



# **LAWS40047 Introduction To Law In Australia**

## **Term 1 - 2018**

Profile information current as at 19/05/2024 04:08 pm

All details in this unit profile for LAWS40047 have been officially approved by CQUniversity 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 provides students with an introduction to law in Australia, but with a special emphasis on pre-colonisation Indigenous Australian legal systems, and how these systems have been impacted by Western legal systems. The unit gives students a basic introduction to various types of law in contemporary Australian society, including criminal, civil and administrative law. In line with the unit's Indigenous Australian focus, there is also an emphasis on Native Title and property law, and the ways in which these may affect Indigenous Australians.

### Details

Career Level: *Non-award*

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 1 - 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).

### Residential Schools

This unit has a Compulsory Residential School for distance mode students and the details are:

Click here to see your [Residential School Timetable](#).

### 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 Non-award 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: 30%

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

Weighting: 50%

#### 3. **Online Quiz(zes)**

Weighting: 20%

### 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 evaluations

##### Feedback

Positive feedback on content material.

##### Recommendation

Continue to update the research material. The unit will also make sure that the correct protocols are followed when referring to Aboriginal and Torres Strait Islander people.

## Unit Learning Outcomes

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

1. Explain how the concept of law was created and enforced in traditional Aboriginal and Torres Strait societies in comparison to the post-colonisation Western system of law.
2. Critically analyse the various legal systems in Australia, and especially how they apply to Aboriginal and Torres Strait Islanders.
3. Apply research and note taking skills.

Not applicable.

## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes		
	1	2	3
1 - Written Assessment - 30%	•	•	•
2 - Written Assessment - 50%	•	•	•
3 - Online Quiz(zes) - 20%	•	•	

### Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes		
	1	2	3
1 - Self Management	—	—	—
2 - Communication	—	—	

Graduate Attributes	Learning Outcomes		
	1	2	3
3 - Information Literacy	—	—	—
4 - Information Technology Competence	—	—	—
5 - Problem Solving	—	—	—
6 - Critical Thinking	—	—	—
7 - Cross-Cultural Competence	—	—	—
8 - Ethical Practice	—	—	
9 - 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
1 - Written Assessment - 30%	—	—	—	—	—	—	—	—	
2 - Written Assessment - 50%	—	—	—	—	—	—	—	—	
3 - Online Quiz(zes) - 20%	—			—	—	—	—		

## Textbooks and Resources

### Textbooks

**There are no required textbooks.**

### IT Resources

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

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- Microsoft Office
- Please Note: Correctional Centre students do not require access to email, internet or the unit website.

## Referencing Style

All submissions for this unit must use the referencing style: [Harvard \(author-date\)](#)  
For further information, see the Assessment Tasks.

## Teaching Contacts

**Bronwyn Mcfarlane** Unit Coordinator  
[b.mcfarlane@cqu.edu.au](mailto:b.mcfarlane@cqu.edu.au)

## Schedule

### Week 1 - 05 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Pre-colonisation Aboriginal and Torres Strait legal systems in Australia		

### Week 2 - 12 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Post-colonisation Australian legal system. The Constitution, the separation of power doctrine, and how law is created and amended		

### Week 3 - 19 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Citizenship, civil rights and the Constitution		<b>Compulsory Residential School:</b> 19 - 23 March at Nulloo Yumbah, Building 31, CQUniversity Rockhampton North Campus

### Week 4 - 26 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Legal areas: civil, criminal and administrative		

### Week 5 - 02 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
The court system. Evidence and witnesses		

### Vacation Week - 09 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
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### Week 6 - 16 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
Family law and Indigenous Australians		

### Week 7 - 23 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
Contract law		Written Assessment 1 Due: Week 7 Friday (27 April 2018) 11:55 pm AEST  <b>Written Assessment 1</b> Due: Week 7 Friday (27 Apr 2018) 11:55 pm AEST

### Week 8 - 30 Apr 2018

Module/Topic	Chapter	Events and Submissions/Topic
Native Title and property law (1)		

### Week 9 - 07 May 2018

Module/Topic	Chapter	Events and Submissions/Topic
Native Title and property law (2)		

