



# LAWS11057 *Introduction to Law*

## Term 3 - 2021

Profile information current as at 27/09/2024 10:19 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 - 2021

- 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. **Online Quiz(zes)**

Weighting: 20%

#### 2. **Learning logs / diaries / Journal / log books**

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 and self-reflection

##### Feedback

Integrate additional IRAC content

##### Recommendation

As problem-solving skills are key to both the capstone assessment in this unit, and students' progression in legal education and careers, provide additional support regarding, and examples of, IRAC problem-solving methods.

#### Feedback from Student feedback and self-reflection

##### Feedback

Reduce quiz access requirements

##### Recommendation

To enhance flexibility in learning, and support all learners in the unit, remove requirement to post in Moodle Forums before accessing quizzes

## 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
<b>1 - Online Quiz(zes) - 20%</b>	•			
<b>2 - Learning logs / diaries / Journal / log books - 40%</b>	•	•	•	•
<b>3 - Written Assessment - 40%</b>	•	•	•	•

### Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	2	3	4

Graduate Attributes	Learning Outcomes			
	1	2	3	4
1 - Communication	•	•	•	•
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 - Online Quiz(zes) - 20%	•		•	•		•	•	•		
2 - Learning logs / diaries / Journal / log books - 40%	•	•	•	•		•				
3 - Written Assessment - 40%	•	•	•	•				•		

## Textbooks and Resources

### Textbooks

**There are no required textbooks.**

#### Additional Textbook Information

There is no prescribed textbook for this unit, but students must complete readings provided on the eReadings list.

### IT Resources

**You will need access to the following IT resources:**

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

## 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

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## Schedule

### Week 1 - 08 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Exploring the Law	Byrne, Greg, 'The High Court in <i>Pell v The Queen</i> : An 'unreasonable' review of the jury's decision' (2020) 45(4) <i>Alternative Law Journal</i> 284	

### Week 2 - 15 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Navigating legal information	Read the following sections in the AGLC4: 1.1, 1.4, 1.5, 2.1 - 2.4 3.1 - 3.2 3.4 - 3.6 5.1 - 5.7 6.1 - 6.4 7.11 7.15	

### Week 3 - 22 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Critical thinking and using evidence	Anne-Marie Slaughter, 'On thinking like a lawyer', <a href="https://scholar.princeton.edu/sites/default/files/slaughter/files/onthinkinglikealawyer.pdf">https://scholar.princeton.edu/sites/default/files/slaughter/files/onthinkinglikealawyer.pdf</a> Gerald Lebovits, 'The Legal Writer, Say It Ain't So: Leading Logical Fallacies in Legal Argument - Part 1', 88 <i>New York State Bar Association Journal</i> 64 (July/August 2016) Gerald Lebovits, 'The Legal Writer, Say It Ain't So: Leading Logical Fallacies in Legal Argument - Part 2', 88 <i>New York State Bar Association Journal</i> 64 (Sept. 2016) 'The Art of Written Persuasion: From IRAC to FAILSAFE - A Compilation of Legal Problem-Solving Models', <a href="https://www.lrx.com/2008/10/the-art-of-written-persuasion-from-irac-to-failsafe-a-compilation-of-legal-problem-solving-models/">https://www.lrx.com/2008/10/the-art-of-written-persuasion-from-irac-to-failsafe-a-compilation-of-legal-problem-solving-models/</a>	

### Week 4 - 29 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Using legal sources: rules and principles	Kath Hall and Clare Macken, <i>Legislation and Statutory Interpretation</i> (LexisNexis Butterworths, 4th ed, 2015) Chapter 4 'Statutory Interpretation'	

### Vacation Week - 06 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
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### Week 5 - 13 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
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Using legal sources:  
precedents

Reading: Robin Creyke et al, *Laying Down the Law* (LexisNexis Butterworths, 10th ed, 2018), sections 6.9 - 6.20

#### Week 6 - 20 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
	Kim D Chanbonpin, 'Legal Writing, the Remix: Plagiarism and Hip Hop Ethics' (2011-2012) 63 <i>Mercer Law Review</i> 597	
Being a lawyer and being ethical	<i>Legal Services Commissioner v Bui</i> [2018] QCAT 424  Carrie Menkel-Meadow, 'When Winning Isn't Everything: The Lawyer as Problem Solver' (2000) 28 <i>Hofstra Law Review</i> 905	<b>Workbooks</b> Due: Week 6 Wednesday (22 Dec 2021) 11:59 pm AEST

#### Vacation Week - 27 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
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#### Week 7 - 03 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Integrated legal problem solving	Jennifer Greaney, <i>Principles and Practice of Australian Law</i> (Lawbook Co, 4th ed, 2020), Chapter 5 'Access to Law'.	

#### Week 8 - 10 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Law in society	Nick Chater, 'Could we live without laws?', <a href="https://theconversation.com/could-we-live-in-a-world-without-rules-128664">https://theconversation.com/could-we-live-in-a-world-without-rules-128664</a> Joe Harman, 'Law as an Instrument of Justice and a Tool of Oppression', <i>Legal Studies Conference</i> (15 March 2014).  Jack Goldring, 'Australian Lawyers and Social Change - 30 Years Later', <a href="https://law.anu.edu.au/sites/all/files/media/documents/events/goldring_-_30_years_later.pdf">https://law.anu.edu.au/sites/all/files/media/documents/events/goldring_-_30_years_later.pdf</a>	

#### Week 9 - 17 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Law and changemaking	Portable, <i>Design for Justice: How technology and design can help to deliver justice better</i> (2018), Report	

#### Week 10 - 24 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Law and justice careers	The Law Society of New South Wales, <i>FLIP: The Future of Law and Innovation in the Profession</i> , 2017, <a href="https://lawsociety.cld.bz/online-flip-report/114">https://lawsociety.cld.bz/online-flip-report/114</a>	<b>Legal Problem Solving Exercise</b> Due: Week 10 Monday (24 Jan 2022) 11:59 pm AEST

#### Week 11 - 31 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Prognostications and procrastinations	No set reading	<b>Quizzes</b> Due: Week 11 Friday (4 Feb 2022) 11:59 pm AEST

#### Week 12 - 07 Feb 2022

Module/Topic	Chapter	Events and Submissions/Topic
Job interview simulations, continued		Workbook (part 2) for modules/weeks 6 - 10 due by 11.59 pm on Wednesday 9 February 2022 (week 12).

