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Summary

This document contains two sample responses for VCE Area of Study Unit 2: Creating and presenting based on the text, *The Crucible*. One of the responses is written in an expository form, the other in a persuasive form. Alongside each response is a series of notes containing a summary of the key elements that make each response strong which may be emulated by students.

In general this document may be useful for,

Students wishing to see a model response and to gain advice on how best to structure a response to a prompt and incorporate ideas of context and text.

Notes about the Exam in General

In the last three years the prompts for encountering conflict have focused on the victims of conflict (2009), the bystanders (2010) and the need to compromise (2010). As a result, it seems that the two most common focuses of the prompts are on the role of individuals/ responses of individuals in times of conflict, and on the consequences of conflict. The drafting of the two sample questions attempt to target both these common threads to help prepare students to respond to the key ideas of their texts.

SAMPLE RESPONSE 1: PERSUASIVE (*THE CRUCIBLE*)

PROMPT: "CONFLICT CAN BE A CATALYST FOR CHANGE."

What is at the heart of a criminal trial? Is it a search for truth? A desire for justice? Or just an attempt to play the blame game as the result of tragedy? Regardless of the process, the outcome has a great impact on the lives of all those involved. In Australia, our adversarial system relies on the inherent conflict between the prosecution team and the defence team. But in the end, the victory of one perspective against another is irrevocably transformative.

However, whether this is in fact the right process for the Australian legal system is consistently debated. And rightly so. The system is both flawed and inconsistent. It does nothing to prevent the ruin of reputations and lives by overzealous prosecutors relying on unsubstantiated allegations. Conflict in the legal system is the most powerful catalyst for change. But when the system is flawed, this change will not, and cannot achieve the goals of a functioning legal system. It cannot protect society. It cannot pursue the rehabilitation of criminals. It cannot prevent the further commission of crimes. This is because it fails to identify criminals and criminal behaviour. In fact, the law in this form is little more than a response to social hysteria. Arthur Miller would have us believe that regardless of the time or place, no courtroom is free from this hysteria. However, even in the society of Salem, Rebecca Nurse, John Procter and a number of other characters are able to distinguish the truth by the employment of reason and impartiality. A compelling case has been put forward for our transference to an inquisitorial system. In this system, the wide breadth of legal experience of the judge, and their imbedded neutrality in the outcome of the trial safeguards both an innocent accused from a false conviction and vulnerable victims from a disturbing acquittal. In the judge's ability to question witnesses, interrogate suspects, and lead investigations, his commitment is to retrieve and adequately test all evidence, incriminating or exculpatory, before making a judgment as to the guilt or innocence of an accused.

Our adversarial system has failed on a number of notable occasions. Let's take the case of Azaria Chamberlain, one of the most publicized trials in Australian history. Lindy Chamberlain was convicted of the murder of her 2 month old baby on 29 October 1982 and sentenced to life imprisonment with hard labor. The defence claimed that dingoes were dangerous animals. This was rejected. The defence claimed that the pivotal pivotal haemoglobin tests used by the prosecution to indicate the presence of fetal haemoglobin in the Chamberlains' car were unreliable. This was rejected. Much of Lindy's evidence was viewed harshly, casting her as a villain because she did not behave as a stereotypical grieving mother, showing little emotion during the proceedings. However, since then every single piece of evidence relied upon by the prosecution has been brought into question. On 12 June 2012, the Northern Territory deputy coroner officially noted that the cause of Azaria Chamberlain's death "was as the result of being attacked and taken by a dingo." The questionable nature of the forensic evidence in the Chamberlain trial, and the weight given to it, raised concerns about such procedures and about expert testimony in criminal cases.

Similarly, hysteria was the predominant feature of the 1990 McMartin Preschool trials in the US. Judy Johnson alleged that a school aid, Ray Buckley had sexually assaulted her two year old son. Not only did the trial raise a series of further persecutions against childcare workers in the school about whom no reliable evidence of abuse was ever found, the prosecution of Ray Buckley continued for 6 years. Importantly, despite the fact that the young boy was unable to identify Ray from photos, and medical investigations of