful people at the top (such as a king or queen) and the least important people at the bottom (such as peasants)

**first Australians** a term used to describe Indigenous peoples in Australia and the Torres Strait Islands; the original inhabitants of Australia

**fluorine dating** a scientific method used to estimate the age of objects by measuring the amount of fluorine they contain

**forum** an open area in the centre of the city of ancient Rome where people met, debated and sold things

## G

**geneticist** a scientist who specialises in the study of genetics

**glacier** a large frozen river or mass of ice that moves slowly down a mountain or valley in response to gravity

**gladiator** a person (usually male) who fought to the death in the amphitheatres of ancient Rome for the entertainment of the crowds; many were prisoners; some were criminals or slaves and a few chose to fight willingly

## H

**Hades (pronounced HAY•deez)** the ancient Greek god of the Underworld; also the name of the Underworld itself – the place that the souls of people went when they died

**heir** someone who will legally inherit the fortunes of another; often the firstborn son

**hierarchy (pronounced HIRE•ark•ee)** a way of organising things (or people) from top down in order of importance or significance; ancient societies had strict hierarchies with the ruler at the top and the peasants at the bottom

**hieratic (pronounced hi•RAT•ic)** a simplified form of writing based on hieroglyphs that was used to communicate in ancient Egypt, though not as easy to write as the demotic script

**hieroglyph** a picture-like sign used in the original writing system of the ancient Egyptians

**historical inquiry** the process of examining historical evidence, conducting research and asking questions about it to find out about the past

**Homo sapiens** the scientific name for humans; a Latin term meaning 'knowing man'

**hoplite** a Greek warrior

**hypothesis** a considered opinion, theory or statement, based on research and evidence, about something that has not been proven (hypotheses is the plural form)

## I

**Indigenous Australians** the original inhabitants of Australia, includes Aboriginal and Torres Strait Islander peoples

**Inundation, the** the yearly great flooding of the Nile River in Egypt; an inundation is a flood

## K

**kheprsh (pronounced kee•PRESH)** a blue crown often worn by the Egyptian pharaoh when in battle; it was often studded with semi-precious stones to create a hard surface

## L

**land bridge** a stretch of land connecting between two land masses (especially during pre-historic times) that allowed humans to move from one area to another before being cut off by the rising sea

**legion** a military unit in the army of ancient Rome made up of 60 centuries (i.e. around 5000 soldiers); soldiers in a legion were called legionaries

## M

**midden** an ancient rubbish heap (that contains the remains of meals such as shells and bones)

**millennium** a period of 1000 years

**monarchy** a system of government in which a single monarch (such as a king or queen) has power

**mummification** the process of preserving a dead body by preventing its natural decay; in ancient Egypt a body was mummified by removing internal organs (except the heart) and drying out the remaining body tissue; the mummy was then buried

**mummy** a body prepared for burial or entombment in ancient Egypt (see mummification)

**mythology** a set of beliefs held by a particular people to help explain things that were not understood (e.g. strange natural events); these may include individual stories called myths

## O

**'Out of Africa' theory** the theory that all humans have their origins in Africa

## P

**palaeontologist** a scientist who studies life in the geological past by examining the fossils of plants and animals

**palynology** the study of microscopic organic matter found in soil

**pankration (pronounced pank•RAY•shun)** a dangerous fighting event held as part of the ancient Olympic Games with virtually no rules

**papyrus (pronounced pa•PIE•rus)** a type of paper that the ancient Egyptians made from the crushed pulp of a riverside plant; the plant itself is also known as papyrus

**paterfamilias (pronounced PAH•ter fam•ILL•ee•us)** a Latin word meaning 'father of the family'; male head of a household in ancient Rome

**patrician** an educated and usually influential male member of one of ancient Rome's aristocratic families; usually a wealthy landowner

**pentathlon** an event of the ancient Olympic Games comprising five events: wrestling, javelin tossing, discus throwing, jumping and running

**perspectives** a key concept in history: a point of view about an event or issue; a person's perspective is often influenced by their knowledge, culture or beliefs

**phalanx (pronounced FAL•anks)** a tight battle formation used by the ancient Greeks in which soldiers would pack together with their shields overlapping; spears in the front row were held forward; those in the rows behind were held higher

**pharaoh (pronounced FAIR•oh)** the leader of ancient Egypt who was believed to be a god; the pharaoh had absolute power and total control

**plateau** a large section of flat land

**plebeian (pronounced PLEH•bee•un)** a term used to describe one of the many poor and uneducated people in ancient Rome

**polygamy** marriage to more than one person at the same time

**praetor (pronounced PRE•tor)** an ancient Roman official whose responsibilities included running the law courts, leading armies and governing provinces of Rome

