



NZQA Assessment Support Material

Unit standard	27840				
Title	Evaluate a concept of justice in relation to a specific situation				
Level	3	Credits	4	Version	2

Student guidelines

Introduction

This assessment requires you to evaluate a concept of justice, by explaining its application to a specific situation, such as an actual significant case from past, present, New Zealand or overseas law, or a particular area of law or piece of legislation.

The specific situation may have already been discussed in class, but you will be required to complete extra research to complete the task.

AWARD OF GRADES



- For award with **Achieved**, a concept of justice is evaluated in relation to its application to a specific situation. The evaluation compares differing viewpoints in relation to the application of a concept of justice.
- For award with **Merit**, the comparison of differing viewpoints on the application of a concept of justice is developed by including relevant supporting detail in relation to the specific situation. Supporting detail may include but is not limited to any one of: media reports, case commentary, expert commentary.
- For award with **Excellence**, the evaluation justifies a position on the application of a concept of justice, by weighing up the arguments and counter-arguments related to the specific situation.

CONDITIONS OF ASSESSMENT

Assessors will set the conditions of assessment as appropriate.

Assessment Activity

This assessment activity has two tasks.

You will undertake research for and complete an essay related to one concept of justice.

Task One - Research

The first part of the assessment involves research which will take place over <teacher insert suitable number here> hours of class time.

You must research a specific situation. This means you must research an actual significant case from past, present, New Zealand or overseas law, or a particular area of law or piece of legislation. Significance will be determined by the case's legal and/or social and/or political impact.

Your assessor may provide you with a specific situation. Alternatively, you may wish to choose your own specific situation, but you must first discuss its suitability with your teacher.

The specific situation you are given or select must relate to a concept of justice.

Concepts of justice refer to the theories or principles that inform how we judge the fairness of the application of law. These may include:

- utilitarian;
- retributive;
- restorative;
- distributive;
- marae;
- balancing competing claims;
- impartiality;
- equity.

Specific situations might include

- Troy Davis capital punishment case (USA)
- Claim of Right and Waihopai "Dome-Busters" case.

You will research the facts of the situation and also compare viewpoints in relation to the application of a concept of justice.

As you complete your research, you should take notes and keep a reference list of all source material you use. You should prepare a bibliography based on this. Your source material may include media reports, case commentary, expert commentary.

Task Two - Essay (Time allowed: *to be set by assessor*)

In your essay, you will use your research to:

1. Describe the facts/details of your chosen specific situation.
2. Choose one concept of justice listed, and:
 - (i) explain what is meant by that concept;
 - (ii) evaluate how it can be applied to the specific situation.

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3. Compare differing viewpoints on the application of the chosen concept of justice to the specific situation.

Viewpoints represent the opinions of individuals, organisations, governments or commentators. Differing viewpoints refers to such viewpoints as the dissenting, minority, or alternative viewpoints of involved parties or external commentators.

4. (Required for *Excellence*)
Take a position (offer your opinion) on the application of the concept of justice and justify this by weighing up the arguments and counter-arguments related to the specific situation.
5. Your essay may include footnotes or endnotes, and you must attach a bibliography showing source material.