**Week 10 - 14 May 2018**

Module/Topic	Chapter	Events and Submissions/Topic
Administrative law		

**Week 11 - 21 May 2018**

Module/Topic	Chapter	Events and Submissions/Topic
Legal accountability, negligence and duty of care		

**Week 12 - 28 May 2018**

Module/Topic	Chapter	Events and Submissions/Topic
		<b>Written Assessment</b> Due: Week 12 Friday (1 June 2018) 11:55 pm AEST

**Review/Exam Week - 04 Jun 2018**

Module/Topic	Chapter	Events and Submissions/Topic
Unit review		Written Assessment 2 Due: Week 12 Friday (1 June 2018) 11:55 pm AEST  Due: Review/Exam Week Friday (8 June 2018) 11:45 pm AEST

**Exam Week - 11 Jun 2018**

Module/Topic	Chapter	Events and Submissions/Topic
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## Term Specific Information

### Contact Details

Coordinator: Bronwyn McFarlane  
Phone: (07) 4150 7069  
Email: b.mcfarlane@cqu.edu.au

### Unit presentation

10-12 hours of study per week of self-directed study

Student access to the Internet, email and residential schools is recommended for this unit, with the exception of those students in correctional centres.

Students are expected to follow a self-directed study schedule which meets the required deadlines.

### Residential School

Residential School is a requirement of this unit. One Residential School will be held during the term – week 3 (19 - 23 March). During this school, group work, lectures, tutorials, presentations and individual tuition will be held.

Please also confirm your attendance by emailing tep@cqu.edu.au or telephoning Suellen Thomas on 1800 651 891.

Travel will be organised through Centrelink, and not TEP. If you are of Aboriginal and/or Torres Strait Islander descent, it is important that you register with Centrelink/Abstudy at the earliest opportunity. Residential travel cannot be organised until the registration process has been completed. Please note that Abstudy needs 3 weeks' notice of your intended travel. Abstudy will confirm your registration with us and then arrange travel for you. TEP will arrange your accommodation and meals. Abstudy will notify you of your travel details and so it is important that your contact details are up to date. Contact TEP urgently if something at the last moment prevents you attending.

### Unit Website

The unit website is offered through the learning management system, Moodle. You should find this website easy to use. Consequently, you will need access to the internet. If the learning management system Moodle is temporarily unavailable when you need to submit an assessment item, you can send your assessment by email to your unit coordinator.

### Computer (including software) requirements

Access to a computer is necessary. If you can regularly get to a CQUniversity campus, you can use the computers there. If you cannot get to a campus, it is best to have your own computer. You may also be able to use a computer at your local Queensland Open Learning Study Centre or your local library. Internet access is necessary so you can access the unit website. Microsoft Office software is preferred. Students in correctional centres do not require computer access.

### Assessment Information

Assessments for this unit should be submitted electronically through Moodle. Students are required to keep back-up copies of all assessments. Please ensure that your assessment conforms to the applicable formatting guide. To submit electronically, the assessment should be saved in a format that is compatible with Microsoft Office and submitted via the Learning Management System (Moodle).

## Assessment Tasks


# 1 Written Assessment 1

## Assessment Type

Written Assessment

## Task Description

Write an academic essay which describes the traditional law system of Aboriginal and Torres Strait Islander peoples, and compares it with the Australian system of law. The word count for this essay is 1000-1200 words. Use these topical questions as a guide to researching and writing the essay:

-  Who is responsible for making or changing the law in traditional Indigenous Australian societies? How is the law kept and enforced in traditional Indigenous Australian societies?
- How is law made in Australia?
- How is the law enforced in Australia – what are the mechanisms?

## Assessment Due Date

Week 7 Friday (27 Apr 2018) 11:55 pm AEST

## Return Date to Students

Week 9 Friday (11 May 2018)

## Weighting

30%


## Assessment Criteria

**The following criteria will be used in assessing your essay**

**Academic content**

Uses the academic essay structure to logically organise and present ideas and arguments Clarity of expression, correct grammar and spelling

**Referencing skills**

 Uses the Harvard style of referencing Appropriate and correct in-text referencing Includes a reference list, correctly formatted

**Online participation:** *Accessing the LAWS40047 Moodle website regularly throughout term, and contributing regularly to the discussion forums is very important if students are to be successful in this unit.*



## Referencing Style

- [Harvard \(author-date\)](#)

## Submission

Online

## Learning Outcomes Assessed

- Explain how the concept of law was created and enforced in traditional Aboriginal and Torres Strait societies in comparison to the post-colonisation Western system of law.
- Critically analyse the various legal systems in Australia, and especially how they apply to Aboriginal and Torres Strait Islanders.
- Apply research and note taking skills.

