

Legal Profession Admission Board of New South Wales

March 2024 Exam

Australian Constitutional Law

Examiner's Comments

(1) As has been the case in all prior Australian Constitutional Law (ACL) exams, the March 2024 Exam tested all areas of this subject.

(2) Australian Constitutional Law is a broad subject but one that deals specifically with the national and entrenched constitution of the Commonwealth of Australia. The Australian constitutional settlement is somewhat unique in that it is monarchical, it is federal, and it has been reduced to a written and entrenched constitution. Examinations in this subject, also, often contains material that relates to, or was included in, contemporaneous judgments of the High Court of Australia.

(3) A constant if basic requirement of all Australian Constitutional Law exams is that students show a good familiarity with the Constitution (all of it) and the fundamental ideas that underlie the Constitution, as informed by the caselaw that has illuminated our understanding of these provisions.

(4) The Exam was worth 80%, which, when added to the earlier Assignment worth 20%, made up the 100% of marks in this subject.

(5) In March 2024, as always, the session's Exam was a very long problem question that was designed to assess knowledge of all of the relevant material. The Exam had extensive facts, both to ensure every part of the ACL subject was covered, but also to include the opportunity to be made for allusions to current events that echo prior themes in Australia's constitutional history, to reinforce the relevance of this subject to everyday life.

(6) In answering this Exam – which, again, posed an exhaustive problem question – the students' efforts were, mostly, of a good to very standard. Most students displayed a good, practical, and ready understanding of ACL. The quality of these Exam answers was, generally, high. Overall, I was well satisfied by the effort of most students attempting the Exam.