

## In Progress

Please note that this Unit Profile is still in progress. The content below is subject to change.



# LAWS11059 *Statutory Interpretation*

## Term 2 - 2022

Profile information current as at 18/05/2022 06:27 am

All details in this unit profile for LAWS11059 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

LAWS11059 Statutory interpretation has a specific focus on locating and using legislation, aids to interpretation, and deployment of interpretative techniques. In this unit you will learn how to determine whether the exercise of a statutory power is invalid if a condition or procedure regulating its exercise, is breached; whether a law has a retrospective operation; whether a statutory offence contains a mental ingredient to be proved by the prosecution (*mens rea*), and if so, what that ingredient is; the scope of a statutory power to make delegated legislation in the light of delegated legislation, which has purportedly been made under a power; and the application of a rule in any applicable charter of human rights. A law graduate should be able to give a reasoned opinion as to the appropriate meaning of a legislative provision which takes adequate account of the law of statutory interpretation. This unit meets the LPAB requirements for statutory interpretation.

### 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 - 2022

- 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. **Written Assessment**

Weighting: 20%

#### 2. **Written Assessment**

Weighting: 20%

#### 3. **Written Assessment**

Weighting: 60%

### 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 John Milburn

**Feedback**

It would be useful to provide an overview of the expectation of students prior to commencement of the unit.

**Recommendation**

As some students take time to acclimatise to university study, encouraging students to participate in orientation process would be useful prior to commencement of this first year unit. That way, prior to commencement of the unit students would be encouraged to commence preliminary reading.

#### Feedback from John Milburn and student feedback

**Feedback**

The introduction of an Academic Skills component to the unit has enhanced and improved the study experience of students.

**Recommendation**

The Academic Learning Centre (ALC) provided targeted support to assist with important educational skills for unit through the introduction of an Academic Skills Component and a bespoke Moodle site as support for LAWS11059 in term 2. That support included the introduction of materials and exercises aimed at improving students' study skills and language skills while also introducing them to discipline-specific requirements in assessment (such as IRAC). Statutory Interpretation is a natural fit for this because of its emphasis on the importance of clear, precise writing and its emphasis on the grammatical and contextual construction of sentences. Ms Rachel Barber, Associate Lecturer in the School of Access Education at CQUniversity Australia became an important member of the teaching team in term 2 in her role as representing the ALC and advancing the stated ambitions, which were well received by me and students. I recommend that the ALC continue to have this important teaching component in LAWS11059.

#### Feedback from John Milburn and student feedback

**Feedback**

The take-home paper for LAWS11059 in term 2 2021 was difficult, it was subject to a three-hour time limitation, and it was practically based.

**Recommendation**

Throughout term, I emphasised the need for students to apply learned statutory interpretation skills in LAWS11059 in a practical manner. That resulted in students being presented with a series of hypothetical scenarios that required them to consider actual, rather than theoretical, legislation to provide a statutory interpretation based response. Most students performed well in completing the task, but it was clear that some students had not participated live or viewed the weekly tutorials, struggled to provide a meaningful response. I recommend that this type of assessment regime continue, subject to ongoing notification by the unit coordinator to students advising of the likelihood of a difficult, practically based, take-home paper at the end of term.

## Unit Learning Outcomes

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

1. Apply skills in locating and using legislation, aids to interpretation and deployment of interpretive skills
2. Evaluate whether the exercise of statutory power is invalid
3. Analyse whether a law has a retrospective operation
4. Analyse whether a statutory offence contains a mental element (mens rea)
5. Analyse the scope of statutory power to make delegated legislation
6. Analyse and critically reflect on the application and interpretation of legislation, legislative instruments and related material.

## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes					
	1	2	3	4	5	6
1 - Written Assessment - 20%	•	•	•	•	•	•
2 - Written Assessment - 20%	•	•				
3 - Written Assessment - 60%	•	•	•	•		

### Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes					
	1	2	3	4	5	6
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 - Written Assessment - 20%	•	•	•	•		•		•		
2 - Written Assessment - 20%	•		•	•		•				

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
<b>3 - Written Assessment - 60%</b>	•	•	•	•				•		

## Textbooks and Resources

### Textbooks

LAWS11059

#### Prescribed

##### Statutory Interpretation

Edition: 2 (2016)

Authors: Michelle Sanson

Oxford University Press Australia

Melbourne , VIC , Australia

ISBN: 9780190304577

Binding: Paperback

LAWS11059

#### Supplementary

##### Effective Legal Writing

Edition: 3 (2020)

Authors: Corbett-Jarvis and Grigg

Lexis Nexis Australia

ISBN: 9780409351484

Binding: eBook

LAWS11059

#### Supplementary

##### eLearn: Statutory Interpretation - An Introduction

Edition: 1 (2020)

Authors: Sharon Szeta and Lisa Sylvester

Lexisnexis

Sydney , NSW , Australia

ISBN: 9780001562080

Binding: eBook

[View textbooks at the CQUniversity Bookshop](#)

### IT Resources

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

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

## Academic Integrity Statement

Information for Academic Integrity Statement has not been released yet.

This unit profile has not yet been finalised.