



LAWS11057 *Introduction to Law*

Term 2 - 2018

Profile information current as at 17/04/2024 05:08 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 - 2018

- 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 feedback

Feedback

Time management issues around assessments, working through material, amount of reading, time spent on completing assessments and take-home paper.

Recommendation

Some students would benefit from the option to take time management instruction, assistance with setting study goals and the preparation of a study timetable to be more realistic about what time they need to set aside for the 12 weeks of the course. The office of learning and teaching could consider providing such additional assistance.

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	•	•	•	•

Graduate Attributes	Learning Outcomes			
	1	2	3	4
4 - Information Literacy	•	•	•	•
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

Learning Law

Edition: 1st edn (2017)

Authors: Marinac, Simpson, Hart, Chisholm, Nielsen & Brogan

Cambridge University Press

South Melbourne, Vic, Australia

ISBN: 9781316642795

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)

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

Wayne Jones Unit Coordinator
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Schedule

MODULE ONE - FUNDAMENTALS - 09 Jul 2018

Module/Topic	Chapter	Events and Submissions/Topic
Module One consists of three components: 1. Lawyers and the Law 2. The History of the Law 3. Theories of the Law	<i>Learning Law</i> , Chapters 1 and 2	Attend Online Tutorials Complete Module Worksheet.

MODULE TWO - PARLIAMENTS AND STATUTES - 23 Jul 2018

Module/Topic	Chapter	Events and Submissions/Topic
Module two consists of four topics: 1. The Parliament 2. The Legislative Process 3. Finding and Reading Statutes 4. Statutory Interpretation	<i>Learning Law</i> , Chapters 3,4,6 and the supplementary online material on Statutory Interpretation	Assessment One is due at the end of Week 4 Attend Online Tutorials Complete Module Worksheet Popular Culture and the Law Due: Week 4 Friday (3 Aug 2018) 5:00 pm AEST

MODULE THREE - THE COURTS AND THEIR JUDGMENTS - 13 Aug 2018

Module/Topic	Chapter	Events and Submissions/Topic
Module Three consists of three topics: 1. The Court System 2. Finding and Citing Cases 3. Reading Cases Effectively	<i>Learning Law</i> , Chapter 5	Attend Online Tutorials Complete Module Worksheet.

MODULE FOUR - THINKING LIKE A LAWYER - 03 Sep 2018

Module/Topic	Chapter	Events and Submissions/Topic
Module Four consists of topics: 1. The IRAC Method of Legal Reasoning 2. Persuasion and Advocacy 3. The Facts and the Evidence	<i>Learning Law</i> , Chapters 7-9	Assessment Two is due at the end of Week 10 Attend Online Tutorials Complete Module Worksheet Research Exercise & Legal Problem Solving Due: Week 10 Friday (21 Sept 2018) 5:00 pm AEST

MODULE FIVE - LAW IN THE REAL WORLD - 24 Sep 2018

Module/Topic	Chapter	Events and Submissions/Topic
Module Five consists of five topics. Students must do the first topic but may then choose at least one of the remaining four. 1: The Legal Profession 2: The Law and Indigenous Australians 3: The Law and Women 4: The Law and LGBTI Australians 5: The Law and Religious Australians	<i>Learning Law</i> , Chapters 10-11	Attend Online Tutorials Complete Module Worksheet Take Home Paper Week 12

Assessment Tasks

1 Popular Culture and the Law

Assessment Type

Portfolio

Task Description

Consider the material and some of the concepts you have read about in Topic one. Identify one of your favourite pieces of popular culture about the law or lawyers i.e.. a movie, a book or a television show. (Think for example "To Kill a

Mockingbird", "The Pelican Brief", "The Man Who Sued God").

Draw on examples such as the storyline in the book, scenes or plot lines from the film or television program to demonstrate or explain at least two of the main concepts you have been studying or thinking about.

In particular, explain how your piece of popular culture gives you a context to better understand the meaning of the legal concepts you have been reading about.

1000 words

Assessment Due Date

Week 4 Friday (3 Aug 2018) 5:00 pm AEST

Return Date to Students

Week 6 Friday (24 Aug 2018)

Weighting

20%

Assessment Criteria

1. Demonstrated understanding of at least two of the key legal concepts discussed in Module 1.
2. A logical connection with an appropriate item of popular culture.
3. Demonstrated context or meaning of the legal concepts through examples which can be understood.
4. Good written communication skills.

Referencing Style

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

Submission

Online

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 Research Exercise & Legal Problem Solving

Assessment Type

Written Assessment

Task Description

Two exercises worth 20% each.

The first exercise is locating caselaw and legislation to demonstrate researching skills.

The second exercise is to discuss your process for legal problem solving. Use material you are introduced to in the first half of the course to outline a process you may be able to actually use as you progress through your degree. Some of the steps you should consider for your model would include these:

- Gathering and identifying the relevant facts and identifying the legal issues.
- Locating and researching the most relevant and up to date legislation and case law.
- Applying the law to the facts to come up with a conclusion.
- Communicating your advice in the way most appropriate for your client.

Assessment Due Date

Week 10 Friday (21 Sept 2018) 5:00 pm AEST

Return Date to Students

Week 12 Friday (5 Oct 2018)

Weighting

40%

Assessment Criteria

- Demonstrate an awareness of, and ability to use, key research tools described in the unit.

- Demonstrate capacity to locate legislation and case law.
- Shows a sound grasp of basic legal research methodology.
- Material written and presented professionally.

Referencing Style

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

Submission

Online

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 TAKE HOME PAPER

Assessment Type

Written Assessment

Task Description

Take Home Paper

In week 12 you will be presented with a take home paper with 48 hours to complete. This is a standard 3 hour exam you may complete at home and submit at any time during a 48 hour period. It does not require 48 hours to complete the exam.

Your response must be submitted by the due date and time with no extensions permitted.

The exam will include a combination of theoretical and problem questions.

Special Note:

Working to a short deadline and submitting on time are part of what is being assessed.

CQU Assessment Procedure does not allow late submission with a percentage penalty for take home exam papers. Late submissions cannot be marked.

Applications for a deferred examination can still be made in the usual way in the case of extraordinary circumstances.

Assessment Due Date

Due 48 hours from the day of release of the paper at the end of week 12 - Questions released Wednesday 3rd October 2018 17:00 and responses due Sunday 7th October 2018 17:00. (NB. Date of release to be confirmed in week 2.)

Return Date to Students

Normal examination conditions apply. The final online paper is not returned to students. Take home paper results are released with certification of grade. 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 facts.
- Identified and discussed relevant legal issues.
- Relevant cases, legislation and interpretation rules identified and applied.
- Logical analysis of the issues and law lead to a well argued conclusion.
- For the theory question logical conclusions which evidence understanding and consideration of material covered.
- All of the required elements of the task completed professionally and the opinion is concise and well presented.

Students should also familiarise themselves with the University policy on assessment which sets out the criteria for high distinctions, distinctions, credit and pass marks in some detail.

Referencing Style

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

Submission

Online

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