

<b>Title</b>	<b>Evaluate a concept of justice in relation to an actual situation</b>		
<b>Level</b>	<b>3</b>	<b>Credits</b>	<b>4</b>

<b>Purpose</b>	People credited with this unit standard are able to evaluate a concept of justice in relation to an actual situation.
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<b>Classification</b>	Social Science Studies > Legal Studies
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<b>Available grade</b>	Achieved, Merit, and Excellence
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<b>Criteria for Merit</b>	<p>In-depth evaluation of a concept of justice in relation to an actual situation is demonstrated by:</p> <ul style="list-style-type: none"> <li>• discussing one strength and one weakness of a concept of justice;</li> <li>• discussing a range of different viewpoints in relation to the application of a concept of justice;</li> <li>• selecting and applying relevant supporting detail;</li> </ul>
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<b>Criteria for Excellence</b>	<p>Comprehensive evaluation of a concept of justice in relation to an actual situation is demonstrated by:</p> <ul style="list-style-type: none"> <li>• assessing the validity of differing viewpoints in relation to the application of a concept of justice;</li> <li>• selecting and applying a range of relevant supporting detail;</li> <li>• considering actual and/or possible consequences: consequences may be for any one of, but not limited to: <ul style="list-style-type: none"> <li>- future law making;</li> <li>- societal development;</li> <li>- civic engagement;</li> <li>- economic development;</li> <li>- environmental development;</li> <li>- justifying clear conclusions.</li> </ul> </li> </ul>
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### Guidance Information

- 1 Teaching and learning guidelines that inform legal studies as it is taught in New Zealand can be found at <http://seniorsecondary.tki.org.nz/Social-sciences/Legal-studies>. Assessment support material for these standards can be found at <http://www.nzqa.govt.nz/legalstudies>.

This unit standard can be awarded with an Achieved, Merit, or Excellence grade. For the Achieved grade to be awarded, all outcomes must be achieved as specified in the outcome statement(s). For Merit or Excellence grades to be awarded, the candidate must meet the Merit or Excellence criteria specified above.

## 2 Definitions

*Actual situation* relates to an actual significant case from past, present, New Zealand or overseas law, or to 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.

*Tikanga* is the right or correct way of doing things within Māori society. It is a system comprised of practice, principles, process and procedures, and traditional knowledge. Tikanga encompasses Māori justice. It provides processes for dispute resolution, prescribes authority for decision-making (and constraints on that authority) and has distinctive mechanisms for enforcement and remedy.

*Viewpoints* represent the opinions of individuals, organisations, governments or commentators. Viewpoints can derive from a variety of sources including media, social media, textbook sources.

- 3 Examples of balancing competing claims include – name suppression; law of defamation. Examples of impartiality include – judge and jury system; inadmissibility of evidence of prior convictions. Examples of equity include – judicial discretion at sentencing; relationship property division.

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## Outcomes and performance criteria

### Outcome 1

Evaluate a concept of justice in relation to an actual situation.

#### Performance criteria

- 1.1 A concept of justice is evaluated in terms of its application to the actual situation.

Range concepts of justice may include – utilitarian; retributive; restorative; distributive; tikanga Māori (marae); balancing competing claims; impartiality; equity.

- 1.2 Different viewpoints are compared in relation to the application of a concept of justice.

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<b>Planned review date</b>	31 December 2027
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**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	14 December 2012	31 December 2019
Review	2	23 November 2017	31 December 2024
Review	3	2 March 2023	N/A

**Consent and Moderation Requirements (CMR) reference**

0226

This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

**Comments on this unit standard**

Please contact NZQA National Qualifications Services [nqs@nzqa.govt.nz](mailto:nqs@nzqa.govt.nz) if you wish to suggest changes to the content of this unit standard.