



## UNSW Course Outline

# LAWS8165 Skills in Dispute Management - 2024

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## General Course Information

Course Code : LAWS8165

Year : 2024

Term : Term 3

Teaching Period : T3B

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Law, Society and Criminology

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

Conflict is an inevitable part of daily work and personal life, but the development of dispute management skills is an often-overlooked part of professional development. This course provides students with a foundation in conflict management skills that they can apply

immediately in their personal and professional lives. It introduces students to models of communication and conflict analysis, and a range of skills for managing disputes in a constructive manner. Drawing on insights from fields such as psychology, management, political and social sciences, this course is strongly interdisciplinary and oriented towards providing students with practical skills informed by theory. It is designed as a highly interactive course and involves both online and face-to-face activities.

This course is available to all LLM students, forms part of the Dispute Resolution stream and is available to students in the Master of Dispute Resolution and the Graduate Diploma of Dispute Resolution.

## Main Topics

- Communication theory and practice
- Understanding Conflict
- Introduction to conflict analysis
- Skills in conflict management
- Ethical issues in conflict management
- Interdisciplinary approaches to conflict.

## Course Aims

This course aims to provide students with a foundation in conflict management skills that they can apply immediately in their personal and professional lives. It introduces students to models of communication and conflict analysis, and a range of skills for managing disputes in a constructive manner. It aims to give students a grounding in the interdisciplinary basis of conflict resolution by providing insights from fields such as law, psychology, management, political and social sciences.

## Course Learning Outcomes

Course Learning Outcomes
CLO1 : Demonstrate high-level knowledge and understanding of the dynamics of conflict and conflict resolution, including the psychological dimensions of conflict (PLO 1a, 2a)
CLO2 : Engage in and communicate complex critical analysis of conflict situations and apply appropriate strategies for engagement and resolution (PLO 1a, 2a, 3a, 3b)
CLO3 : Demonstrate an awareness of policy and legal issues in dispute resolution, both in Australia and globally (PLO 1a, 2a, 2b)
CLO4 : Investigate and adopt appropriate research methodologies and produce written and verbally-delivered research that identifies and synthesises issues in conflict management (PLO 1b, 2b, 3a, 3b, 4)

Course Learning Outcomes	Assessment Item
CLO1 : Demonstrate high-level knowledge and understanding of the dynamics of conflict and conflict resolution, including the psychological dimensions of conflict (PLO 1a, 2a)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Group project</li> <li>• Research Essay</li> </ul>
CLO2 : Engage in and communicate complex critical analysis of conflict situations and apply appropriate strategies for engagement and resolution (PLO 1a, 2a, 3a, 3b)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Group project</li> <li>• Research Essay</li> </ul>
CLO3 : Demonstrate an awareness of policy and legal issues in dispute resolution, both in Australia and globally (PLO 1a, 2a, 2b)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Group project</li> <li>• Research Essay</li> </ul>
CLO4 : Investigate and adopt appropriate research methodologies and produce written and verbally-delivered research that identifies and synthesises issues in conflict management (PLO 1b, 2b, 3a, 3b, 4)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Group project</li> <li>• Research Essay</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Class Participation Assessment Format: Individual	15%	Start Date: see Moodle Due Date: See Moodle
Group project Assessment Format: Group	25%	Start Date: See Moodle Due Date: See Moodle
Research Essay Assessment Format: Individual	60%	Start Date: See Moodle Due Date: See Moodle

## Assessment Details

### Class Participation

#### Assessment Overview

This assessment requires you to prepare for and actively engage in class-based and online activities.

### Course Learning Outcomes

- CL01 : Demonstrate high-level knowledge and understanding of the dynamics of conflict and conflict resolution, including the psychological dimensions of conflict (PLO 1a, 2a)
- CL02 : Engage in and communicate complex critical analysis of conflict situations and apply appropriate strategies for engagement and resolution (PLO 1a, 2a, 3a, 3b)
- CL03 : Demonstrate an awareness of policy and legal issues in dispute resolution, both in Australia and globally (PLO 1a, 2a, 2b)
- CL04 : Investigate and adopt appropriate research methodologies and produce written and verbally-delivered research that identifies and synthesises issues in conflict management (PLO 1b, 2b, 3a, 3b, 4)

### Detailed Assessment Description

Class participation will be assessed on your contributions to:

- Live seminars (including class discussions and role play exercises).
- Your contribution to the learning blogs.

Students are expected to arrive at the live seminars having read set materials and having completed the relevant asynchronous session. Completion of these activities will facilitate discussion 'in class'.

