



LAWS11057 *Introduction to Law*

Term 3 - 2019

Profile information current as at 27/09/2024 10:15 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 3 - 2019

- Online

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

Provide better explanations of the assessment tasks including possible examples

Recommendation

More detailed instructions to be provided with any assessment tasks along with examples where appropriate.

Feedback from Student feedback

Feedback

Students comments generally reflect the fact that this is their first attempt, first unit and first year using the Moodle system

Recommendation

Continue to improve the Moodle interface with student experience in mind.

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	•	•	•	•

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

The New Lawyer

Edition: 2nd (2019)

Authors: Nickolas James, Rachael Field, Jackson Walkden-Brown

Wiley

Brisbane , Queensland , Australia

ISBN: 978730363446

Binding: Paperback

Additional Textbook Information

An e-text is also available as a bundle with the paperback book. The textbook pack is available at the CQUni Bookshop here: <http://bookshop.cqu.edu.au> (search on the Unit code). If you prefer an eBook only, then go to www.wileydirect.com.au

[View textbooks at the CQUniversity Bookshop](#)

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- Zoom

Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 4th ed](#)
For further information, see the Assessment Tasks.

Teaching Contacts

Victoria Lambropoulos Unit Coordinator
v.lambropoulos@cqu.edu.au

Schedule

Week 1 Introduction, Concepts & History - 11 Nov 2019

Module/Topic	Chapter	Events and Submissions/Topic
Life of a Lawyer, Fundamental Legal Concepts, Legal History in Australia	The New Lawyer chapters 1, 2 and 3	

Week 2 The Australian Legal System - 18 Nov 2019

Module/Topic	Chapter	Events and Submissions/Topic
The Australian Legal System	The New Lawyer chapter 4	

Week 3 Primary sources of our law - legislation and common law - 25 Nov 2019

Module/Topic	Chapter	Events and Submissions/Topic
Sources of Law in Australia	The New Lawyer chapter 5	

Week 4 Legal Thinking - 02 Dec 2019

Module/Topic	Chapter	Events and Submissions/Topic
Legal Thinking Skills	The New Lawyer chapter 8	Portfolio Due: Week 4 (Thursday 5th December 2019) at 11.59pm (23:59) AEST Portfolio Due: Week 4 Thursday (5 Dec 2019) 11:59 pm AEST

Vacation Week - 09 Dec 2019

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

Week 5 Legal Research - 16 Dec 2019

Module/Topic	Chapter	Events and Submissions/Topic
Legal Research Skills	The New Lawyer chapter 6	

Week 6 Communication & Collaboration - 23 Dec 2019

Module/Topic	Chapter	Events and Submissions/Topic
Communicating as a Lawyer	The New Lawyer chapter 9	

Week 7 Interpreting the Law - 06 Jan 2020

Module/Topic	Chapter	Events and Submissions/Topic
Interpreting the Law	The New Lawyer chapter 7	

Week 8 Theories of Law & Justice - 13 Jan 2020

Module/Topic	Chapter	Events and Submissions/Topic
Theories of Law and Justice	The New Lawyer chapter 11	

Week 9 Access to Justice - 20 Jan 2020

Module/Topic	Chapter	Events and Submissions/Topic
Access to Justice	The New Lawyer chapter 12	Legal Problem Solving Toolkit Due: Week 9 (Thursday 23rd January 2020) at 11.59 pm (23:59) AEST Legal Problem Solving Toolkit Due: Week 9 Thursday (23 Jan 2020) 11:59 pm AEST

Week 10 Professional Ethical Behaviour - 27 Jan 2020

Module/Topic	Chapter	Events and Submissions/Topic
Professional Ethical Behaviour	The New Lawyer chapter 13	

Week 11 Self-Management - 03 Feb 2020

Module/Topic	Chapter	Events and Submissions/Topic
Self-Management	The New Lawyer chapters 10 and 14	

