



LAWS11057 *Introduction to Law*

Term 2 - 2017

Profile information current as at 26/04/2024 01:58 am

All details in this unit profile for LAWS11057 have been officially approved by CQU University and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

General Information

Overview

This unit introduces you to the study of law by examining the history out of which our law developed and examining how the law responds to the socio-legal conditions of our time. It provides you with an awareness of the institutions which are created by the law and how those institutions shape the development of the law. You will be introduced to the notion of legal reasoning: distinguishing the 'dicta' and 'obiter' of cases, precedent theory, case analysis, following and distinguishing precedent; as well as distinguishing between primary and delegated legislation. This unit introduces you to legal discourse and the conventions of the discipline which will provide a foundation for study in more advanced units.

Details

Career Level: *Undergraduate*

Unit Level: *Level 1*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

There are no requisites for this unit.

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

Offerings For Term 2 - 2017

- Distance

Attendance Requirements

All on-campus students are expected to attend scheduled classes - in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

Class and Assessment Overview

Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

[Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

[Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview

1. **Portfolio**

Weighting: 20%

2. **Written Assessment**

Weighting: 40%

3. **Written Assessment**

Weighting: 40%

Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the [CQUniversity Policy site](#).

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from Student survey

Feedback

Students require more timely feedback

Recommendation

Extend the dates for return of assignments to 3 weeks where possible to allow more feedback to be provided. Additional markers appointed where possible.

Unit Learning Outcomes

On successful completion of this unit, you will be able to:

1. Describe and discuss the rule of law, the nature of the Australian legal system and ethical responsibility
2. Explain how the law is made and developed in Australia
3. Demonstrate basic skills in legal research and writing using appropriate referencing standards
4. Develop basic skills in critical legal thinking, reasoning and reflection.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes			
	1	2	3	4
1 - Portfolio - 20%	•			•
2 - Written Assessment - 40%	•	•	•	•
3 - Written Assessment - 40%	•	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	2	3	4
1 - Communication	•	•	•	•
2 - Problem Solving			•	•
3 - Critical Thinking	•	•	•	•
4 - Information Literacy	•	•	•	•

Graduate Attributes	Learning Outcomes			
	1	2	3	4
5 - Team Work				
6 - Information Technology Competence		•	•	•
7 - Cross Cultural Competence			•	
8 - Ethical practice	•			•
9 - Social Innovation				
10 - Aboriginal and Torres Strait Islander Cultures				

Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
1 - Portfolio - 20%	•		•	•		•	•	•		
2 - Written Assessment - 40%	•	•	•	•		•				
3 - Written Assessment - 40%	•	•	•	•				•		

Textbooks and Resources

Textbooks

LAWS11057

Prescribed

The New Lawyer

Edition: 1st (2013)

Authors: Nickolas James & Rachael Field

Wiley & Sons

Australia

ISBN: ISBN 9781118540879

Binding: Paperback

[View textbooks at the CQUniversity Bookshop](#)

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- UCROO
- Web camera, headphones and microphone are essential.

Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 3rd ed](#)
For further information, see the Assessment Tasks.

Teaching Contacts

John Milburn Unit Coordinator
j.a.milburn@cqu.edu.au

Schedule

Week 1 - 10 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
Introduction - Discuss the life of a lawyer, some legal concepts and legal history in Australia.	The New Lawyer, Chapters 1, 2 & 3	Weekly online lecture & tutorial activities

Week 2 - 17 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
The Australian Legal System	The New Lawyer, Chapter 4	Weekly online lecture & tutorial activities

Week 3 - 24 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
Sources of Law in Australia	The New Lawyer, Chapter 5	Weekly online lecture & tutorial activities

Week 4 - 31 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
Legal thinking skills	The New Lawyer, Chapter 8	Weekly online lecture & tutorial activities
		Professional Portfolio Due: Week 4 Thursday (3 Aug 2017) 11:45 pm AEST

Week 5 - 07 Aug 2017

Module/Topic	Chapter	Events and Submissions/Topic
Research skills	The New Lawyer, Chapter 6	Weekly online lecture & tutorial activities

Vacation Week - 14 Aug 2017

Module/Topic	Chapter	Events and Submissions/Topic
--------------	---------	------------------------------

Week 6 - 21 Aug 2017

Module/Topic	Chapter	Events and Submissions/Topic
Communicating as a lawyer	The New Lawyer, Chapter 9	Weekly online lecture & tutorial activities