#### Exam Week - 14 Feb 2022

Module/Topic	Chapter	Events and Submissions/Topic
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## Assessment Tasks

### 1 Quizzes

**Assessment Type**

Online Quiz(zes)

**Task Description**

In this unit, you will be reading articles and materials that will broaden your understanding of the topics of law and justice. At the end of each module (modules 1-10), a quiz will test your comprehension of these materials and your ability to apply concepts from these materials. Each quiz assigns you four questions, drawn randomly from a bank. Each question is worth a half mark and thus each quiz is worth a total of 2% for each module. You are required to complete the lesson activities for each module before the quiz becomes available and you are able to complete it.

All quizzes must be completed by 11.59 pm (Qld time) on Friday 4 February 2022 (week 11). No extensions beyond this due date are permitted.

**Number of Quizzes**

10

**Frequency of Quizzes**

Weekly

**Assessment Due Date**

Week 11 Friday (4 Feb 2022) 11:59 pm AEST

**Return Date to Students**

Quizzes are marked automatically

**Weighting**

20%

**Assessment Criteria**

- Comprehension of module materials and readings.
- Application of concepts from the materials and readings to topics and questions.
- Evaluation of propositions, using the evidence base provided by reading materials.

**Referencing Style**

- [Australian Guide to Legal Citation, 4th ed](#)

**Submission**

Online

**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

### 2 Workbooks

**Assessment Type**

Learning logs / diaries / Journal / log books

**Task Description**

This unit emphasises practical and applied learning, to draw connections between the readings/preparatory materials and the real world context in which they are used. Each workshop is designed around a challenge that tests your skills, with the support of a small group of peers online. To evidence what you have learned, you will write individual reflective reports on each of the workshop activities in which you participate. Each will be roughly one half to one page in length and can include elements such as tables or diagrams.

Your Workbook will include a total of ten reports connected to the challenge tasks in workshops 1 to 10. These are due to be submitted in two stages. Workbooks for modules 1 to 5 are due in week 6 in order to give you an understanding of your progress. The remaining workbooks, 6 to 10 are due in week 12.

Each challenge includes two different tasks. There is a compulsory core challenge task that requires preparation and participation in the weekly workshops. In addition, there is also an optional extended challenge each week that requires students to do additional work on their own initiative. Each challenge (core and extended) is worth 2 marks and thus the workbook each week is worth a maximum of 4 marks.

If you are unable to attend any workshops, these challenge tasks may be completed in a study group that you organise with peers at your own convenience.

**Assessment Due Date**

Week 6 Wednesday (22 Dec 2021) 11:59 pm AEST

Workbook (part 1) for modules 1 to 5 are due on 11.59 pm (Qld time) on Wednesday 22 December 2021 (week 6).

Workbook (part 2), for modules 6 to 10 are due by 11.59 pm (Qld time) on Wednesday 9 February 2022 (week 12).

**Return Date to Students**

We will endeavour to return grades for workbook, part 1 (for weeks 1 - 5) within 2 weeks. Grades for workbook, part 2 (weeks 6 - 10) will be released upon certification of grades.

**Weighting**

40%

**Assessment Criteria**

6. Completion of core tasks and extension challenges.
7. Report succinctly on challenge task activities.
8. Use creative problem solving in response to challenges.
9. Reflect on what you have learned from each challenge task activity
10. Demonstrate understanding of how theories and concepts integrate into practical and applied situations.

**Referencing Style**

- [Australian Guide to Legal Citation, 4th ed](#)

**Submission**

Online

**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 Legal Problem Solving Exercise

#### Assessment Type

Written Assessment

#### Task Description

In this unit, you will be learning practical skills for working in and around the legal and justice systems. The first half of the term will teach you how to find, use and evaluate legal authorities and sources of information. To test what you have learned, you will complete a legal problem solving exercise which will be released in week 8 and due in week 10. This will be supported by a workshop challenge in week 7 that features a hypothetical problem.

You will be assessed on your ability to identify the legal issues in a factual scenario and locate and interpret the law. You must apply the law to the facts to provide advice to a client. You will also be assessed on your ability to explain your reasoning, the steps you took in solving the problem and the decisions that you made. In short you will need to “show your working”. The two week turnaround has, in part, been required to reduce the potential of contract cheating and also to facilitate planning skills.

#### Assessment Due Date

Week 10 Monday (24 Jan 2022) 11:59 pm AEST

#### Return Date to Students

Week 12 Monday (7 Feb 2022)

#### Weighting

40%

#### Assessment Criteria

- Identification of legal issues
- Identification and analysis of relevant law
- Ability to apply the law to a factual scenario
- Ability to provide clear, supportable conclusions
- Effective communication and referencing
- Ability to reflect on problem-solving process

#### Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

#### Submission

Online

#### 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