**prehistory** the period of time before written records

**primary source** a source that existed or was made at the time in the past being studied

**pyramid** a geometrical shape with triangular sides sloping up to a single point from a square base; in ancient Egypt, stone pyramids were built as royal tombs for pharaohs

## Q

**quaestor (pronounced KWEE•stor)** in ancient Rome, an official in charge of financial matters

## R

**radiocarbon dating** a method used to estimate the age of something that was once alive; the amount of radioactive carbon in the remains of the object is tested and gives a good indication of age because carbon breaks down over time at a known rate

**reincarnation** the process of being born again; to live life again in another body (human or animal)

**republic** a system of government in which the people and their elected representatives (such as a president, politicians or senators) have power

**resin** a sticky substance (similar to the sap from a tree) used in ancient Egypt during the mummification process to glue bandages together

## S

**sarcophagus** the outer case (usually stone) of the nest of coffins containing the dead body of a person of importance

**scarab** a type of beetle considered sacred by the ancient Egyptians; the word scarab also refers to items of stone or metal jewellery (called amulets) made in ancient Egypt in the form of the scarab beetle

**scribe** a highly educated person in ancient Egypt who was able to read and write

**secondary source** a source created after the time being studied

**Senate** a group of officials (senators) with ruling power during ancient Rome's history; the Senate had a lot of power during the republic; it continued to function during the empire, but its power was reduced

**significance** a key concept in history: the importance given to a particular historical event, person, etc.

**Silk Road** a trade route stretching west from China to the Mediterranean Sea; it was the main way in which silk was introduced to the West

**sistrum** a metal musical instrument in ancient Egypt that rattled when shaken; the plural form is sistra

**society** a community of people living in a particular area who have a shared culture, customs and laws

**source** anything that allows us to better understand the past; sources can be primary sources or secondary sources

**standard-bearer** a soldier chosen to carry the standard (a banner or flag showing the symbol or emblem of an army or people) into battle; in ancient times, a standard had a similar symbolic significance to a country's national flag

**stratigraphy** a method used to determine the approximate (or likely) age of remains from the past based on the strata (or layer) of earth or rock in which they were found

**stupa** a religious structure built to house Buddhist relics

**T**  
**timeline** a sequence of related historical events shown in chronological order

**time period** a block of time in history

**toga** an item of clothing worn by the male citizens of ancient Rome

**Torres Strait Islander peoples** term used to describe the original inhabitants of the Torres Strait Islands

**U**  
**Underworld** a place that the people of some ancient cultures (e.g. ancient Greeks) believed their souls went when they died

## V

**Valley of the Kings** a deep, rocky valley close to the Nile where many Egyptian pharaohs were buried

**value** a quality of character that a society or community regards highly; for example, an important Australian value is freedom; a traditional Japanese value is honour

**Via Appia (pronounced VEE•a AH•pya)** a road built by the ancient Romans in the late 4th century bce; it was about 200 kilometres long and connected the city of Rome to other important cities; it became one of the most important roads of the Roman Empire

## W

**World Heritage Site** a natural or built site, structure or natural feature deemed to be of international importance and worthy of special protection

## Y

**year** a period of 365 days

# Glossary: Economics and business

## A

**allocation and markets** a key concept in economics and business: allocation is how we distribute scarce resources among producers; markets are the exchange of resources among buyers and sellers

## C

**competitive advantage** when a business is able to produce better or cheaper products and outperform other businesses

**consumer** a person who buys things to use

## E

**economic performance and living standards** a key concept in economics and business: economic performance is the evaluation of an economy by measuring it against a number of economic objectives; living standards is the level of wealth, material goods, comfort and life necessities available to people living in a geographical area

**economics** the study of how people and society use resources to satisfy their needs and wants

**employee** a person who works for a business

**employer** a business who employs workers to produce goods and services

**employment** having a job that returns an income for the work provided

**export** sending goods to another country

## F

**factors of production** economic resources, which are divided into four categories: land, labour, capital and entrepreneurship

## G

**Gross Domestic Product (GDP)** the total value of goods and services produced in a country over a year

**goods and services** all products sold or traded within an economy; goods are items (such as books and pens) and services are activities performed by others (such as cleaning and visits to the doctor)

## I

**import** bringing in goods from another country

**inflation** the general increase in prices of goods and services

**interdependence** a key concept in economics and business: the way participants in an economy (such as individuals, businesses and governments) rely on each other to provide or trade the goods and services they cannot produce themselves