Assessable class participation is designed to:

- encourage preparation for class;
- encourage students to learn, think, analyse, reflect and evaluate legal material prior to covering that content in class;
- assist students to develop the capacity to think clearly and to present oral arguments;
- apply the skills learned conflict management in role play exercises; and
- develop collaborative and group learning skills.

Students' contributions to the online learning blogs on Moodle are also assessed as part of class participation. Students are required to write a short personal learning blog to reflect upon the key skills learned in each class. **Each student should write at least one blog at the end of the term.** Students can also comment on and learn from others' learning blogs. At the end of the term, each student will have built a rich personal learning journal noting on the key skills you have learned in conflicts management.

### Assignment submission Turnitin type

Not Applicable

### Generative AI Permission Level

Not Applicable

Generative AI is not considered to be of assistance to you in completing this assessment. If you do use generative AI in completing this assessment, you should attribute its use. For more information on Generative AI and permitted use please see [here](#).

## Group project

### Assessment Overview

This assessment requires you to work collaboratively to deliver a project.

### Course Learning Outcomes

- CLO1 : Demonstrate high-level knowledge and understanding of the dynamics of conflict and conflict resolution, including the psychological dimensions of conflict (PLO 1a, 2a)
- CLO2 : Engage in and communicate complex critical analysis of conflict situations and apply appropriate strategies for engagement and resolution (PLO 1a, 2a, 3a, 3b)
- CLO3 : Demonstrate an awareness of policy and legal issues in dispute resolution, both in Australia and globally (PLO 1a, 2a, 2b)
- CLO4 : Investigate and adopt appropriate research methodologies and produce written and verbally-delivered research that identifies and synthesises issues in conflict management (PLO 1b, 2b, 3a, 3b, 4)

### Detailed Assessment Description

#### I. Preparation, negotiation and reflection (Class 3)

Prior to Class 3, read the confidential set of facts which relate to the role in the negotiation you have been allocated. There is no set of common facts for this exercise. Before Class 3, start preparing a draft negotiation plan so that you are ready to prepare with your group on Class 3.

During Class 3, you will be grouped with a few other students who have the same role as you. You will have time to discuss and adapt your individual negotiation plans with the other members of your group. Each member of the group (with the same role) should regard themselves as consultants to one another. The purpose is to share good ideas and insights, not necessarily to decide as a group only one set of strategies and tactics to follow. You may wish to follow a strategy which differs from others in your group. You will not be conducting the negotiation with other members of your group, so each member may decide to conduct the negotiation in a different way. Remember no two negotiations are ever the same.

#### 1. As a group, discuss your Negotiation Plans.

As part of your preparation, prepare a visual representation of the conflict. You may wish to refer to one of the Conflict Analysis Tools set out in the SDC "Conflict Analysis Tools" Guide (2005)

(uploaded on Moodle) or any other aspect of a model or theory discussed in class.

## 2. Negotiation

Each member of the group will participate in their own negotiation on Class 3, pairing up with counterparts from the other groups.

## 3. Group Reflection and preparing your Group Presentation

At the conclusion of your negotiation, group members will meet again and each member will reflect on their own negotiation, sharing their observations with each other.

Based on your experiences, you will then prepare a presentation for the class, reporting on your experiences, what skills you used, what strategies worked and identifying any opportunities for improvement.

## II. Group Presentation (Class 4)

During Class 4, each of the groups will present to the class. The group **presentation** should be no more than 15 minutes. This will allow 5 minutes for Q&A for each group.

- The group presentation should include a visual presentation of the conflict through a diagram or plan or map.
- Each member of the group **must** play a role in the delivery.
- The group is encouraged to be as resourceful as possible in the limited time available so that the session provides the most effective learning experience possible for the class.
- Your group will be given a mark out of 25. As a general approach, all members of the group will usually be given the same mark unless there is cause to give a particular member of a group a different mark.

### Generative AI Permission Level

#### **Not Applicable**

Generative AI is not considered to be of assistance to you in completing this assessment. If you do use generative AI in completing this assessment, you should attribute its use.

For more information on Generative AI and permitted use please see [here](#).

## **Research Essay**

### Assessment Overview

This assessment requires you to write a research essay.

## Course Learning Outcomes

- CL01 : Demonstrate high-level knowledge and understanding of the dynamics of conflict and conflict resolution, including the psychological dimensions of conflict (PLO 1a, 2a)
- CL02 : Engage in and communicate complex critical analysis of conflict situations and apply appropriate strategies for engagement and resolution (PLO 1a, 2a, 3a, 3b)
- CL03 : Demonstrate an awareness of policy and legal issues in dispute resolution, both in Australia and globally (PLO 1a, 2a, 2b)
- CL04 : Investigate and adopt appropriate research methodologies and produce written and verbally-delivered research that identifies and synthesises issues in conflict management (PLO 1b, 2b, 3a, 3b, 4)

## Detailed Assessment Description

### ***Lodgement:***

All research essays are to be submitted via Turnitin in Moodle.

