

## NZQA Assessment Support Material

<b>Unit standard</b>	<b>27844</b>				
<b>Title</b>	Demonstrate understanding of litigation and dispute resolution processes in New Zealand				
<b>Level</b>	1	<b>Credits</b>	4	<b>Version</b>	2

### Student guidelines

#### Introduction

During your Legal Studies programme in class, you will learn about litigation and dispute resolution processes in the New Zealand court and tribunal system.

You will complete a number of activities in class which will develop your knowledge and understanding of:

- New Zealand's Courts and tribunals in terms of their jurisdiction;
- the key features of the roles of key participants in the main courts;
- the key differences between civil and criminal law in terms of subject matter, burden of proof, standard of proof;
- possible outcomes and terminology used in deciding the case.

You will be assessed on your ability to demonstrate understanding of litigation and dispute resolution processes in the New Zealand court and tribunal system by completing the three tasks detailed below.

#### AWARD OF GRADES



- For award with **Achieved**, litigation and dispute resolution processes are identified in relation to criminal and civil cases in the New Zealand court and tribunal system.
- For award with **Merit**, litigation and dispute resolution processes are clearly described to demonstrate detailed understanding with relevant supporting detail including:
  - the hierarchy and inter-relationship of the New Zealand courts;
  - the terminology used in civil and criminal law cases;
  - possible outcomes.

- For award with **Excellence**, the description demonstrates thorough understanding of litigation and dispute resolution processes by comparing civil and criminal processes, with reference to specific cases.

## CONDITIONS OF ASSESSMENT

Assessors will set the conditions of assessment as appropriate.

### Assessment Activity

This assessment activity has three tasks.

#### Introduction

Your friend Tim has heard that you've been studying New Zealand's court system. He's curious to find out more and so he's put together some questions for you.

#### Task One

For this task, you must complete activities a to c:

- a) Tim was watching Boston Legal the other night and he heard a judge use the term 'jurisdiction.' Describe to Tim what this term means.
- b) To make sure Tim gets a detailed understanding of New Zealand's courts and tribunals, help him to identify the jurisdiction of **five** courts and **one** tribunal listed below.
  - District Court,
  - High Court,
  - Court of Appeal,
  - Supreme Court of New Zealand.

Plus one of:

- Youth Court,
- Family Court,
- Employment Court.

Plus one tribunal from:

- Waitangi Tribunal,
- Tenancy Tribunal,
- Disputes Tribunal,
- Human Rights Review Tribunal.

- c) Tim tells you that he knows we have quite a few different courts in New Zealand but he's not sure what they all are and how they are organised. Draw a diagram for Tim which shows the hierarchy of the New Zealand Courts from the least powerful through to the most powerful. Using this diagram, describe how the courts relate to each other and include an example of a case dealt with in each court.

## Task Two

Tim knows from watching court room dramas on television that there always seems to be a lot of people involved in the courts. Help Tim to develop his understanding of the participants below in the main courts by explaining the roles of at two of the following:

- Judge
- Juror
- Lawyer
- Witness
- Registrar
- Prosecutor
- Plaintiff
- Defendant
- Police
- Probation Officer.

## Task Three

Tim's family is having a rough time at the moment. Tim's twenty year old brother, Alan, was arrested last week and charged with assault. As if this wasn't bad enough, Tim's father who owns a building company is being taken to court by a client for breach of contract. Tim understands that his father's contract case will be dealt with differently from Alan's assault case but he'd like you to explain to him the following differences between civil and criminal law. Your description should make it clear to Tim how these differences will apply in both Alan's case and in the case of his father's building company.

- Subject matter
- Burden of proof
- Standard of proof
- Possible outcomes
- Terminology used.

## Resource requirements

There are no specific resource requirements for this assessment.