## Graduate Attributes

- Self Management
- Communication
- Information Literacy
- Information Technology Competence
- Problem Solving
- Critical Thinking
- Cross-Cultural Competence
- Ethical Practice


## 2 Written Assessment

### Assessment Type

Written Assessment

### Task Description

Assessment 2 (1500-2000 words)

 Write an academic essay comparing Native Title law with other forms of property law in Australia. In your response, you might consider some of the problems, both historically and contemporary, that are associated with Native Title law.

### Assessment Due Date

Week 12 Friday (1 June 2018) 11:55 pm AEST

### Return Date to Students

Exam Week Monday (11 June 2018)

### Weighting

50%


### Assessment Criteria

## Academic content

Demonstrates understanding of the unit material relevant to the assessment task

Evidence of research

Originality

 Relevance to the topic

## Writing skills

Uses the academic essay structure to logically organise and present ideas and arguments

Clarity of expression, correct grammar and spelling

## Referencing skills

Uses the Harvard style of referencing

Appropriate and correct in-text referencing

Includes a reference list, correctly formatted

## Referencing Style

[Harvard \(author-date\)](#)

## Referencing Style

- [Harvard \(author-date\)](#)

## Submission

Online

## Learning Outcomes Assessed

- Explain how the concept of law was created and enforced in traditional Aboriginal and Torres Strait societies in comparison to the post-colonisation Western system of law.
- Critically analyse the various legal systems in Australia, and especially how they apply to Aboriginal and Torres Strait Islanders.
- Apply research and note taking skills.

## Graduate Attributes

- Self Management
- Communication
- Information Literacy
- Information Technology Competence
- Problem Solving
- Critical Thinking
- Cross-Cultural Competence
- Ethical Practice

## No Assessment Title


### Assessment Type

Online Quiz(zes)

### Task Description

The task associated with this assessment item is to complete the online quizzes during the term on the unit's Moodle website. These quizzes will be available in Weeks 3, 6, 9 and 12, and each quiz will test the student's knowledge of unit material for the previous three weeks.

Each quiz will consist of ten (10) questions that are randomly selected from a question bank. Each quiz will be worth 5% of the total grade for the unit and the complete assessment of four quizzes will be worth 20% of the total grade. Although marks will be given to students after each quiz, the final grade will not be shown until the end of term. **Points to note:**

 Students will be allowed two attempts at each quiz. The attempt with the highest grade will be accepted for assessment.

There will be no time limit on quizzes.

Students are encouraged to refer to the unit materials in order to obtain as many correct answers as possible.

Students are encouraged to attempt every quiz to obtain the maximum number of marks.

If students have technical problems with the quiz, they should contact the unit coordinator or TASAC as soon as possible.

### Number of Quizzes

### Frequency of Quizzes

### Assessment Due Date

Review/Exam Week Friday (8 June 2018) 11:45 pm AEST

### Return Date to Students

Review/Exam Week Friday (8 June 2018)

### Weighting

20%

### Assessment Criteria

#### Assessment Criteria Marking criteria:

**Students are marked according to number of correct responses for each quiz**

#### Referencing Style:

[Harvard \(author-date\)](#)

## Referencing Style

- [Harvard \(author-date\)](#)

## Submission

Online

## Learning Outcomes Assessed

- Explain how the concept of law was created and enforced in traditional Aboriginal and Torres Strait societies in comparison to the post-colonisation Western system of law.
- Critically analyse the various legal systems in Australia, and especially how they apply to Aboriginal and Torres Strait Islanders.

#### **Graduate Attributes**

- Self Management
- Information Technology Competence
- Problem Solving
- Critical Thinking
- Cross-Cultural Competence

## 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