### ***Word limit:***

The word limit is 4000 words, excluding footnotes and references.

### ***Topics:***

Topics are made available on Moodle. It is important that students select a topic which they find interesting and relevant. Self-selected topics may range from the theoretical to case studies of a particular dispute or issue in the public arena.

## Procedures for Submission of Assignments

Please read the below information carefully before submitting an assignment.

Research Essays are to be submitted via Turnitin in Moodle. You do not need to submit a hard copy of your assignment. To submit assignments via Turnitin please follow the instructions [here](#). Please be sure to **upload the correct file** as a Word Doc (not PDF). The cover sheet for the electronic submission via Turnitin is [here](#)

If the Turnitin assignment submission process is not working, please email your assessment to your teacher before the deadline, but also try to upload it again. It is recommended that you do not leave submission to the final minutes before the deadline as it seems this is when it is most likely that your internet connection will fail.

### Assessment Length

4000 words

### Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

### Generative AI Permission Level

#### Simple Editing Assistance

In completing this assessment, you are permitted to use standard editing and referencing functions in the software you use to complete your assessment. These functions are described below. You must not use any functions that generate or paraphrase passages of text or other media, whether based on your own work or not.

If your Convenor has concerns that your submission contains passages of AI-generated text or media, you may be asked to account for your work. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

For more information on Generative AI and permitted use please see [here](#).

## General Assessment Information

For further information on generative AI use in the Faculty of Law & Justice, please review the section titled 'Academic Honesty and Plagiarism' under the 'Other Useful Information' tab.

### Grading Basis

Standard

## Course Schedule

### Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.



# Course Resources

## Prescribed Resources

There is additional reading included in Moodle, and there are selected texts in the Co-op bookshop which some of you will find helpful, particularly if the text is relevant to your chosen Research Essay topic. The additional reading (not mandatory) texts are:

Mayer – <https://www.bookshop.unsw.edu.au/details.cgi?ITEMNO=9780470613535>

Kahneman – <https://www.bookshop.unsw.edu.au/details.cgi?ITEMNO=9780141033570>

Macfarlane - <https://www.bookshop.unsw.edu.au/details.cgi?ITEMNO=9780774835831>

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
	Danielle Hutchinson					No	Yes

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

### UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Generative AI

Using generative AI to conduct research or to organise your argument is not prohibited but is not encouraged. We note that the output from generative AI tools is often incorrect and almost always more superficial than is required to achieve a passing grade. Moreover, any substantive errors in the assessment, such as inappropriate references or incorrect statements, will be regarded negatively by the marker, just as they would if not generated by AI. You should limit your use of AI to simple editorial assistance, such as standard editing and referencing functions in word processing software in the creation of your submission. You must not use any functions that generate or paraphrase passages of text, whether based on your own work or not. If your marker or Turnitin identify the wrongful use of generative AI in the text of your assessment submission, including the use of paraphrasing software, your assessment may be referred to the

Student Integrity team for investigation. Please go to the link for further information about [referencing and acknowledging the use of artificial intelligence tools](#).

### **Prohibition on use of translation apps**

With limited exceptions for language study, the course of study and assessment in Australian universities must be in English (Higher Education Standard Framework (Threshold Standards) 2021 1.5 6(c)).

In Law & Justice many classes have assessable class participation. This must be in English. **Use of a translation device to assist with contributions to class discussion is not allowed.** Marks for class participation may be reduced where use of translation devices is detected. Similar prohibitions apply to use of any other generative text app that is not specifically permitted by the class teacher. However, use of translation software to assist a student to understand material outside of class, or to assist with preparation for assessment is generally permitted.

Further considerations apply to LLB and JD students. International lawyers who seek to be admitted in NSW must satisfy an English proficiency test. That test is expressed as equivalent to IELTS scores of 7.0 -8.0 across the tests. It is assumed that UNSW graduates are at or above those levels of English proficiency. Use of translation apps can impede the attainment of that level of proficiency. Students should avoid behaviours that put them at risk of breach of legal requirements which can have significant consequences, including potential consequences for your admission as a lawyer.

### **Submission of Assessment Tasks**

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

### **Special consideration**

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

### **Feedback**

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior

to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

### Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.