Week 12 Review & Examination Preparation [Take-home Paper released during this week] - 10 Feb 2020

Module/Topic	Chapter	Events and Submissions/Topic
Review and Take Home Paper Released	No prescribed reading this week	Briefing Paper [Take Home Paper] Due: Week 12 (Friday 14th February 2020) at 11.59 pm (23:59) AEST Briefing Paper [Take Home Paper] Due: Week 12 Friday (14 Feb 2020) 11:59 pm AEST

Exam Week - 17 Feb 2020

Assessment Tasks

1 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 (5 Dec 2019) 11:59 pm AEST

Due Thursday 5th December 2019 at 11.59pm (23:59) AEST

Return Date to Students

Week 5 Thursday (19 Dec 2019)

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, 4th ed](#)

Submission

Online

Submission Instructions

Upload a single Word (not PDF) document. Include a link to your online portfolio and video. Please ensure I can access the online material.

Graduate Attributes

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

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.

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 (23 Jan 2020) 11:59 pm AEST

Due Thursday 23rd January 2020 at 11.59pm (23:59) AEST

Return Date to Students

Week 11 Thursday (6 Feb 2020)

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, 4th 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.

Graduate Attributes

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

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.

3 Briefing Paper [Take Home Paper]

Assessment Type

Written Assessment

Task Description

You have just over a day to complete the take home examination paper. You may use your own computer to conduct research and prepare your response. Questions are drawn from the material we discuss during the unit. Included is a problem question(s), 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.

Assessment Due Date

Week 12 Friday (14 Feb 2020) 11:59 pm AEST

I will release the Briefing paper [Take Home paper] on Thursday, 13th February 2020 at 12:00pm AEST. It is then due Friday 14th February 2020 11.59pm (23:59)

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 exam feedback report provided upon Certification of Grades in accordance with the relevant University Assessment Policy

Weighting

40%

Assessment Criteria

I assess students on their ability to demonstrate thinking and writing skills, to comprehend the material, to process the material and to provide a critical analysis and logical discussion of the law. Students are required to communicate an answer clearly, logically and in a concise manner. I expect you to present your paper in a professional manner. Please paginate your paper and use correct spelling and grammar. You must appropriately reference and attribute the work of others.

Fail

You will have shown evidence of the following:

- the written expression is poor and difficult to understand
- the answer is poorly organised
- referencing is generally inadequate
- lack of familiarity with the legislation and its application
- failure to identify and address the issues in the question
- reasoning and application demonstrated is poor

Pass

You will have:

- made a conscientious attempt to address the topic and/or answer the question
- shown evidence of having done the required reading and of having understood the reading
- presented a reasonable argument to back up your conclusions
- demonstrated a reasonable level of spelling and grammatical usage
- used referencing but this may need improvement
- issues that may need to be identified and addressed in more depth

Credit

You will have:

- addressed the topic and/or answered the question directly
- presented soundly based arguments and backed these up with reasons
- gone beyond description to analysis of key issues
- used the English language well
- shown evidence of reading widely
- demonstrated understanding of the reading
- used referencing that is satisfactory

Distinction

You will have:

- met the above criteria for a credit
- demonstrated the attainment of a high degree of understanding of the concepts of the unit
- demonstrated deep insight into the application of knowledge and skills to complex theoretical and practical situations
- used referencing correctly
- referred to all appropriate legislation

High Distinction

You will have:

- met the above criteria for a distinction
- demonstrated the attainment of an outstanding level of achievement regarding the objectives of this unit
- demonstrated an interesting and/or original approach/idea/argument
- demonstrated mastery of the relevant referencing system
- ensured your conclusions are backed by well-reasoned arguments demonstrating a detailed insight and analysis of issues
- ensured your references are made to the appropriate legislation for issues

Referencing Style

- [Australian Guide to Legal Citation, 4th 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 you include your name in the name of the saved document.

Graduate Attributes

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

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.

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