Week 7 - 28 Aug 2017

Module/Topic	Chapter	Events and Submissions/Topic
Interpreting the Law	The New Lawyer, Chapter 7	Weekly online lecture & tutorial activities

Week 8 - 04 Sep 2017

Module/Topic	Chapter	Events and Submissions/Topic
--------------	---------	------------------------------

Theories of Law & Justice	The New Lawyer, Chapter 11	Weekly online lecture & tutorial activities
Week 9 - 11 Sep 2017		
Module/Topic	Chapter	Events and Submissions/Topic
		Weekly online lecture & tutorial activities
Access to Justice	The New Lawyer, Chapter 12	Legal Problem Solving Toolkit Due: Week 9 Thursday (14 Sept 2017) 11:45 pm AEST
Week 10 - 18 Sep 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Professional Ethical Behaviour	The New Lawyer, Chapter 13	Weekly online lecture & tutorial activities
Week 11 - 25 Sep 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Self Management	The New Lawyer, Chapter 10	Weekly online lecture & tutorial activities
Week 12 - 02 Oct 2017		
Module/Topic	Chapter	Events and Submissions/Topic
		Self guided review of the course materials.
Review week	Materials provided.	Written Assessment - Final Take Home Paper Due: Week 12 Thursday (5 Oct 2017) 11:45 pm AEST
Review/Exam Week - 09 Oct 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Exam Week - 16 Oct 2017		
Module/Topic	Chapter	Events and Submissions/Topic

Assessment Tasks

1 Professional Portfolio

Assessment Type

Portfolio

Task Description

You will create an online professional portfolio as directed by your unit coordinator. This portfolio will follow you through the degree program and will include:

- A statement of your career aspirations and reasons for your interest in law,
- Relevant work and education history (you may update this as you complete more units in your degree),
- Evidence of any characteristics, skills and achievements useful to your professional practice including links to any supporting documents or evidence,
- A reflective statement regarding the rules of professional responsibility applicable to a law student and a practicing lawyer,
- A reflective statement of the rules around professional communication applicable to a law student and a practicing lawyer,
- A statement regarding your plans for community engagement and professional development as you progress through your studies.

Your portfolio must include at least one link to a short You Tube video in which you provide an overview of your portfolio. Before starting this exercise you will be required to read and reflect on the admission rules for your State together with

the CQU Student Charter and at least one case (provided) on the law regarding professional standards for admission. This assessment item is the labour equivalent of a 1500 word written essay.

Assessment Due Date

Week 4 Thursday (3 Aug 2017) 11:45 pm AEST

I expect students to present their assignment work on time. Please note that I will not consider any request for an extension of time unless you upload an application in the appropriate manner, supported by documentation and made prior to the due time/date. I will impose a penalty deduction of 5% per day for late work.

Return Date to Students

Monday (21 Aug 2017)

Student satisfaction surveys in the past indicate student concerns when a unit coordinator does not provide assessment feedback quickly. Generally, I release the feedback and marks the day after the final cut-off date (that is, I provide feedback and marks 10 days after the due date).

Weighting

20%

Assessment Criteria

- Complete all requirements of the task.
- Professional presentation of your work.
- Inclusion of evidence of your claimed skills and achievements.
- Demonstrated understanding of the relevant law and standards evidenced in professional statements on communication and professional standard.
- Effective use of technology to create the portfolio online including embedding at least one video.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

Submission

Online

Submission Instructions

The assessment is due by Thursday, 3 August 2017 at 11:45 PM. I will impose a penalty deduction of 5% per day for late work.

Learning Outcomes Assessed

- Describe and discuss the rule of law, the nature of the Australian legal system and ethical responsibility
- Develop basic skills in critical legal thinking, reasoning and reflection.

Graduate Attributes

- Communication
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Cross Cultural Competence
- Ethical practice

2 Legal Problem Solving Toolkit

Assessment Type

Written Assessment

Task Description

Create a legal problem solving "toolkit" as directed by your unit coordinator. This tool kit adopts material you are introduced to in the first half of the course and is meant to be of continuing use to you as you proceed through the degree program.

Some of the steps you should consider for your model would include these:

- Gathering and identifying the relevant facts,
- Strategies for identifying the legal issues,
- Processes for researching the most relevant and up to date law,
- Applying the law to the facts,
- Communicating your advice in the way most appropriate for your client,

Once you have assembled your model you are required to explain it in a recorded presentation which you then upload to

You Tube. Communicating how your model works is an important part of the assessment so consider using diagrams, flow charts and slide shows as appropriate if it helps you articulate your thoughts.