**interest** the amount of money a person who borrows money from a bank will have to pay the bank on top of the original amount borrowed

## M

**making choices** a key concept in economics and business: the way consumers make choices about what they buy to satisfy their needs and wants

**market** the exchange of goods and services among buyers and sellers

## N

**needs** things that we physically cannot survive without, including food, water and shelter

## O

**opportunity cost** what we miss out on when making a choice; when more than two options are available, our opportunity cost is what we miss out on from the next best option

## P

**producer** a person or business who makes and sells things for a profit

**profit** the amount of money a business earns after taking away the expenses that it has to pay

## R

**relative scarcity** the problem that arises because our wants are unlimited, but the natural resources we use to fulfil them are limited

**resources** natural or made materials that can be used to produce goods and services; in economics, resources can be divided into four categories, known as the factors of production

## S

**scarcity** a key concept in economics and business: the problem of people having unlimited wants and needs, but limited (or scarce) resources to support those needs and wants

**social outcast** someone who is not accepted or is ignored by the people around them

**specialisation and trade** a key concept in economics and business: specialisation is a method of production where a business or area focuses on the production of a limited scope of products or services in order to gain greater degrees of efficiency within the entire system of businesses or areas; trade is activity of buying, selling or exchanging goods and/or services between people and/or countries

**strategy** a plan for achieving goals

**survey** a series of questions that are asked to a group of people to gather information about what most people think

## U

**unemployment rate** the percentage of people who are unemployed out of all the people who are able to work

## W

**wage** the money paid to an employee in exchange for their labour

**wants** things that we desire but can survive without

# Glossary: Civics and citizenship

## A

**Australian constitution** a document that describes the rules, or laws, that govern Australia and defines its structure, and its citizens' rights

## B

**Bill** a proposed law

## C

**citizenship** a term used to describe the act or status of being a citizen of a society or country

**civics** the study of the rights and responsibilities of citizens within a society or country

**crime** an act that breaks an existing law, is harmful to an individual or society as a whole and is punishable by law

## D

**democracy** a key concept in civics and citizenship: a system of government in which the people have the power to determine how they will be ruled, and elect a parliament to make and implement laws on their behalf

**democratic values** a key concept in civics and citizenship: attitudes, values or beliefs that represent the system of democracy

**direct democracy** a system of government where citizens meet together to make laws for their society

## E

**executive** the branch of government responsible for approving laws and putting them into action; it is made up of the prime minister, ministers and governor-general

**expert witness** a witness who can provide important information about a case even though they did not see or hear it take place; expert witnesses are often called upon to apply their professional skills or expertise to a case

## G

**government** the elected members of parliament who make decisions for a nation or state; in Australia, the government is made up of the party or coalition that has won a majority of seats in the lower house of parliament; the lower house of federal parliament is the House of Representatives and the lower house of the Victorian state parliament is the Legislative Assembly

## J

**judge** a person who is appointed to apply laws to different cases and decide their outcome in a court of law

**judiciary** the branch of government responsible for upholding the rule of law; it is made up of the High Court and other federal courts

**jury** a group of people who are required to decide on a guilty or not guilty verdict for a case

**justice** a key concept in civics and citizenship: the quality of being just; the concept of justice is based upon many differing viewpoints and ultimately states that people and society should behave in a way that is fair, equal and balanced for all

## L

**laws** formal rules that are designed to govern the way in which people behave and act so we can all live together in one peaceful and united society  
**legal aid** affordable legal representation to ensure that all people are able to be represented in a court of law

**legal practitioner** a person who specialises in knowledge of the law and courtroom arguments, and acts on a defendant's behalf in court

**legislature** the branch of government responsible for creating the law; it is made up of the two houses of parliament, the Senate and the House of Representatives

## P

**parliament** the national or state law-making body that is made up of elected representatives in both the upper and lower houses with a head of state; in Australia, the national parliament is referred to as the Commonwealth or federal parliament

**participation** a key concept in civics and citizenship: the way in which individuals as good citizens take part in and make a contribution to society

## R

**representative democracy** a system of government where citizens vote for representatives to make laws on their behalf

**rights and responsibilities** a key concept in civics and citizenship: the entitlements and obligations associated with citizenship, which are a cornerstone of modern democracies; citizens have both rights (such as freedom of speech, the right to vote) and responsibilities (such as the requirement to vote in elections, pay taxes, perform jury service)

## W

**Westminster system** a key concept in civics and citizenship: the parliamentary system of Australia, which originates in the United Kingdom

**witness** a person who has seen or heard an event or dispute and is called upon to present their observations in court

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