This assessment item is the labour equivalent of a 2000 word written essay.

Further details of this task will be available on the Moodle site along with ideas, hints and tips.

Assessment Due Date

Week 9 Thursday (14 Sept 2017) 11:45 pm AEST

I expect students to present their assignment work on time. Please note that I will not consider any request for an extension of time unless you upload an application in the appropriate manner, supported by documentation and made prior to the due time/date. I will impose a penalty deduction of 5% per day for late work until the nominated cut-off date, Saturday, 23 September 2017.

Return Date to Students

Monday (25 Sept 2017)

Student satisfaction surveys in the past indicate student concerns when a unit coordinator does not provide assessment feedback quickly. Generally, I release the feedback and marks the day after the final cut-off date (that is, I provide feedback and marks 10 days after the due date).

Weighting

40%

Assessment Criteria

- Complete all of the required elements of the task, (model, guides and presentation).
- Clear and logical explanation of your thinking skills and your overall approach to problem solving.
- Evidence of your understanding of how to identify and then the research relevant law.
- Demonstrated understanding of how to apply the law and communicate useful and ethical advice to a client.
- Professional presentation of your work including good use of technology.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

Submission

Online

Submission Instructions

I will only accept online submission of your work. Upload your work in a Word document (not PDF). I expect students to present their assignment work on time. Take care with your submission. Avoid obvious mistakes, such as basic spelling and grammatical errors. Read your paper out aloud, word by word. It is slow however; it may be a productive exercise. Alternatively, or in addition, ask a friend to read your material. Generally, you should submit one document (even if the assessment is in two or more parts) and ensure that your name is included in the name of the saved document.

Learning Outcomes Assessed

- Describe and discuss the rule of law, the nature of the Australian legal system and ethical responsibility
- Explain how the law is made and developed in Australia
- Demonstrate basic skills in legal research and writing using appropriate referencing standards
- Develop basic skills in critical legal thinking, reasoning and reflection.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence

3 Written Assessment - Final Take Home Paper

Assessment Type

Written Assessment

Task Description

The final take home examination paper is released in Week 12 on Wednesday evening at 06:45pm. You have 29 hours to respond (until Thursday, 5 October 2017 at 11:45 PM) however the exercise does not require this length of time to complete.

It is still essentially a three hour examination which you may complete at home and at your own pace any time during the 48 hour period. This also allows you to use your own computer to research your responses and type your answers for

submission online.

Questions are drawn from the material we discuss during the course. One is a problem question which you are required to respond to using the legal problem solving tool kit which you completed as your second assessment. More information about the format of the paper and suggested areas for revision will be provided after week 10.

Your answers are to be uploaded to Moodle in a word document any time before the deadline. In the absence of an approved extension, there will be no opportunity to complete the task after the cut-off date/time (Thursday, 5 October 2017 at 11:45 PM). There will be no opportunity to apply for a late penalty of 5% per day and you will receive a mark of zero for this assessment task.

Assessment Due Date

Week 12 Thursday (5 Oct 2017) 11:45 pm AEST

I will not provide personalised feedback/grades for this assessment. I will provide general feedback to the class.

Return Date to Students

Normal examination conditions apply. The final take home paper is not returned to students. General feedback is provided to the whole class in the form of an answer guide after the due date in accordance with University assessment policy.

Weighting

40%

Assessment Criteria

- Identified and discussed relevant factual issue.
- Identified and discussed relevant legal issues.
- Identified and discussed relevant law including cases and legislation if applicable.
- Application of your legal problem solving toolkit (where applicable).
- Demonstrated logical critical analysis or creative thinking in written response (where applicable).
- Professionally written and presented.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

Submission

Online

Submission Instructions

Uploaded to Moodle, no extensions are possible as exam conditions apply.

Learning Outcomes Assessed

- Describe and discuss the rule of law, the nature of the Australian legal system and ethical responsibility
- Explain how the law is made and developed in Australia
- Demonstrate basic skills in legal research and writing using appropriate referencing standards
- Develop basic skills in critical legal thinking, reasoning and reflection.

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Ethical practice

Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

What can you do to act with integrity?



Be Honest

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own



Seek Help

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)



Produce Original Work

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem